

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132493/FO/2021
Date registered valid: 11 January 2022
Proposal: New fixed metal canopy over existing entrance door
Address: 3 Hardman Street, Manchester, M3 3HF
Ward(s): Deansgate Ward

Applicant: Mr Paul Mitchell The Alchemist Bars & Restaurants. Chadsworth House, Wilmslow Road, SK9 3HP
Agent (if any): Ms Karen Taylor The Alchemist Bars & Restaurants. Office 11, Level 6, Tower Point, 44 North Road, Brighton, BN1 1YR
Case officer: Gerry Reilly
Tel: 0161 234 4163
Email: gerry.reilly@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 21 February 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 12 January 2022

Standard consultations:

Printed: 12 January 2022 Expired: 2 February 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 12 January 2022 Expired: 2 February 2022

Press advert

Published: 18 January 2022 Expired: 8 February 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

The application relates to an existing restaurant/bar that is located within a within the ground floor of a modern mixed use building located at 3 Hardman Street, within the Spinningfields area of the City Centre. The property faces out onto a pedestrianised area of paving between Crown Square and Hardman Square that is adjacent to the seating area associated with the restaurant/bar. The restaurant is currently named The Alchemist.

Spinningfields has become established as a premium financial and professional services destination set within world class architecture and public realm. It is a mixed use destination with civic, residential, leisure and retail uses complementing the commercial offer, all in a high quality, planned, managed and safe environment.

The site is not within a conservation area, but would be seen in context with the Deansgate Conservation Area, the edge of which runs along Hardman Street and Hardman Square.

Planning permission is sought for "New fixed metal canopy over existing entrance door". The canopy will be located over the entrance to the restaurant on the southern side of the building and will be made from Brass. The feature will be fixed to a an existing metal panel above the existing entrance door and not fixed into the glass of metal framework to the glazing. It will be 1.6 metres wide. A 0.59 metre high section of metal will be placed against the outside wall of the building. Below this part, the canopy will project out from the building in a 0.572 metre radius curve. The overall distance from the building will be 1.091 metres. There will be a gap of 2.520 between ground level and the underside of the structure.

Description of area

Description of development

Consultations & Notification Responses

Publicity - The application has been advertised in the Manchester Evening News as an application for Other Development of Public Interest . A site notice was also displayed.

No representations have been received as a result of this publicity

Highway Services - have stated that "Sufficient headroom and carriageway clearance is being provided, and it would appear from our records that the canopy oversails an area of private forecourt rather than public footway, therefore no oversail licence would be required. Highways can support this application."

Issues

The main issues for consideration relate to the acceptability of the proposals in terms of visual amenity and highway safety. The main policies that relate to the assessment of the proposals are Section 9 of the National Planning Policy Framework on Promoting sustainable transport policies, policies SP1 (Spatial Principles) and DM1 (Development Management) of the adopted Core Strategy for the City of Manchester and saved policy DC14 on "Shop fronts and related signs" of the City Council's Unitary Development Plan.

Visual Amenity -

The new fixed metal canopy will have dimensions of 1.340m and 1.6 metres wide. It is not considered that the new feature will be overly obtrusive in the street scene. The proposals are considered to be acceptable in terms of their impact on visual amenity and accord with saved policies SP1 (Spatial Principles) and DM1 (Development Management) of the adopted Core Strategy for the City of Manchester and policy DC14 on "Shop fronts and related signs" of the City Council's Unitary Development Plan.

Highway Safety - have been consulted on this issue and have stated that "Sufficient headroom and carriageway clearance is being provided, and it would appear from our records that the canopy oversails an area of private forecourt rather than public footway, therefore no oversail licence would be required. Highways can support this application."

The proposals are considered to be acceptable in terms of their impact on highway safety and accord with Section 9 of the National Planning Policy Framework on Promoting sustainable transport policies, policies SP1 (Spatial Principles) and DM1 (Development Management) of the adopted Core Strategy for the City of Manchester and saved policy DC14 on "Shop fronts and related signs" of the City Council's Unitary Development Plan.

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 problems arising in relation to dealing with the planning application. In the case of the application under consideration this has included communications in order to make the application valid

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:

Location Plan 01-03 A

Drawing - Proposed signage details 10-02 A all received 14th December 2021

The drawing EXTERIOR VISUAL received 11th January 2022

Drawing - Proposed Shopfront Elevations 10-01 B received 12th January 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: CITY1