

DELEGATED REPORT

Report by Claire Booth	Date of report: 27/06/2024	Ref: 70706/FUL
Registration: 02/05/2024	LDfC: 28/05/2024	Expiry Date: 27/06/2024
Site Visit: 03/06/2024	Site Notice: 03/06/2024	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Replacement roof including its roof lights; Spandrel panels to some of the windows at first floor on front elevation in units 5 & 6; All cladding repainted anthracite grey; Replacement windows, replacement of 3 no. roller shutters and doors; External mechanical air source heat pumps; and, Decoration of existing canopies over main entrance doors

Location: Units 5, 6 & 7, Park Seventeen, Whitefield, Manchester, M45 8FJ

Description

The proposal relates to three contemporary utilitarian employment/ industrial units, Units 5, 6 and 7, on Park 17 Industrial Estate, Whitefield, accessed off Moss Lane.

The Park 17 industrial estate was originally constructed in the mid 1980's and consists of 14 separate units. The units have been constructed to a high specification, the majority providing fully brick clad elevations beneath a pitched insulated profile roof with varying eaves heights of between 5.3m and 7.5m. Each unit typically provides 10% integral office accommodation. Units 1–9 provide individual units arranged within 3 terraces around a central courtyard with ample delineated car parking and loading with units 10-14 being detached units set in their own plots.

The application site relates to the three units at the head of the above-mentioned courtyard. The unit fronts onto the shared courtyard/ car park. It has a ridged roof screened behind a parapet wall.

Residential properties exist to the south, beyond a largely landscaped bund.

Permission is sought to renovate the units by replacing the existing roof with the inclusion of roof lights; adding Spandrel Panels to some of the first floor windows on the front elevation of units 5 & 6; repainting all cladding in an anthracite grey colour, adding a new window at ground floor level in the front elevation in each of the three units; replace the existing roller shutters and access doors on each of the units; and redecoration of the canopies over each of the main entrance doors. Permission is also sought to install air source heat pumps units on the north-west facing elevations at the rear of units 5 and 6 and the rear, north-east facing elevation of Unit 7.

The application site is on an allocated Employment Site, as defined by the UDP.

Relevant Planning History

70719: Prior approval for proposed roof mounted solar PV system comprising a maximum no. of 400 panels at 173.70kwp. Prior approval not required - 25 June 2024.

Publicity

Neighbouring residents and businesses notified by letter: 07/05/2024

Site Notice: 03/06/2024

No representations have been received.

Statutory/Non-Statutory Consultations

Environmental Health - Pollution Control - No objections

Pre-start Conditions - Not applicable.

Development Plan and Policies

EC2/1	Employment Generating Areas
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

- The elimination of discrimination, harassment and victimisation;
- The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
- The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation

imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Impact on visual amenity - The proposed alterations pertain largely to the roof and front elevations of the 3 units with air source heat pumps proposed on the rear of the units.

The works to the front elevation that would require planning permission, such as the Spanderal Panels to the windows, fire exit door and replacement roller shutter doors would match the existing, and would be minor.

The cages to the rear/ side of the units would be 2 metres high and would enclose the mechanical plant units for the air source heat pumps. These would be set against the rear brick walls of the host buildings and would not be visible from nearest neighbouring dwellings due to the intervening landscaped bund which exists on two sides of the industrial park

The proposed replacement roof covering would be entirely screened behind the parapet walls of the units.

Other alterations (which would have the most visual impact) do not require planning permission as these relate to the renovation of existing cladding finishes, by cleaning and re-coating.

Given the above, the proposed alterations would refresh the appearance of the building and would not have any unacceptable impacts upon visual amenity or the street scene. Therefore, the proposed development would be in accordance with Policies EN1/2 and EC6/1 of the Bury Unitary Development Plan.

Impact on neighbouring amenity - The proposed air source heat pumps and ventilation units would be positioned on the rear/side elevations, which face the industrial /business units, which are accessed off Stanley Road. The proposed air source heat pumps would be located at the base of the rear wall to Unit 7 and at the base of the side elevations to units 5 and 6.

There are no residential properties directly bordering the units. The nearest residential properties are located on Moss Lane to the south-west of the application site and Parkside Mews, to the north-west of the courtyard. These dwellings would be over 50 metres from the proposed heat pumps. Given the distance and the presence of a mature landscaping bund between the units and the residential properties, it is considered that the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties. The Pollution Control Section has no objections to the proposed development. Therefore, the proposed development would be in accordance with Policies EN7/2 and EC6/1 of the Bury Unitary Development Plan.

Other matters

The subject building is of a modern construction with parapet walls effectively sealing the edges of the roof. The roof is therefore unlikely to provide suitable habitat for bats. The proposal also does not require Biodiversity Net Gain (BNG) to be secured through the planning application process.

Conclusion

The development would not have any harmful impacts upon visual or residential amenity or protected species. As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in accordance with Section 38(6) of the Planning and

Compulsory Purchase Act, the proposal merits approval.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered Drawing no. 575-050 Rev.A: Location Plan, Drawing no. 575-051: Block Plan, Drawing no. 575-057: Floor Plans as Proposed, Drawing no. 575-058: Elevations as Proposed, Drawing no. 575-059: Roof Plan as Proposed, Drawing no. 575-054: Sections as Existing and as Proposed and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall be as detailed within the approved application particulars.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB - 27/06/2024		HL - 27/06/2024	