

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134387/FO/2022

Date registered valid: 15 July 2022

Proposal: Erection of a two storey side extension to retail store following the demolition of the existing single storey extension

Address: 89 Albany Road, Manchester, M21 0BN

Ward(s): Chorlton Ward

Applicant: Mr Dvir Newman, Unicorn Grocery, 89 Albany Road, Manchester, M21 0BN

Agent (if any): Jennifer Sewart, Loop Systems Limited, 2 Commercial Street, Manchester, M15 4RQ

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11.10.2022

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 26.07.2022

Standard consultations:

Printed: 25 July 2022 Expired: 15 August 2022

Neighbour notifications

Printed: 25 July 2022 Expired: 15 August 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

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site

The application property is a retail premises, a long standing use located towards the northern end of Chorlton District Centre. The property is served by a dedicated car parking area to the south accessed via Albany Road. The building is two storeys to the Manchester Road frontage and single storey to the rear where it borders the Metrolink line to the east. The vacant former Chorlton Leisure Centre building lies to the north of the site.



Application site edged red – area of works is edged yellow

Description of proposals

The application proposals are for the erection of a two storey side extension which would be located to the northern elevation of the building. The submitted drawings indicate that the enlarged floorspace would allow for internal bike store and additional warehouse space at ground floor together with additional staff and office space at first floor. The extension would be erected following the removal of an existing covered store area and external generators and bike store. The extension would be finished in timber clad and render to the Manchester Road and south elevation to match the existing building, with a cement board finish to the party wall boundary to the north. The height of the extension would reflect the existing two storey height of the building on the Manchester Road frontage.

A small forklift enclosure is also proposed to be erected on the south elevation which would be clad with timber.

Planning History

The application property has been subject of the following relevant planning applications:

049364/FU/SOUTH2/96 - Change of use from warehouse to retail unit with associated packaging area, storage area, office and toilets

076771/FO/2005/S1- Erection of a single storey extension to storage area together with extension to the front porch and the erection of a first floor greenhouse, green roof to lower level and solar panel to high level roof

098452/FO/2012/S1 - Erection of first floor rear extension, installation of replacement windows and installation of timber cladding to first floor elevations

098451/FO/2012/S1 - Erection of first floor extension, installation of replacement windows and rendering to first floor elevations

115590/LE/2017 - Certificate of Lawful Existing Operation for the loading and unloading of deliveries outside the hours of 1100 hours to 1700 hours seven days a week.

128390/FO/2020 -Replacement of the existing single storey extension and alterations to windows, alterations to the car parking arrangement, including new cycle parking and trolley parking .

Consultations & Notification Responses

Nearby properties were notified of the proposals, no responses were received.

MCC Highway Services - Whilst the net increase to the overall building footprint is 206 sqm, the trading floor will only increase by 30 sqm. Office and staff facilities are expanded, and warehousing arrangements reconfigured. Highways are satisfied that there will be no adverse impact on the adjacent road network as a consequence of the development.

There will be no change to on-site customer car or cycle parking provision since cycle parking was recently expanded as part of the Chorlton Cycleway proposals. However up to four additional staff cycle parking places will be provided within the extension and this arrangement is acceptable.

An additional pedestrian entrance is provided to the Manchester Road elevation and whilst this is acceptable to us in principle, the door should not open outwards onto the adjacent walkway unless it is designated as fire a fire door.

It is recommended that a Construction Management Plan condition be attached to any approval.

MCC Environmental Health - Recommend conditions relating to construction management, noise (if external equipment is proposed) and a watching brief for potential contaminated land.

The applicant's agent has confirmed that no external plant or equipment is proposed as part of these proposals.

Policies

National Planning Policy Framework (as amended 2021)

The National Planning Policy Framework replaced previous guidance in PPGs and PPSs, setting out the Government's planning policies and how they are expected to be applied. The NPPF underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the Framework is a material consideration in planning decisions. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

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 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 ensure that new development contributes to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities and particularly by contributing to neighbourhoods of choice.

Policy C6 states that there is capacity for convenience floorspace, specifically in Chorlton District Centre, where an increase in capacity should be accommodated at existing facilities. The policy sets out that new development should contribute to the character of the centre and provide environmental improvements.

For reasons to be outlined below, it is considered the proposal accords with the principles of the abovementioned policies.

Issues

Principle - The proposal is the replacement of an existing single storey covered store with a two storey extension to accommodate an internal bike store, enlarged warehouse at ground floor and additional staff and store facilities, which is considered to be entirely acceptable in principle. The slight increase in floorspace is supported in policy terms having regard to policy C6 of the Core Strategy.

Notwithstanding this, consideration must be given to the proposed developments design and appearance, to the proposal's impact upon the character of the area within which it is located and its impact upon residential amenity.

Design and Scale - The extension proposed would replace an existing covered single storey side extension with a high quality extension (finished in timber cladding and render), which compliments the character and function of the existing building, improving the appearance of the building in the street scene and the environmental performance of the building. Whilst the extension would continue up to the boundary of the site it is not considered that the extension would give rise to unacceptable visual impacts on the street scene as a result of the proposed design and finishes to the building. The built form on the adjacent site (Leisure Centre) does have a visual break but if this site were to be brought forward for future development it is not considered that these application proposals would impede appropriately designed schemes being developed for that site.

Residential Amenity - It is not considered that the alterations proposed as part of this application would have any negative impact upon the residential amenity of any surrounding property. The Manchester Road frontage in this location is predominantly commercial in nature with some first floor residential accommodation located on the opposite side of the road. Given the location within the district centre and the commercial uses within the area the proposals are not considered to give rise to impacts on residential amenity.

The store is serviced from Albany Road and this would continue to be the case, it is noted that the store was subject to a lawful operation certificate for servicing taking place outside of previously restricted hours (outside of 11am and 5pm seven days a week). Whilst there is additional storage space proposed it is not considered that this would generate significant increases in servicing to the property than is currently the case.

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

The application has been considered in a positive and proactive manner. Any issues arising during consideration of the application have been raised with the applicants agent and a decision has been prepared within statutory timescale's. In this instance appropriately worded conditions are proposed.

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:

GA Proposed Site Plan ref 010; GA Proposed Rear Elevations 014; GA Proposed Forklift Enclosure 018 as received on the 15th July 2022

GA Proposed Ground Floor Plan ref 011 Rev A; GA Proposed First Floor Plan ref 012 Rev A
GA Proposed Elevations ref 013 Rev A as received on the 7th October 2022.

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) The development hereby approved shall not commence until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- The routing of construction traffic;
- Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site;
- Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason - In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19, DM1 and DM2 of the Manchester Core Strategy.

4) Notwithstanding the approved plans, prior to above ground works proceeding details of the materials to be used on the external elevations of the development hereby approved shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be subsequently carried out in accordance with the approved details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

5) The premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Friday - 09.00hrs to 19.00 hrs

Saturdays - 09.00 hrs to 18.00 hrs

Sundays and Bank Holidays - 11.00 hrs to 17.00 hrs

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policy DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

6) The approved cycle storage as detailed on the approved plans listed in condition 2 of this decision shall be installed prior to the first use of the development hereby approved and shall remain available for use whilst the use is in operation.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides them with a right of access for a number of functions and prevents change to existing ground levels, storage of

materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This informative does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact Cadent at plantprotection@cadentgas.com or on 0800 688 588 quoting the following reference: LSBUD Ref: 26459105

2) Construction/demolition works shall be confined to the following hours :

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

3) The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance 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).

4) You should ensure that any external wall treatments approved for planning purposes are discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

Appendix 1 – List of consultees & neighbours notified

Strategic Development Team
Highway Services
Environmental Health
Corporate Property
Chorlton Voice

102D Manchester Road, Chorlton, Manchester, M21 9BG
102B Manchester Road, Chorlton, Manchester, M21 9BG
102C Manchester Road, Chorlton, Manchester, M21 9BG
95B Manchester Road, Chorlton, Manchester, M21 9GA
95E Manchester Road, Chorlton, Manchester, M21 9GA
First Floor, 108 Manchester Road, Chorlton, Manchester, M21 9PQ
Chorlton Baths, Manchester Road, Chorlton, Manchester, M21 9PQ
2A Ransfield Road, Manchester, M21 9QH
108 Manchester Road, Chorlton, Manchester, M21 9TX
Chorlton Telephone Exchange, Albany Road, Manchester, M21 0BN
95D Manchester Road, Chorlton, Manchester, M21 9GA
95A Manchester Road, Chorlton, Manchester, M21 9GA
93 Manchester Road, Chorlton, Manchester, M21 9GA
Flat 30, 6 Redgates Walk, Manchester, M21 9GF
Flat 27, 6 Redgates Walk, Manchester, M21 9GF
95 Manchester Road, Chorlton, Manchester, M21 9GA
Flat 29, 6 Redgates Walk, Manchester, M21 9GF
Flat 28, 6 Redgates Walk, Manchester, M21 9GF
Flat 26, 6 Redgates Walk, Manchester, M21 9GF
Flat 25, 6 Redgates Walk, Manchester, M21 9GF

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA