

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132305/FO/2021

Date registered valid: 27 April 2022

Proposal: Creation of two residential apartments (Use Class C3a) at first and second floors

Address: 17 Shudehill, Manchester, M4 2AF

Ward(s): Piccadilly Ward

Applicant: Mr D Stevenson Outlook Properties C/o Agent

Agent (if any): Endaf Roberts Civitas Planning Limited C/o Bradshaws, 2 Well House Barns, Chester Road, CH4 0DH

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 November 2022

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit:

Standard consultations:

Printed: 11 May 2022 Expired: 1 June 2022

Neighbour notifications

Printed: 11 May 2022 Expired: 1 June 2022

Site notice

Posted: Expired:

Press advert

Published: 17 May 2022 Expired: 7 June 2022

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area: Shudehill Conservation Area 1987

Tree Preservation Order:

Description of Site/Area

The application site relates to a three-storey terraced property located within the Northern Quarter area of Manchester City Centre. The current use of the property is retail unit to the ground floor with Offices above. The applicant states that the first and second floor have been vacant for 4 years.

The application site is located within the Shudehill conservation area which was designated in January 1987

Description of Development

The submitted application seeks planning permission for the creation of two residential apartments (Use Class C3a)

Relevant Planning History

-107200/P3JPA/2014/C1 Prior approval for change of use of first and second floor offices to 4 No. studio apartments APPROVED 17 December 2014.

Consultations & Notification Responses

Local residents were notified, and a site notice was posted for 21 days. No responses were received as a result of this.

Environmental Health – Recommendation of conditions relating to noise, refuse and air quality.

Highways – No objection, clarification sought regarding waste collection.

Flood Risk Management – no drainage condition required.

Design for Security at GMP recommendation of a number of security measures to be incorporated to the development.

Issues

The main issues for consideration relate to the impact of the proposals on residential amenity, space standards, highways considerations and access. The main policies that relate to the proposal are Section 6 (Building a Strong and Competitive Economy), Section 7 (Ensuring the Vitality of Town Centres), Section 12 (Achieving Well Designed Places) and Section 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework (NPPF), Policies SP1 (Spatial Principles), Policy H1 (Overall Housing Provision), CC1 (Primary Economic Development Focus: City Centre and Fringe), CC5 (Transport), CC9 (Design and Heritage), CC10 (A Place for Everyone), T1 (Sustainable Transport), T2 (Accessible Areas of Opportunity and Need), EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), EN19 (Waste) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester and of the Unitary Development Plan for the City of Manchester.

Principle of Development

The proposal would result in the loss of a very small amount of floor space of the existing office which would not have a detrimental impact on the city centres office market. Policy H1 also states that new developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works.

Residential Amenity

Residential Space Standards

Both apartments would be over one floor and include 1 no double bedroom. Apartment 1 would have an overall floor space of 60m² and Apartment 2 has a floorspace of 70m². The minimum floorspace for a 1 bed 2 person dwelling over one floor is 50m², the proposed apartments exceed this and therefore they are considered to provide a good standard of accommodation with regards to space.

Noise

The submission has included the submission of an acoustic assessment,

An AVO overheating assessment is required along with an acoustic report . This is to ensure that noise and overheating consideration can be addressed by the proposal. The applicant has agreed to a pre commencement condition with regards to this.

Waste

The applicant has indicated that refuse would be stored internally to the rear of the property, however more information is required with regards to estimated volumes and types of waste produced by the development, details of waste stores for both waste and recycling, location of the proposed collection point and details of the route the collection vehicle will take as well as details of number and capacity of bins proposed and collection frequency. A pre-commencement condition to ensure waste provision is adequate is proposed.

Highways

The proposal site is located within the city centre which is highly accessible by sustainable modes and is in close proximity to a range of public transport facilities including bus, tram and train.

No on-site car parking is offered which is acceptable in this location. Whilst it is recommended that secure and sheltered cycle parking is provided, the applicant has stated that in this instance given that this is a historic building with a small internal floorspace internal cycle storage would not be viable in this instance.

Access

The proposed 2 no. apartments would not be fully accessible as there are 2 flights of stairs from the ground floor and up to the first floor and second floors. Whilst adaptability would be usually sought on new residential schemes, in this instance given that the building is existing and the small size of the property, it would not be viable to make it fully accessible for the two units.

Security and Crime Prevention

The entrance to the proposed units would be from Shudehill which is a heavily trafficked street that benefits from natural surveillance. The applicant has provided a crime impact and security statement which confirms the development will incorporate a number of security measures including: All communal entry doors compliant with, and certified to, BS PAS 24, STS202, or LPS 1175 SR2, glazing on the external facades (both to doors and windows) of the building must incorporate at least one pane of glass rated as P1A under EN 356 (upper floors) as well as intruder alarms.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Received by the Local Planning Authority on 23 November 2021:

-Environmental Noise Assessment Report Doc No: P3002235/(REP)U001 prepared by BDP Acoustics

Received by the Local Planning Authority on 27 April 2022

-Proposed floor plans ref. 1427.200 C

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policies SP1 and DM1 of the Core Strategy.

3) Notwithstanding details submitted, prior to the first occupation of the development hereby approved, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall include:

- Estimated volumes and types of waste produced by the development;
- Details of waste stores for both waste and recycling;
- Location of the proposed collection point and details of the route the collection vehicle will take;
- Details of number and capacity of bins proposed and collection frequency;

The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

4) a) Prior to commencement of the development mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented as part of the development.

b) Prior to first occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

5) (a) a scheme for acoustically insulating and mechanically ventilating the residential accommodation against local road traffic network, any local commercial or industrial premises and the insulation requirements and specification for service risers or lift shafts; and

(b) following an assessment of the potential for overheating (AVO Assessment) any details of any additional noise mitigation measures to deal with equipment to mitigate overheating.

Shall be submitted for approval in writing by the City Council, as Local Planning Authority, prior to the commencement of the development. The approved scheme shall be implemented prior to the first occupation of the development.

The following noise criteria will be required to be achieved:

Bedrooms (nighttime - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax}, F by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

(c) Prior to first occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non-compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

7) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Second Floor To Fourth Floor, 21 - 23 Shudehill, Manchester, M4 2AF
Ground Floor And First Floor, 5 Well Street, Manchester, M4 2AB
Ground Floor, 7 - 9 Thorniley Brow, Manchester, M4 2AB
Basement To First Floor, 7 - 9 Thorniley Brow, Manchester, M4 2AB
Flat 2, 15 Well Street, Manchester, M4 2AG
Flat 1, 15 Well Street, Manchester, M4 2AG
21 - 23 Shudehill, Manchester, M4 2AF
Second Floor, 19 Shudehill, Manchester, M4 2AF
First Floor, 19 Shudehill, Manchester, M4 2AF
Ground Floor, 19 Shudehill, Manchester, M4 2AF
19 Shudehill, Manchester, M4 2AF
Ground Floor, 15 Shudehill, Manchester, M4 2AF
Flat 4, 15 Shudehill, Manchester, M4 2AF
Flat 1, 15 Shudehill, Manchester, M4 2AF
13 Shudehill, Manchester, M4 2AF
15 Shudehill, Manchester, M4 2AF
Flat 3, 15 Shudehill, Manchester, M4 2AF
Flat 2, 15 Shudehill, Manchester, M4 2AF
21 Shudehill, Manchester, M4 2AF

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Shudehill Conservation Area 1987
Area Team Boundary - Name: CENTRL