

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133386/FO/2022
Date registered valid: 14 June 2022
Proposal: Erection of a part single/part two storey building (Class B8) to form warehouse with ancillary office accommodation
Address: 247A Barlow Moor Road, Manchester, M21 7GJ
Ward(s): Chorlton Park Ward
Applicant: A Lock, 247 A Barlow Moor Road, Manchester, M21 7GJ
Agent (if any): S.W. Foulkes, Flat 31, Norfolk House, Clarendon Road, M33 2DU
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk
Recommendation: Refuse
Date of recommendation: 15 August 2022



Application details

Type of application: Full Application Consent
Development type: Minor Industry
Date of site visit: 01 August 2022
Standard consultations: Printed: 20 June 2022 Expired: 11 July 2022
Neighbour notifications: Printed: 20 June 2022 Expired: 11 July 2022
Site notice: No site notice has been produced
Press advert: No press advert had been published
Departure from Development Plan: No
Environmental Statement: Not required
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The application site is a narrow (5-metre wide) strip of former driveway situated between a single storey extension on the gable of No.249 Barlow Moor Road to the west, and the driveway associated with No.247 Barlow Moor Road to the east.

There is a single storey building on the site that is set back 16 metres off the gated Barlow Moor Road frontage. It is of red brick construction with a dual-pitched roof and extends to the rear boundary. The front curtilage comprises of a tarmac forecourt that is gated at the back of pavement and was used for the storage of refrigeration equipment at the time of a site visit.

The site and buildings either side sit back off the Barlow Moor Road frontage behind a grass verge and access road which provides parking and servicing for the commercial units. Facing the site to the north is Southern Cemetery and to the south are the rear gardens of residential dwellings fronting onto Maitland Avenue.

Description of area

No.249 Barlow Moor Road is the end of a commercial parade of 6no. terraced properties which have either commercial or living spaces above. There is another parade of 6no. commercial properties further west with each parade separated by 2no. driveways running along their gable ends.

No.247 is a commercial property converted from a pair of semi-detached dwellings.

Description of development

Erection of a part single/part two storey building (Class B8) to form warehouse with ancillary office accommodation.

The 2-storey element of development comes forward of the existing single storey building with a length of 11.6-metres leaving a 5.5-metre forecourt accommodating a bin store at the back of pavement. A vehicular roller-shutter front door is proposed to the ground floor storage facility with a large office space and 2no. WC's at first floor.

The roof plan shows new Velux windows to the existing single storey building.

Following negotiations with the applicant/agent, the application was amended to place the bin store at the rear, and to amend the roller shutter at the front to full height glazing. No amendment was made to the first floor which was raised as a primary area of concern with the applicant/agent.

Consultations & Notification Responses

9no. neighbours were notified of the proposal; no comments were received.

Highway Services

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

It is understood that the extension will provide additional storage space to the ground floor and office space to the first floor. It is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

There is no existing parking on-site and it is understood that business along Barlow Terrace park vehicles on-street. It is accepted that the development is unlikely to cause any increase in trips to/from the site and cause additional parking.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

A bin store is noted at the front of the site. It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Environmental Health

DEMOLITION/CONSTRUCTION HOURS

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

HOURS1

Premises opening hours

The applicant shall agree the opening hours of the premises in writing with the City Council as local planning authority

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

HOURS2

Deliveries to commercial premises

Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

NSE6

External plant/equipment/servicing

a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

This includes the roller shutter door and any other plant / equipment.

REF*

a) Before the development commences 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.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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.

The external bins and storage area are acceptable. The applicant will need to indicate where the internal bin stores will be.

Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Site History

The application site has been subject to two recent applications as set out below:

119881/FO/2018 - Erection of a two-storey building to form a retail unit (Class A1) at ground floor with a self-contained, two-bedroom flat above (Class C3) following demolition of the existing building.

Withdrawn – 08.10.2018

123030/FO/2019 - Erection of a single storey building to form ground floor retail unit (Class A1).

Approved – 18.12.2019

It is noted that the Council's advice to the applicant at the time of the 2019 application, was that a 2-storey extension could not be supported in this location. The applicant is the same as in the present proposal and sought clarification in 2019 with regards to the acceptability of a 2-storey extension. The Council confirmed that a 2-storey extension on this site was not acceptable.

Policy

National Planning Policy Framework National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021.

It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The statutory status of the development plan remains as the starting point for decision making. 'At the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- creating well designed places,
- making a positive contribution to health, safety and well-being,
- considering the needs of all members of the community, and
- protecting and enhancing the built and natural environment.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development including road safety and traffic generation. Consideration will also be given to the appropriateness of the site layout, scale form, massing, and materials.

Issues

Principle

The principal of an extended storage facility is acceptable in this location. There are however concerns with the visual impact of the proposal arising from the 2-storey extension. Concerns were originally raised with regards to the front bin store and roller-shutter doors also at the front which have been amended in a revised drawing. Notwithstanding this, the proposal does not contribute positively to the character of the area but detracts from it leading to a loss of existing levels of visual amenity. Consequently, even with the amendments to the front elevation and curtilage, the application is recommended for refusal.

Design and Appearance

The proposed extension to the existing building brings the development forwards by 11.6-metres to the original building line formed by the terrace of six properties to the west. It extends up to the height of the eaves of Nos.247 and 249 with a hipped roof. A 5.5-metre-deep forecourt would remain in front of the building to the gated frontage. A bin store has been relocated to the rear and a roller-shutter front door has been amended to glazing. The building provides a ground floor storage facility with a large office space and 2no. WC's at first floor. A separate pedestrian door is proposed alongside.

The 2-storey extension would sit adjacent to the single storey extension at the side of No.249 Barlow Moor Road and the driveway associated with the converted semi-detached property at No.247. This leaves a gap of 2.3-metres to No.249. As such, it would result in an isolated development that does not form a satisfactory relationship with either the parade to the west or the pair of semi's to the east. The building height, scale and massing would also be lower than development on either side which would emphasise its incongruity.

Overall, the development would harm the character of the street scene being development that cannot be described as sustainable which improves the social, environmental, and economic conditions of the area.

Car Parking / Servicing

The area forwards of the building could potentially provide off-road parking for 1no. vehicle. The storage unit would not be serviced, however access for the delivery and collection of stock could be taken from the frontage as other commercial units in the parade are serviced, subject to there being no conflict with passing vehicles and pedestrians.

Highway Services have assessed the application and have no objection to the proposal in this regard.

Cycle Parking

There is no provision in the application for cycle parking. The site is within a reasonably sustainable location that is served by a regular bus service between Stockport and the Trafford Centre. It is also conveniently located for access to the motorway network and key radial route into the city centre. Considering the scale of office space proposed at first floor, the absence of parking and the parking demand on the front service and access road, any revised scheme should incorporate cycle parking which would most likely be taken internally through the provision of cycle hooks. This would extend the range of sustainable travel options for the development options.

Conclusion

The proposed development will have a negative impact on the character and pattern of development in the street scene due to its poor relationship with adjacent buildings and the variable gaps at either side. The negative impact will be compounded by the height of the development which is unrelated to any existing buildings within the street scene. For the above reasons, the proposal does not result in development that is sustainable and therefore conflicts with the principles of Core Strategy policies SP1, EN1 and DM1, together with the Guide to Development in Manchester (2007) and the National Planning Policy Framework (2021).

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: Refuse

Article 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has refused the application for the reasons outlined in the delegated report. Concerns were raised with regards to the appearance of the 2-storey building in the street scene, particularly in terms of its height, scale, and poor relationship with the buildings on either side, the visual gaps between buildings and the harm to the character of the street scene that would result from this. As such, the proposal would not improve the social, environmental, and economic conditions of the area, and therefore does not comprise sustainable development. The applicant did not seek any pre-application advice in this instance. However, advice was issued by the Council in relation to a previous application in which the Council maintained that 2-storey development was not supported on the site. The option to withdraw the application was not pursued in this instance and the application is therefore recommended for refusal.

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

The proposed 2-storey extension, by reason of its siting and height in the gap between the end of the terrace and No.247 Barlow Moor Road, represents an isolated, incongruous, and obtrusive feature that is poorly related to the developments at either side, and is out of character with the pattern of development in the street scene. The prominent siting of the development on a narrow stretch of land does not enhance the social, economic, and environmental conditions of the site and wider street scene, leading to a loss of visual amenity in the area. The development is therefore not sustainable development, and so is contrary to the provisions of policies SP1, EN1 and DM1 of the Manchester Core Strategy, the Guide to Development in Manchester (2007) and the National Planning Policy Framework (2021).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

249A Barlow Moor Road, Manchester, M21 7GJ
28 Grindley Avenue, Manchester, M21 7NF
247 Barlow Moor Road, Manchester, M21 7GJ
6 Maitland Avenue, Manchester, M21 7WB
26 Grindley Avenue, Manchester, M21 7NF
24 Grindley Avenue, Manchester, M21 7NF
249 Barlow Moor Road, Manchester, M21 7GJ
8 Maitland Avenue, Manchester, M21 7WB
2 Maitland Avenue, Manchester, M21 7WB

Appendix 2 – Planning constraints

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH