

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
112391/JO/2016/S2	8th Jun 2016	21st Sep 2017	Burnage Ward

**Proposal** Variation of condition number 2 attached to planning permission 110171/FO/2015/S2 to allow for amendments to the design, internal layout (including beauty salon) and appearance of the manager's flat

**Location** Burnage Cricket and Social Club, Mauldeth Road, Burnage, Manchester, M19 1AB

**Applicant** Mr John Gregory & Mr Lee Pepper , Burnage Community Sports and Social Club, Mauldeth Road, Manchester, M19 1AB,

**Agent** Nada Architects, 169 Kingsway, Manchester, M19 2ND,

### **Description**

The Burnage Social Club is located to the east of the Kingsway and Mauldeth Road junction and occupies a site approximately 1.1 hectare in size. The site, which formerly operated as a cricket club, consists of a social club and a 3 storey building which comprises of a manager's flat on the upper floors with ancillary uses on the ground floor. Vehicular and pedestrian access to it is via Mauldeth Road. Planning permission to erect this building was granted on 8<sup>th</sup> December 2015 under reference 110171/FO/2015/S2. The remainder of the site consists of the former cricket pitch.

To the north and east of the site there are dwellinghouses (Burnside Drive and Brookthorpe Avenue) while to the south, on the opposite side of Mauldeth Road, there is a commercial parade and further dwellinghouses. To the west of the site there are a number of commercial properties which front Kingsway.

During construction of the manager's flat it became apparent that it was not being built in accordance with the approved drawings. As a result the applicant was requested to submit the application which is now placed before the committee, i.e. planning permission is sought to vary condition no. 2 (approved drawings) attached to permission 110171/FO/2015/S2 in order to allow for amendments to the design and appearance and internal layout of the managers flat.

The accommodation originally approved under application 110171/FO/2015/S2 consisted on the following:

- Ground Floor – changing rooms, bar, wc's and showers
- First and Second Floor – manager's flat (5 bed)

The accommodation now proposed consists of:

- Ground Floor – games room, bar, changing rooms, salon and treatment room, office
- First and Second Floor – manager's living accommodation (4 bed) and storage areas

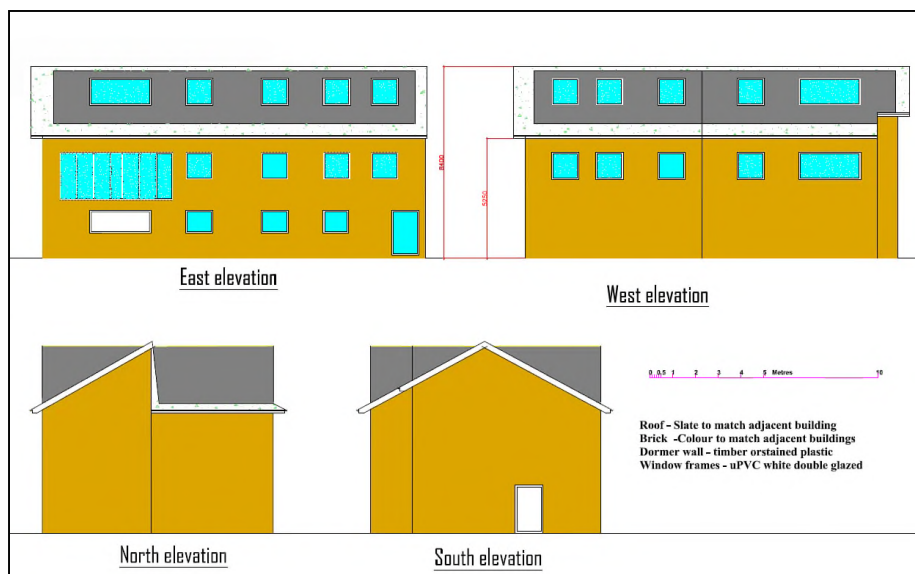
The design changes are detailed below:

- The irregular building footprint has been replaced with a more traditional rectangular one.
- The roof design has been simplified,
- The previously approved flat roofed dormer has been replaced with a series of smaller pitched roofed dormers and the window design throughout altered.

The proposed elevations are shown below:



The elevations approved under application 110171/FO/2015/S2



## **Consultations**

**Local Residents** – Three letters of objection have been received. Two residents raised concerns about the state of the site, in particular the dumping of vehicles and scrap metal. The other residents has raised the following concerns:

- Adverse effect on the residential amenity of neighbours, by reason of (among other factors) overlooking, loss of privacy, overshadowing.
- Unacceptably over-development of the site, especially as it involves the loss of the open aspect of the neighbourhood.
- The visual impact of the development.
- The effect of the development on the character of the neighbourhood.
- The proposed development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity.
- The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners.

**Environmental Health** – Suggest the imposition of the same conditions attached to the original planning permission.

## **Policies**

**The National Planning Policy Framework (NPPF)** – The NPPF was published on the 27<sup>th</sup> March 2012 and replaces and revokes a number of Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF constitutes guidance for local planning authorities and decision-makers both in drawing up plans and as a material consideration in determining planning applications. It does not change the statutory status of the development plan, i.e. the Core Strategy, as the starting point for decision making and it states further that development that accords with an up-to-date local plan, such as the Core Strategy, should be approved unless other material considerations indicate otherwise.

The NPPF states that the planning system must contribute to the achievement of sustainable development and that there are three dimensions to this: economic, social and environmental. It has introduced a set of Core Principle that should underpin both plan-making and decision-taking, these 12 principles are that planning should:

- Be genuinely plan-led,
- Not simply about scrutiny, but instead be a creative exercise in finding ways to enhance and improve places,
- Proactively drive and support sustainable economic development to deliver the homes, businesses/industrial units, infrastructure and thriving local places that the country needs,
- Always seek to secure high quality design and a good standard of amenity,
- Take account of the different roles and character of different areas,
- Support the transition to a low carbon future,

- Contribute to conserving and enhancing the natural environment and reducing pollution,
- Encourage the effective use of land,
- Promote mixed use developments,
- Conserve heritage assets in a manner appropriate to their significance,
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable,
- Take account of and support local strategies to improve health, social and cultural well-being for all.

**Core Strategy Development Plan Document** – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – This sets out the key spatial principles which will guide the strategic development of Manchester to 2027, of relevance to this application are:

Core Development Principles, Development in all parts of the City should:-

- Make a positive contribution to neighbourhoods of choice including:-
  - i) Creating well designed places that enhance or create character.
  - ii) Making a positive contribution to the health, safety and wellbeing of residents
  - iii) Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
  - iv) Protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues (of relevance to this application) for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Refuse storage and collection.
- Vehicular access and car parking.

**The Manchester Green and Blue Infrastructure Strategy (G&BIS)** – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

**Manchester Residential Quality Guidance 2016** – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

**Guide to Development in Manchester Supplementary Planning Guidance** – Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

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

## **Issues**

**Principle of the Proposal** – The principle of the proposal is considered acceptable given the granting of the previous consent for the manager's flat. Notwithstanding this, the impact of the amendments referred to above, upon the levels of visual and residential amenity enjoyed within the vicinity of the site, must be assessed.

**Residential Amenity** – In terms of proposed uses, the main difference between the original and proposed building is the introduction of the games room and salon/treatment rooms on the ground floor. Both of these uses are ancillary to the social club use that operates out of the main building and a condition (condition no. 7) is suggested to ensure that the salon/treatment rooms in particular do not operate as a separate entity.

It is considered that this condition, along with the fact that the nearest dwellings are located 67 and 126 metres away from the proposed building, will ensure that the impact of the proposal upon the levels of residential amenity enjoyed by its neighbours is limited.

**Privacy** – Given the distances (67 and 126 metres) between the proposed building and the dwellings on Kingsway, Mauldeth Road and Brookthorpe Avenue, it is not considered that the proposal will lead to a loss of privacy or overshadowing.

**Design** – It is considered that the design of the manager's flat has been improved. The irregular footprint has been replaced with a more traditional one and a series of smaller dormers have been installed, rather than a single linear flat roofed dormer. Notwithstanding the fact that the design of the proposal is considered to have benefited from the amendments, it is noted that the building has remained un-rendered for some time with bare blockwork evident on all elevations. To ensure that the building is rendered in a timely fashion condition no. 3 is suggested.

It is considered that the design of the building, and ultimately its rendering, will not have a detrimental impact upon the levels of visual amenity enjoyed along Mauldeth Road and Kingsway, from where the building is most visible.

**Scale and Massing** – The height of the building has been unaltered and remains at 8.4 metres high at the ridge. This is considered acceptable.

While the massing of the front elevation also remains unaltered, the eaves height of the rear elevation has been increased in height. However, as this elevation faces Kingsway and is set back from the pavement by over 10 metres, this is considered acceptable in this instance.

**Visual Amenity** – The proposed building is set back from Mauldeth Road by approximately 50 metres and views of it are obscured by a mature line of trees. As a result it is not considered that the proposal will have an impact upon the levels of visual amenity enjoyed along Mauldeth Road.

The proposed building is more readily visible from Kingsway. However, as it is set back from the road frontage by approximately 10 metres and will be rendered it is not considered that the levels of visual amenity experienced along Kingsway will be unduly harmed.

**Pedestrian and Highways Safety** – It is not considered that the comings and goings associated with the proposal will have a detrimental impact upon the levels of pedestrian and highway safety enjoyed along this section of Mauldeth Road.

**Condition of the Site** – Several local residents have raised concerns about the state of the site and how it has become subject to a large amount of tipping, predominantly rubbish and rubble generated by construction works and also a large number of scrap vehicles, site cabins and other metals. Both the Environment Agency and South SRF Neighbourhoods Team have been active in resolving this matter and it is understood that the majority of this tipped material has now been moved off site or is in the process of being relocated to a more appropriate facility.

**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 the right to a fair hearing and to this end the Committee 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 Head 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 approval of the application is proportionate to the wider benefits of approval 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 with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

### **Conditions to be attached to the decision**

1) The development must be begun not later than the expiration of three years beginning with the date of planning permission 110171/FO/2015/S2 that date being 8<sup>th</sup> December 2015.

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:

- a) Drawing 17-466 (01)001 PL0, stamped as received on 26th May 2017
- b) Drawing 17-466 (02)001 PL0, stamped as received on 26th May 2017
- c) Drawing 17-466 (03)001 PL0, stamped as received on 26th May 2017



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) Within two months of the date of this permission, samples and specifications of the render finish to be used on all external elevations of the development, and a timetable for its application, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall then be implemented in accordance with those 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.

4) a) Within two months of the date of this permission, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) shall be submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) The development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

5) Within two months of the date of this permission, a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. 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 residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

6) Within two months of the date of this permission details of the measures to be incorporated into the development (or phase thereof) to demonstrate that the principles of Secured by Design have been followed have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the agreed measures have been implemented.

Reason - To reduce the risk of crime, pursuant to policy DM1 in the Core Strategy Development Plan Document for the City of Manchester.

7) The salon and treatment room, as denoted on drawing no. (03)001 PL0 (stamped as received on 26th May 2017), shall only operate as an ancillary use to the Burnage Social Club and not as a separate business.

Reason – In the interests of residential amenity and pedestrian/highway safety, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 112391/JO/2016/S2 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

### **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

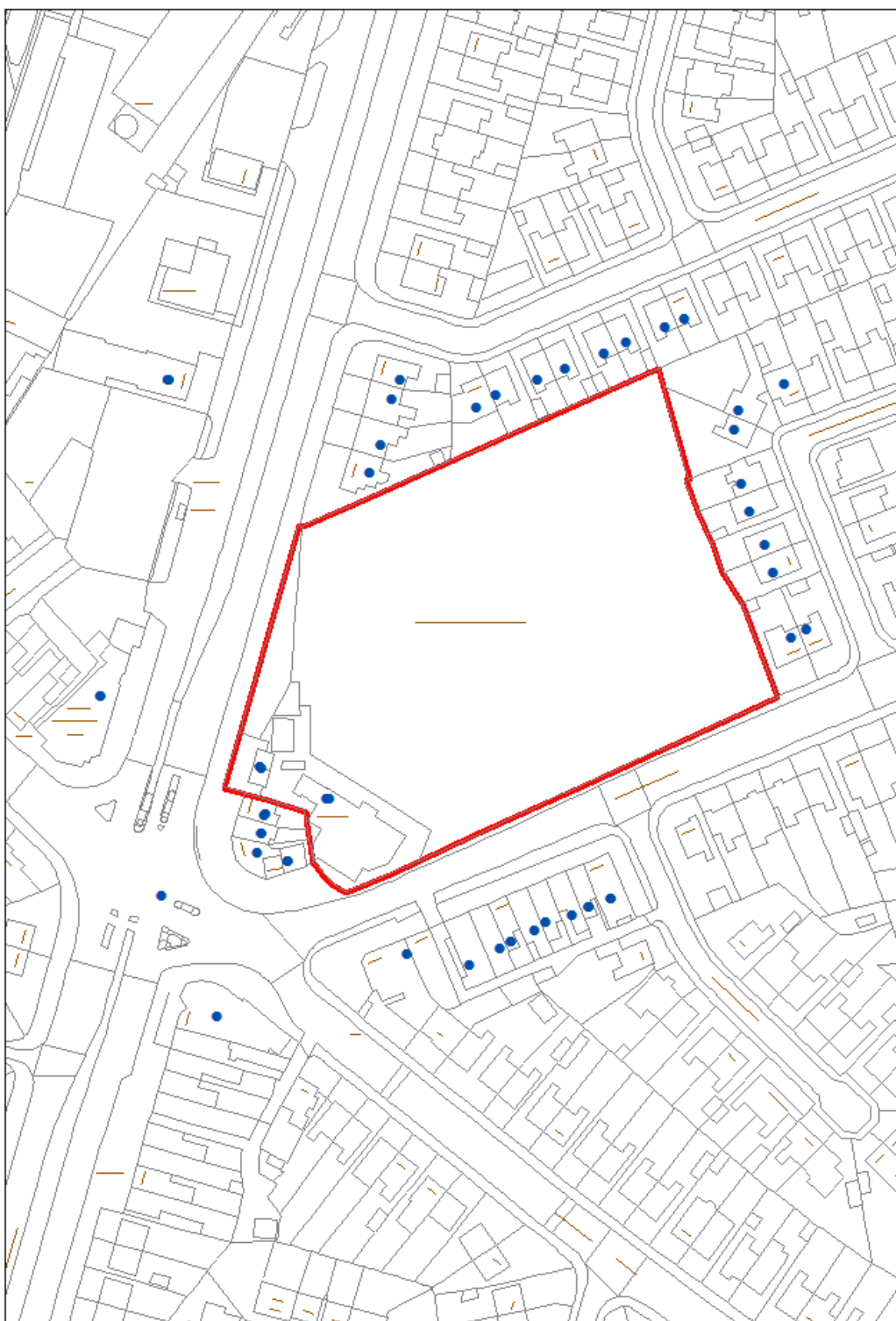
Greater Manchester Police

A map showing the neighbours notified of the application is attached at the end of the report.

### **Representations were received from the following third parties:**

7 Brookthorpe Avenue,  
9 Brookthorpe Avenue,  
103 Burnside Drive,  
247 Kingsway,

**Relevant Contact Officer :** David Lawless  
**Telephone number :** 0161 234 4543  
**Email :** d.lawless@manchester.gov.uk



 Application site boundary     Neighbour notification  
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