

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132228/FO/2021

Date registered valid: 15 November 2021

Proposal: Retention of a single storey rear extension installation of roller shutters and new shop front in association with the change of use of the ground floor from sui generis tanning salon to class E cafe

Address: 422 Barlow Moor Road, Manchester, M21 8AD

Ward(s): Chorlton Park Ward

Applicant: Mr Abnan Razzaq, Manchester Desserts Ltd, 422 Barlow Moor Road, Manchester, M21 8AD

Agent (if any): Mr Darren Pomfret, Manchester Building Design Ltd, 8 Gas Street, Hollingworth, SK14 8JD

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27.04.2022

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 17 December 2021

Standard consultations:

Printed: 22 November 2021

Expired: 13 December 2021

Neighbour notifications

Printed: 22 November 2021

Expired: 13 December 2021

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

This application relates to a two storey end of parade property comprising a commercial ground floor with residential above. The whole property is currently vacant and being renovated.



There was a small yard to the rear with an external stair providing access to the flat. Refuse for the flat is stored in the alley at the side of the property.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is located within the Chorlton District shopping centre. There are commercial properties to either side and facing across Barlow Moor Road. To the rear separated by an alley is a small modern infill housing development.

Description of development

Consent is sought to retain the extension lean to structure that encloses the whole of the yard area save for the existing external stair and a recess from the rear alley for the storage of refuse.



The extension provides additional storage space for the commercial unit and accommodates the recycling containers.

In addition it is also proposed to install a new powder coated shop front incorporating a security shutter.



Consultations & Notification Responses

Local residents/businesses

No representations received.

Environmental protection

Conditions required in respect of fume extraction, delivery times, noise insulation and insulation of external plant.

Highways

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

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

-Given that the proposed development is an increase of 17.8sqm space, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

-It is accepted that the proposed development is unlikely to generate any significant difference in trip levels when compared to the extant use.

-Given the sites location, it is accepted that the number of vehicle trips to the site will be minimal, and therefore no safety or network impact is envisaged.

-Regular bus services are routed along Barlow Moor Road and provides connections to The Trafford Centre, Piccadilly Gardens, Chorlton, Stockport and Arrowfield Estate.

-The closest Metrolink facility is located at Chorlton and provides connections to Manchester Airport, Manchester Victoria, East Didsbury, Rochdale and Shaw & Crompton.

-There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. It is accepted that there are sufficient opportunities for car parking in nearby locations both on-street and off-street at The Square Shopping Centre Car Park.

-In line with MCC recommendations, secure and sheltered cycle parking provision should be made, within the curtilage of the site, for the accommodation of staff/ visitor cycles.

-A refuse storage area is noted at the rear of the site. Staff will take the bins to/from the bins store to the collection point on Needham Avenue via an alleyway on collection day. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.

-The applicant should confirm whether a takeaway service will be in operation and the hours this will operate. It is understood that servicing and delivery vehicles will use the parking bays on Barlow Moor Road.

-The proposed roller shutter will not extend onto the adopted highway and as such as projection over license will not be required.

Policy

Core Strategy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved UDP policy is DC14 which sets down the criteria to be considered in determining applications for shop fronts and related signs.

Issues

Principle

The principle of extending commercial properties to improve their efficiency in the current economic climate is considered acceptable as is the installation of a new shop front.

Rear extension,

The rear extension is in situ and covers the whole of the yard area except for a recess and the external stair. This is not uncommon in this area and as there are adequate arrangements for the storage of refuse and recycling it is considered acceptable.

The design of the extension is rudimentary, however, it is largely screened from view and has no significant impact.

The proposed shop front consists of powder coated metal cladding to either side of a modern largely glazed shop front with a central door. The security shutter is mounted behind the cladding. On balance there are no issues with the elevational changes proposed.

Refuse

The proposed arrangements for the storage of refuse and recycling are considered acceptable. It is noted that the flat stores its waste in the alley, however, the applicant has indicated that this is a long standing arrangement and that the flats have no access to the rear yard. As the alley is not adopted and in the applicants ownership it is considered that this issue cannot be pursued any further.

Acoustic insulation

Whilst it is considered reasonable to require the acoustic insulation of the extension due to the presence of residential accommodation, there is no indication that there is any external plant proposed, which would require consent in its own right and therefore a condition required the acoustic insulation of external plant would not be relevant to this proposal.

Fume extraction.

There is no change of use involved in this application and the submitted drawings show no fume extraction. Such a condition would not be relevant to the erection of an extension and installation of a shop front.

Amenity

On balance it is considered that the proposed shop front and extension would not adversely impact on the amenity of the area.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this 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:

32/21-01 revision A received 15 November 2021

32/21-02 revision A received 15 November 2021

Design and Access Statement received 15 November 2021

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 be constructed using the materials specified on the application forms and approved drawings.

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) The facilities for the storage of refuse shown on the approved drawings shall be provided as part of the development and retained in perpetuity.

Reason - To ensure that there are satisfactory arrangements for the storage of refuse pursuant to Core Strategy policy DM1

5) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. 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.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to Core Strategy Policy DM1 and saved Unitary Development Plan policy DC26.

6) Within one month of the date of this permission a scheme for the provision of a gate to the refuse storage alcove shall be submitted to and approved in writing. The approved scheme shall be implemented within two months of the approval date.

Reason – to ensure that the proposed refuse storage arrangements are secure pursuant to Core Strategy policy DM1

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Chorlton Voice

Flat 3, 1 Silverwood Avenue, Manchester, M21 8BN
Flat 2, 1 Silverwood Avenue, Manchester, M21 8BN
Flat 1, 1 Silverwood Avenue, Manchester, M21 8BN
Flat 3, 571A Barlow Moor Road, Manchester, M21 8AE
Flat 2, 571A Barlow Moor Road, Manchester, M21 8AE
Flat 1, 571A Barlow Moor Road, Manchester, M21 8AE
Flat 2, 573A Barlow Moor Road, Manchester, M21 8AE
Flat 1, 573A Barlow Moor Road, Manchester, M21 8AE
Second Floor, 575 Barlow Moor Road, Manchester, M21 8AE
First Floor, 575 Barlow Moor Road, Manchester, M21 8AE
Kentoms Garage, Silverwood Avenue, Manchester, M21 8BN
573 Barlow Moor Road, Manchester, M21 8AE
35 Needham Avenue, Manchester, M21 8AA
33 Needham Avenue, Manchester, M21 8AA
422B Barlow Moor Road, Manchester, M21 8AD
571 Barlow Moor Road, Manchester, M21 8AE
577 Barlow Moor Road, Manchester, M21 8AE
426A Barlow Moor Road, Manchester, M21 8AD
426 Barlow Moor Road, Manchester, M21 8AD
424 Barlow Moor Road, Manchester, M21 8AD
575 Barlow Moor Road, Manchester, M21 8AE
577A Barlow Moor Road, Manchester, M21 8AE
424A Barlow Moor Road, Manchester, M21 8AD
422A Barlow Moor Road, Manchester, M21 8AD

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