

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 130369/FO/2021

**Date registered valid:** 26 May 2021

**Proposal:** Elevational alterations including the creation of a new entrance, together with the installation of an external access ramp

**Address:** 84-90 Stanley Street, Bradford, Manchester, M11 1LE

**Ward(s):** Clayton & Openshaw Ward

**Applicant:** Pharmaco Chemist 84-90 Stanley Street, Manchester, M11 1LE

**Agent (if any):** Mr Trevor Dawson Pinder Dawson Associates 32 Fairfield Way, Preston, PR43EP

**Case officer:** Carl Glennon  
Tel: 0161 234 4530  
Email: [carl.glennon@manchester.gov.uk](mailto:carl.glennon@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 20 July 2021

## **Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Other

**Date of site visit:** 15 July 2021

### **Standard consultations:**

Printed: 7 June 2021      Expired: 28 June 2021

### **Neighbour notifications**

Printed: 7 June 2021      Expired: 28 June 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**

**Listed building:** Not applicable

**Conservation area:** No

**Tree Preservation Order:** No

## **Description of area**



Fig. 1 & 2 – Application site from Stanley Street

This planning application relates to a 2-storey red brick building situated at the south-west junction of Stanley Street and Abbey Hey Lane. The surrounding area has mix of commercial and residential uses, including a public house on the opposite side of Stanley Street and a nearby health centre. The application has a lean-to extension to Stanley Street with a small forecourt area to which the proposals relates.

### **Description of development**

The development involves:

- i. The replacement of a relatively steep internal ramp leading from the exiting entrance;
- ii. The formation of an access ramp and platform adjacent to the recessed Stanley Street elevation. It would have a width of 1.2 metres and involve a ramp with a length of 2.29 metres and platform with a length of 1.9 metres. The platform would have a height of 200 mm above ground level;
- iii. The outside edge of the ramp and platform would be enclosed with 900 mm high balustrade with central railing;
- iv. A new doorway with metal framed double doors would be formed. The doors would have an electrical operating arrangement and would provide access to the pharmacy;
- v. The adjacent existing corner entrance would be enclosed with brick riser wall with metal framed display window above.

### **Consultations & Notification Responses**

Local residents – No comments received.

Highway Services – No objection as the development would be contained within the application site without impact on the highway. It is recommended that the ramp be DDA compliant. An informative is recommended to provide advice regarding work affecting the highway.

Environmental Health – No objection.

### **Issues**

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development.' In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 7: Ensuring the vitality of town centres – The application site is sited immediately adjacent to the Openshaw District Centre boundary. It is considered that the development would improve and sustain the active pharmacy use and thereby accord with Chapter 7.

Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 91). These considerations have been related to the layout of the proposed development and the applicant has been made aware of the importance of incorporating measures to address issues of security and potential opportunities for criminal and anti-social behaviour. It is not considered that the proposal would present significant new issues and discussions with the agent have established that any additional requirement for roller shutters would not be dealt with as part of this application. The development would facilitate inclusive access that would be beneficial to customers and staff. It is considered the development would thereby respond positively to Chapter 8.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application, reference has been given to the following aspects of the PPG, which have been positively responded to:

- i. Consultation and pre-decision matters;
- ii. Health and well-being.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following policies are relevant to the proposed development:

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

The development would be accommodated within the application site, improve access to the premises and aid its sustained and on-going use. The development be appropriately related to policy SP1.

Policy DM1 - States that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- o Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection.

The development represents a small scale intervention to the application site and the ramp and elevational alterations would be appropriately related to the composition and appearance of the existing building. A condition has been included relating the development to specified materials and the use of matching brickwork. The development would positively contribute to users well-being through improved access. Policy DM1 would thereby be accorded with.

Policy C 2 - States that development should support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. The site is on the edge of Openshaw District Centre and the development would respond positively to these objectives.

Unitary Development Plan saved policies - The following saved policies are relevant:

Policy DC14 – Shopfronts and related signs

Policy DC14.2 – States that shopfronts should facilitate inclusive access. The proposed development would accord with this objective through the provision of an access ramp.

Guide to Development in Manchester - States that throughout the City, the Council will encourage development that complements Supplementary Planning Document and Planning Guidance. The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. The proposed development has been assessed with the Guide in mind, particularly with regard to Part 1, Section 3 relating to accessibility.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1 December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems, which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes.

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 this case, amendments were agreed in respect of the detail on the submitted drawings to omit reference

to the installation of roller shutters, which would need to be addressed through a separate planning application. In all other respects, the development was supported with sufficient information to allow the application to be assessed without need for further negotiation.

Principle of the development – The development would present limited intervention to the existing building using material that would be satisfactorily related to the existing building. The existing ramp does incorporate a balustrade and covers a significant proportion of the trading area. In addition to improvements to access, the development would facilitate the formation of a level internal floor area following the enclosure of the existing doorway. The development is considered to be acceptable in terms of the improvement to access and quality of the internal trading area.

Accessibility – It is considered that the development would significantly improve the existing access arrangements. The width of the ramp and platform would be 1200 mm, which would correspond to the existing door width but be less than the usually required 1800 mm. It is considered that given the proximity of the proposed ramp to the highway and increase in its width may impact on pedestrian movement; particularly as there is a tendency for cars to ‘bank’ to park on the pavement along Stanley Street (and adjacent to the application site). The turning space within the platform would also be acceptable as the doors would be automatically operated thereby providing the necessary space to allow wheelchairs to turn and enter the pharmacy. On balance, it is considered that the development would improve the existing circumstance.

Design – The enclosure of the existing doorway would be appropriate related to the existing building, in terms of window design and brickwork. The proposed ramp would have an open balustrade with a limited visual impact. A condition has been included to ensure that the development is implemented in accord with the material specifications shown on the application drawings, including matching brickwork.

Roller shutters – The applicant has agreed to the omission of roller shutters from the development and indicated that these details would be pursued as part of a separate planning application. The application has been conditioned accordingly.

Conclusion – On balance, it is considered that the development would improve the existing circumstances, in terms of access. The elevational changes are considered to be acceptable, including the design of the access ramp.

### **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 this case, amendments were agreed to the detail of the submitted drawings to omit reference to the installation of roller shutters, which would need to be addressed through a separate planning application. In all other respects, the development was supported with sufficient information to allow the application to be assessed without need for further negotiation.

**Condition(s) to be attached to decision for approval**

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 stamped as received by the City Council as local planning authority on 12 May 2021, 26 May 2021 and 20 July 2021:

Planning application forms;

Location plan with a red edge;

Plan and Elevation Ref: 0663/21 (Proposed and Existing) notwithstanding reference to roller shutters;

Email from Pinder Dawson Associates dated 20 July 2021 excluding new roller shutters from the consideration of the development.

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 for the City of Manchester.

3) The materials to be used in the construction of the development hereby approved, shall accord with the material details and specification of drawings referenced Plan and Elevation Ref: 0663/21 (Proposed and Existing), including the using of bricks with match colour, texture, appearance and method of coursing and pointing, which shall remain in situ thereafter.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) Notwithstanding the details of drawing referenced: Plan and Elevation Ref: 0663/21(Proposed and Existing), the planning permission hereby granted does not confer consent for the installation of new roller shutters and associated housing boxes above the proposed doorway and access ramp to the Stanley Street elevation.

Reason – For the avoidance of doubt and in the interests of visual amenity pursuant policy SP1 and DM1 for the City of Manchester.

**Informatives**

1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Contact Manchester 0161 234 5004.

### **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health

84 - 88A Stanley Street, Openshaw, Manchester, M11 1LE  
45 Ryan Street, Manchester, M11 1LT  
Flat At, Abbey Hey Lane, Manchester, M11 1LD  
Flat 2, 84 - 90 Stanley Street, Openshaw, Manchester, M11 1LE  
Flat 1, 84 - 90 Stanley Street, Openshaw, Manchester, M11 1LE  
Florence House Surgery, 1344 Ashton Old Road, Manchester, M11 1JG  
47 Ryan Street, Manchester, M11 1LT  
41 Ryan Street, Manchester, M11 1LT  
80 Stanley Street, Openshaw, Manchester, M11 1LE  
78 Stanley Street, Openshaw, Manchester, M11 1LE  
76 Stanley Street, Openshaw, Manchester, M11 1LE  
Oddfellows Arms, 12 Abbey Hey Lane, Manchester, M11 1LD  
43 Ryan Street, Manchester, M11 1LT

### **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  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: NORTH2