

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133616/FO/2022
Date registered valid: 23 June 2022
Proposal: Installation of louvres to ground floor unit
Address: Ground Floor, Skygardens, Manchester, M15 4LY
Ward(s): Hulme Ward

Applicant: Mr Andy Horwood Tesco Kestrel Way, Welwyn Garden City, AL7 1GB
Agent (if any): Jake Tubb RPS Consulting UK & Ireland Via Email
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 18.11.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 22 July 2022

Standard consultations:

Printed: 30 June 2022 Expired: 21 July 2022

Neighbour notifications

Printed: 30 June 2022 Expired: 21 July 2022

Site notice

Posted: 22 July 2022 Expired: 12 August 2022

Press advert

Published: 5 July 2022 Expired: 26 July 2022

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to a newly completed building, known as Sky Gardens, on the north-west side of Chester Road. The building comprises residential apartments with ground floor commercial units. It is within the St Georges area and is bounded to the north east by another residential building (City Gardens), to the south west by a vacant site that has planning permission for an apartment building and to the north by an access road beyond which is a low industrial unit (for which planning permission has been minded to be approved subject to a S106 agreement for residential development).

The area contains a large number of residential buildings, along with an auto-repair centre and commercial uses. On the opposite side of Chester Road is the Grade II Listed Building St Georges House with low level housing and a couple of high-rise apartment blocks encompassing the surrounding area.

Description of development

Planning permission is sought for the installation of louvres to the ground floor unit.

Planning History

133615/FO/2022 Installation of Automated Telling Machine ATM. APPROVED 30.08.2022

133916/AO/2022 Installation of external signage. APPROVED 22.08.2022

115211/FO/2017 Redevelopment of site with a mixed-use development comprising 174 dwellings (Use Class C3) and 4 commercial units (to include Use Classes A1, A2, A3, A4, B1a), with associated car parking and a landscaped public square. APPROVED 30.05.2017

Consultations & Notification Responses

Local residents were notified however none responded.

Environmental Health: Had no objections to the proposal but recommended an acoustic verification report be attached to any approval.

Issues

The main issues for consideration relate to the acceptability of the proposals in terms of the impact on visual amenity, in particular the impact on the character and appearance of the surrounding nearby listed building, and residential amenity. The main policies that relate to this proposal are policies EN1 (Design Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester and Sections 12 (Achieving Well Designed Places) and 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2021).

Visual Amenity and Impact on the Historic Environment

The proposed siting of the louvres is the side of the building above the underground car parking access point and is well screened by the existing building and radial route in and out of the city centre (Chester Road) and would not be seen within the setting of the nearby listed building, therefore it would not have a detrimental impact on the surrounding area. The louvres will occupy a significant proportion of the eastern elevation and are set behind a perforated screen. These elements have been designed to enhance the appearance of the elevations whilst be in keeping with the features of the building.

The louvres and screening would be coloured power coated aluminium RAL 1035 to match the existing cladding panels.

It is considered that the works would be beneficial to the setting of the nearby listed building and are consistent with sections 66 of the Planning Act in relation to preservation and enhancement.

Given the above, the works are considered to be in accordance with Sections 12 and 16 of the National Planning Policy Framework, policies EN3 (Heritage), CC9 (Design and Heritage), EN1 (Design Principles and Strategic Character Areas), SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Residential Amenity

The condition recommended by the City Council's Environmental Health Service would be applied to the application to ensure that the proposals comply with the submitted noise report.

In view of the above subject to compliance with conditions the proposals would be consistent with Section 16 of the NPPF and Core Strategies EN1, SP1, and DM1.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included advice about information required to allow the approval of the application.

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:

Drawing- Location Plan, stamped as received by the City Council as the local planning authority on 26 April 2022.

Drawing- East Elevation ref. PL (20) 201.4 received by the City Council as the local planning authority on 21 October 2022

Drawing- Site Plan ref. 02 MANC 02G R1

Drawing- Plant Plan ref. 02 MANC 02H R1

Drawing- Plant Layout Plan ref. 02 MANC 02K R1

Drawing- Plant Part Elevation ref. 03 MANC 03D R2

Drawing- Elevations 2 Plant ref. 03 MANC 03G

Drawing- East Elevation ref. PL (20) 201.4

Drawing- Plant Part Plan ref. 02 MANC 02J R2

Drawing- Plant Area Layout ref. SK003D

All stamped as received by the City Council as the local planning authority on 28 October 2022

The Plant Noise Impact Assessment prepared by Noise Solutions Ltd dated 14th November and received to the City Council on 15 November 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN3, CC9, EN1, SP1 and DM1 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

- 3) The louvres and screen hereby approved shall be implemented in accordance with the approved details set out in the drawings and documents as specified in Condition 2 of this approval.

Reason - In the interest of visual amenity pursuant to policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy (2012).

4 a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with The Plant Noise Impact Assessment prepared by Noise Solutions Ltd dated 14th November and received to the City Council on 15 November 2022. The scheme as detailed within this approved document shall be implemented in full before the use commences.

b) Within 3 months of the first operation of the scheme, a verification report will be required to be submitted for approval in writing by the City Council, as Local Planning Authority, to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

3 Bentinck Street, Manchester, M15 4RS
Flat 2, 5 Bentinck Street, Manchester, M15 4RS
Flat 3, 5 Bentinck Street, Manchester, M15 4RS
Second Floor Unit 9, Phoenix House, 17 Ellesmere Street, Manchester, M15 4JY
First Floor, Phoenix House, 17 Ellesmere Street, Manchester, M15 4JY
Ground Floor, Phoenix House, 17 Ellesmere Street, Manchester, M15 4JY
Second Floor, Phoenix House, 17 Ellesmere Street, Manchester, M15 4JY
206 Chester Road, Manchester, M15 4JE
208 Chester Road, Manchester, M15 4JE
3D Spinners Way, Manchester, M15 4SR
Flat 919, 7 Spinners Way, Manchester, M15 4UX
Flat 918, 7 Spinners Way, Manchester, M15 4UX
Flat 921, 7 Spinners Way, Manchester, M15 4UX
Flat 917, 7 Spinners Way, Manchester, M15 4UX
Flat 922, 7 Spinners Way, Manchester, M15 4UX
Flat 912, 7 Spinners Way, Manchester, M15 4UX
Flat 911, 7 Spinners Way, Manchester, M15 4UX
Flat 910, 7 Spinners Way, Manchester, M15 4UX
Flat 725, 7 Spinners Way, Manchester, M15 4UX
Flat 723, 7 Spinners Way, Manchester, M15 4UX
Flat 701, 7 Spinners Way, Manchester, M15 4UX
Flat 526, 7 Spinners Way, Manchester, M15 4UX
Flat 524, 7 Spinners Way, Manchester, M15 4UX
Flat 506, 7 Spinners Way, Manchester, M15 4UX
Flat 325, 7 Spinners Way, Manchester, M15 4UU
Flat 321, 7 Spinners Way, Manchester, M15 4UU
Flat 310, 7 Spinners Way, Manchester, M15 4UU
Flat 121, 7 Spinners Way, Manchester, M15 4UU
Flat 117, 7 Spinners Way, Manchester, M15 4UU
Flat 114, 7 Spinners Way, Manchester, M15 4UU
Flat 112, 7 Spinners Way, Manchester, M15 4UU
43 Bentinck Street, Manchester, M15 4RS
35 Bentinck Street, Manchester, M15 4RS
Flat 903, 7 Spinners Way, Manchester, M15 4UX
Flat 732, 7 Spinners Way, Manchester, M15 4UX
Flat 731, 7 Spinners Way, Manchester, M15 4UX
Flat 728, 7 Spinners Way, Manchester, M15 4UX
Flat 527, 7 Spinners Way, Manchester, M15 4UX
Flat 523, 7 Spinners Way, Manchester, M15 4UX
Flat 522, 7 Spinners Way, Manchester, M15 4UX
Flat 519, 7 Spinners Way, Manchester, M15 4UX
Flat 517, 7 Spinners Way, Manchester, M15 4UX
Flat 509, 7 Spinners Way, Manchester, M15 4UX
Flat 332, 7 Spinners Way, Manchester, M15 4UU
Flat 326, 7 Spinners Way, Manchester, M15 4UU
Flat 324, 7 Spinners Way, Manchester, M15 4UU
Flat 318, 7 Spinners Way, Manchester, M15 4UU
Flat 122, 7 Spinners Way, Manchester, M15 4UU
Flat 119, 7 Spinners Way, Manchester, M15 4UU
Flat 116, 7 Spinners Way, Manchester, M15 4UU

Flat 113, 7 Spinners Way, Manchester, M15 4UU
Flat 111, 7 Spinners Way, Manchester, M15 4UU
Flat 110, 7 Spinners Way, Manchester, M15 4UU
Flat 107, 7 Spinners Way, Manchester, M15 4UU
Flat 101, 7 Spinners Way, Manchester, M15 4UU
Flat 4, 7 Spinners Way, Manchester, M15 4UU
Flat 3, 7 Spinners Way, Manchester, M15 4UU
Flat 1, 7 Spinners Way, Manchester, M15 4UU
Flat 907, 7 Spinners Way, Manchester, M15 4UX
Flat 719, 7 Spinners Way, Manchester, M15 4UX
Flat 714, 7 Spinners Way, Manchester, M15 4UX
Flat 530, 7 Spinners Way, Manchester, M15 4UX
Flat 512, 7 Spinners Way, Manchester, M15 4UX
Flat 505, 7 Spinners Way, Manchester, M15 4UX
Flat 333, 7 Spinners Way, Manchester, M15 4UU
Flat 330, 7 Spinners Way, Manchester, M15 4UU
Flat 133, 7 Spinners Way, Manchester, M15 4UU
Flat 126, 7 Spinners Way, Manchester, M15 4UU
Flat 120, 7 Spinners Way, Manchester, M15 4UU
Flat 106, 7 Spinners Way, Manchester, M15 4UU
Flat 102, 7 Spinners Way, Manchester, M15 4UU
Flat 1, 39 Bentinck Street, Manchester, M15 4RS
Flat 906, 7 Spinners Way, Manchester, M15 4UX
Flat 726, 7 Spinners Way, Manchester, M15 4UX
Flat 720, 7 Spinners Way, Manchester, M15 4UX
Flat 711, 7 Spinners Way, Manchester, M15 4UX
Flat 708, 7 Spinners Way, Manchester, M15 4UX
Flat 703, 7 Spinners Way, Manchester, M15 4UX
Flat 533, 7 Spinners Way, Manchester, M15 4UX
Flat 531, 7 Spinners Way, Manchester, M15 4UX
Flat 528, 7 Spinners Way, Manchester, M15 4UX
Flat 520, 7 Spinners Way, Manchester, M15 4UX
Flat 504, 7 Spinners Way, Manchester, M15 4UX
Flat 503, 7 Spinners Way, Manchester, M15 4UX
Flat 502, 7 Spinners Way, Manchester, M15 4UX
Flat 501, 7 Spinners Way, Manchester, M15 4UX
Flat 320, 7 Spinners Way, Manchester, M15 4UU
Flat 319, 7 Spinners Way, Manchester, M15 4UU
Flat 315, 7 Spinners Way, Manchester, M15 4UU
Flat 309, 7 Spinners Way, Manchester, M15 4UU
Flat 307, 7 Spinners Way, Manchester, M15 4UU
Flat 306, 7 Spinners Way, Manchester, M15 4UU
Flat 303, 7 Spinners Way, Manchester, M15 4UU
Flat 128, 7 Spinners Way, Manchester, M15 4UU
Flat 105, 7 Spinners Way, Manchester, M15 4UU
Flat 12, 7 Spinners Way, Manchester, M15 4UU
Flat 11, 7 Spinners Way, Manchester, M15 4UU
Flat 3, 41 Bentinck Street, Manchester, M15 4RS
Flat 915, 7 Spinners Way, Manchester, M15 4UX
Flat 913, 7 Spinners Way, Manchester, M15 4UX
Flat 730, 7 Spinners Way, Manchester, M15 4UX
Flat 715, 7 Spinners Way, Manchester, M15 4UX
Flat 710, 7 Spinners Way, Manchester, M15 4UX
Flat 331, 7 Spinners Way, Manchester, M15 4UU

Flat 329, 7 Spinners Way, Manchester, M15 4UU
Flat 322, 7 Spinners Way, Manchester, M15 4UU
Flat 305, 7 Spinners Way, Manchester, M15 4UU
Flat 6, 7 Spinners Way, Manchester, M15 4UU
Flat 2, 7 Spinners Way, Manchester, M15 4UU
Flat 127, 7 Spinners Way, Manchester, M15 4UU
Flat 131, 7 Spinners Way, Manchester, M15 4UU
33 Bentinck Street, Manchester, M15 4RS
Flat 2, 41 Bentinck Street, Manchester, M15 4RS
Second Floor Unit 7, Phoenix House, 17 Ellesmere Street, Manchester, M15 4JY
Phoenix House, 17 Ellesmere Street, Manchester, M15 4JY
1 Bentinck Street, Manchester, M15 4RS
Flat 1, 5 Bentinck Street, Manchester, M15 4RS
Flat 1, 37 Bentinck Street, Manchester, M15 4RS
204 Chester Road, Manchester, M15 4JE
Flat 916, 7 Spinners Way, Manchester, M15 4UX
Flat 729, 7 Spinners Way, Manchester, M15 4UX
Flat 721, 7 Spinners Way, Manchester, M15 4UX
Flat 712, 7 Spinners Way, Manchester, M15 4UX
Flat 706, 7 Spinners Way, Manchester, M15 4UX
Flat 532, 7 Spinners Way, Manchester, M15 4UX
Flat 529, 7 Spinners Way, Manchester, M15 4UX
Flat 525, 7 Spinners Way, Manchester, M15 4UX
Flat 518, 7 Spinners Way, Manchester, M15 4UX
Flat 516, 7 Spinners Way, Manchester, M15 4UX
Flat 513, 7 Spinners Way, Manchester, M15 4UX
Flat 511, 7 Spinners Way, Manchester, M15 4UX
Flat 507, 7 Spinners Way, Manchester, M15 4UX
Flat 327, 7 Spinners Way, Manchester, M15 4UU
Flat 317, 7 Spinners Way, Manchester, M15 4UU
Flat 308, 7 Spinners Way, Manchester, M15 4UU
Flat 302, 7 Spinners Way, Manchester, M15 4UU
Flat 132, 7 Spinners Way, Manchester, M15 4UU
Flat 108, 7 Spinners Way, Manchester, M15 4UU
Flat 104, 7 Spinners Way, Manchester, M15 4UU
Flat 103, 7 Spinners Way, Manchester, M15 4UU
Flat 9, 7 Spinners Way, Manchester, M15 4UU
Flat 8, 7 Spinners Way, Manchester, M15 4UU
Flat 5, 7 Spinners Way, Manchester, M15 4UU
Second Floor Unit 10, Phoenix House, 17 Ellesmere Street, Manchester, M15 4JY
Flat 905, 7 Spinners Way, Manchester, M15 4UX
Flat 1, 41 Bentinck Street, Manchester, M15 4RS
Second Floor Unit 8, Phoenix House, 17 Ellesmere Street, Manchester, M15 4JY
Flat 909, 7 Spinners Way, Manchester, M15 4UX
Flat 901, 7 Spinners Way, Manchester, M15 4UX
Flat 733, 7 Spinners Way, Manchester, M15 4UX
Flat 722, 7 Spinners Way, Manchester, M15 4UX
Flat 718, 7 Spinners Way, Manchester, M15 4UX
Flat 716, 7 Spinners Way, Manchester, M15 4UX
Flat 713, 7 Spinners Way, Manchester, M15 4UX
Flat 709, 7 Spinners Way, Manchester, M15 4UX
Flat 707, 7 Spinners Way, Manchester, M15 4UX
Flat 705, 7 Spinners Way, Manchester, M15 4UX
Flat 702, 7 Spinners Way, Manchester, M15 4UX

Flat 521, 7 Spinners Way, Manchester, M15 4UX
Flat 514, 7 Spinners Way, Manchester, M15 4UX
Flat 508, 7 Spinners Way, Manchester, M15 4UX
Flat 314, 7 Spinners Way, Manchester, M15 4UU
Flat 313, 7 Spinners Way, Manchester, M15 4UU
Flat 311, 7 Spinners Way, Manchester, M15 4UU
Flat 304, 7 Spinners Way, Manchester, M15 4UU
Flat 301, 7 Spinners Way, Manchester, M15 4UU
Flat 130, 7 Spinners Way, Manchester, M15 4UU
Flat 129, 7 Spinners Way, Manchester, M15 4UU
Flat 118, 7 Spinners Way, Manchester, M15 4UU
Flat 115, 7 Spinners Way, Manchester, M15 4UU
Flat 109, 7 Spinners Way, Manchester, M15 4UU
Flat 7, 7 Spinners Way, Manchester, M15 4UU
Flat 2, 39 Bentinck Street, Manchester, M15 4RS
7 Bentinck Street, Manchester, M15 4RS
3C Spinners Way, Manchester, M15 4SR
Flat 920, 7 Spinners Way, Manchester, M15 4UX
Flat 914, 7 Spinners Way, Manchester, M15 4UX
Flat 908, 7 Spinners Way, Manchester, M15 4UX
Flat 904, 7 Spinners Way, Manchester, M15 4UX
Flat 727, 7 Spinners Way, Manchester, M15 4UX
Flat 724, 7 Spinners Way, Manchester, M15 4UX
Flat 717, 7 Spinners Way, Manchester, M15 4UX
Flat 704, 7 Spinners Way, Manchester, M15 4UX
Flat 515, 7 Spinners Way, Manchester, M15 4UX
Flat 510, 7 Spinners Way, Manchester, M15 4UX
Flat 328, 7 Spinners Way, Manchester, M15 4UU
Flat 323, 7 Spinners Way, Manchester, M15 4UU
Flat 316, 7 Spinners Way, Manchester, M15 4UU
Flat 312, 7 Spinners Way, Manchester, M15 4UU
Flat 125, 7 Spinners Way, Manchester, M15 4UU
Flat 124, 7 Spinners Way, Manchester, M15 4UU
Flat 123, 7 Spinners Way, Manchester, M15 4UU
Flat 10, 7 Spinners Way, Manchester, M15 4UU
Flat 3, 39 Bentinck Street, Manchester, M15 4RS
3E Spinners Way, Manchester, M15 4SR
St Georges House, 215 - 219 Chester Road, Manchester, M15 4JE
Flat 2, 37 Bentinck Street, Manchester, M15 4RS
Excelsior Properties Ltd, Ellesmere Street, Manchester, M15 4JY
Ground Floor, Excelsior Properties Ltd, Ellesmere Street, Manchester, M15 4JY

Appendix 2 – Planning constraints

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