

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129108/FO/2021

Date registered valid: 25 February 2021

Proposal: Elevational alterations to create new shopfront and installation of roller shutters

Address: 795 - 797 Stockport Road, Manchester, M19 3DL

Ward(s): Levenshulme Ward

Applicant: Mr Micah Evans A6 Off Licence 797 Stockport Road, Manchester, M19 3DL

Agent (if any): Mr Ramone Johnson Forena Business Group 76 Richmond Park Road, Derby, DE22 4FB

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: 22 April 2021

Date of recommendation: Approve

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 25 March 2021

Standard consultations:

Printed: 1 March 2021 Expired: 22 March 2021

Neighbour notifications

Printed: 1 March 2021 Expired: 22 March 2021

Site notice

Posted: Expired:

Press advert

Published: 9 March 2021 Expired: 30 March 2021

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

The application relates to the ground floor of a 2-storey property located on the eastern side of Stockport Road and close to the junction with Barlow Road.



The property forms part of a retail parade within Levenshulme District Centre.

Description of development

The development seeks to join an existing retail unit with a former barber's shop to form a single ground floor convenience store. To facilitate this, a new shopfront is proposed comprising two display windows, a central advertising panel and single door in its existing position. The proposed uPVC window frames, stall risers and door would be completed in a grey finish. The roller shutters would have a grey finish with perforated laths. The associated housing box would be fitted internally so that its external face would align with the shopfront and covered by related fascia signage.

Consultations & Notification Responses

Local residents – No comments received

Environmental Health – Expressed concern regarding potential noise generated by the operation of the roller shutters. These concerns have been responded to through the proposed inclusion of an electric operating mechanism, which is related to the development by condition

Highway Services – The following comments have been received.

- i. Clarification is required concerning the projection of the shop front, if there is projection of more than 0.35m over the adopted highway then a projection over license will be required. (This has been addressed through the revised design of the roller shutter boxes).
- ii. For the avoidance of doubt, all external entrance doors (with the exception of fire doors) should be inwardly opening in order to prevent obstruction on the adjacent footway. (The applicant has confirmed that this would be the case).
- iii. An informative has been included advising of the requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements that will need discussed with the council's Highways Applications and Network Resilience before undertaking works.

GM Police Design for Security - The following comments have been received:

- i. It is recommended that the roller shutters are certified to LPS1175;
- ii. It is also recommended that staff carry out risk assessments relating to opening up and closing of the premises. Lone working at the beginning or end of the day is not recommended.

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'.

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 (paragraph 11). The statutory status of the development plan therefore remains as the starting point for decision making.

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

i. Chapter 2: Achieving sustainable development - Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development by: meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 8 states that in achieving sustainable development, the planning system has three overarching objectives, namely: economic, social and environmental. Paragraph 9 states that 'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.' Paragraph 10 states that 'sustainable development is pursued in a positive way, the heart of the Framework is a presumption in favour of sustainable development'

The planning application has been assessed with the objectives of chapter 2 in mind. It is considered that these objectives have been accorded with. The development would secure the sustained occupation of the building, which would improve its appearance and relationship to Levenshulme District Centre. The development would thereby be appropriately related to chapter 2.

ii. Chapter 6 Building a strong, competitive economy - Paragraph 80 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The proposal would involve the re-use of Class E floorspace in the district centre providing local business opportunities and improving the scope of the retail offer in Levenshulme District Centre. The development would thereby positively respond to chapter 6 of the NPPF.

iii. Chapter 7 Ensuring the vitality of town centres - Paragraph 85 states that 'planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.' It also states that 'residential development often plays an important role in ensuring the vitality of centres' and such residential development on appropriate sites should be encouraged. It is considered that the development would respond positively to these regeneration objectives through its positive contribution to the district centre.

iv. 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 and design of the proposed development and the incorporation of measures to address issues of security and potential opportunities for criminal and anti-social behaviour. It is considered that the development would incorporate appropriate security measures and chapter 8 has therefore been satisfactorily responded to.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Design

iii. Health and well-being

It is considered that the proposed development would respond positively to the above considerations.

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 (Spatial Principles) - 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.

It is considered that the proposed development would contribute positively to the formation of a sustainable use, which would be beneficial to vitality of the district centre, the provision of employment opportunities and an improved retail offer. On this basis, policy SP1 would be positively responded to.

Policy C 1 Centre Hierarchy - States that the development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres. In order to maintain the vitality and viability of its centres, provide services as locally as possible and minimise the need to travel by car. Policy C1 states that district centres, such as Levenshulme, have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. It further states that these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres. It is considered to be an appropriate development given its relationship to Levenshulme District Centre and its contribution to the retail offer. Policy C1 would thereby be accorded with.

Policy C 2 District centres - States that development will 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 delivery of this floor space should respect the network of centres across the City and in neighbouring districts. It is the case the development would bring a vacant property back into active use. Levenshulme District Centre has enjoyed a recent uplift in vacant units being brought back into active use and it is considered that the development would enhance local retail provision and

potentially contribute to the range of shop units in the district centre. The development would also contribute to the local economy with regard to local employment provision. The development would therefore be appropriately related to policy C2.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester should meet high standards of urban design and opportunities for good design. In this case, it is considered that the applicant has positively responded to the requirements of policy EN1 by presenting a quality contemporary shopfront design that positively responds to the composition of the streetscene and the wider district centre.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- 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 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;

The above points have been related to the assessment of the proposals regarding the potential impact of the development. The proposed design would be appropriately related to the building and its context. The existing circumstances regarding access would be maintained. It is therefore considered that policy DM1 would be accorded with.

Unitary Development Plan saved policies - The following saved policies of the UDP are relevant:

Policy DC14 - Shopfronts and related signs

Policy DC14.1 - States that in determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shop fronts, where appropriate, and of the area within which the premises are located. Policy DC14.1 has been related to the relationship of the signage to the existing building and the context of the site and considered to be appropriate. It is considered that the proposed shopfront and roller shutter would be appropriately designed and be satisfactorily related the existing building and the streetscene thereby according with policy DC14.

Policy DC26 – Development and noise

Policy DC26.4 – States that where new development might potentially generate noise likely to impact on residential amenity appropriate attenuation measures should be put in place. In this case noise would be reduced there the uses of an electric opening and closing mechanism, which would relate to the development by condition.

Guide to Development in Manchester: 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.

It is considered that the development would be satisfactorily related to the following objectives:

i. Section 2 Design

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to 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.

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. Officers have engaged in negotiations regarding the design and appearance of the proposed roller shutters to ensure an appropriate relationship to the shopfront. On the basis of the submitted drawings and supplementary details, it is considered that sufficient information has been provided to allow the assessment of the proposed development.

Principle of the development - The development would secure a cohesively designed shopfront, which would improve and uplift the appearance of the properties and the district centre. The development would also bring a vacant property into active use to the benefit of the retail offer the development is therefore considered to be acceptable.

Design of roller shutters – The applicant has confirmed that the roller shutters would have a perforated finish and the doors, windows and stall risers would have a grey finish (RAL180 40 05). The use of perforated roller shutter is considered to be acceptable and an improvement over the existing circumstances. The intention to incorporate signage would ensure appropriate screening of roller shutters housing. The associated housing box would be fitted internally so that its external face would align with the shopfront and covered by related fascia signage. The applicant has confirmed that the roller shutters would have an electric operating mechanism to reduce noise disturbance.

Accessibility - The existing entrance incorporates steps, which would need to be retained due to changes in ground and internal floor levels. This is acceptable as there would be no change to the existing circumstances.

Opening hours – The applicant has indicated that the premises would operate between the hours of Monday to Saturday – 8.00 am to 2.00 am and Sunday and Bank Holiday -11.30 am – 12 midnight. As the development relates to historically established Class E uses without opening hours restrictions. In such circumstances, the imposition of an hours condition would be unreasonable and not directly related to the development. Restrictions of opening hours could be potentially addressed through Licensing.

Noise – the applicant has confirmed that roller shutters would be electrically operated to reduce noise disturbance to neighbouring residents during opening and closing. These arrangements are considered to be acceptable and conditioned.

Advertisements – the alignment of the proposed fascia sign has been satisfactorily related to the composition of the shopfront and the neighbouring units to the north of the site. The applicant has been advised that the indicative signage requires advertisement consent, but an application has not been submitted. A condition has been included to confirm that the planning permission does not confer consent for the display of advertisements.

Security – The comments of GM police have been included as an informative.

Conclusion - On balance, the proposed development would be improve the appearance of the existing ground floor of the building and facilitate its sustained use. The development is therefore considered to be acceptable.

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. Officers have engaged in negotiations regarding the design and appearance of the proposed roller shutters to ensure an appropriate relationship to the shopfront. On the basis of the submitted drawings and supplementary details, it is considered that sufficient information has been provided to allow the assessment of the proposed development.

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: 16 February 2021, 24 February 2021, 19 March 2021, 24 March 2021, 21 April 2021 and 22 April 2021

Planning application forms

Site location plan M19 3DL/A001 Rev B

Existing / Dem General Arrangement drawing M19 3DL/A002 Rev C

Proposed General Arrangement drawing M19 3DL/A003 Rev C

The roller shutters shall be installed in accordance with details of the Securiguard Roller Shutter data sheet by the Bolton Gate Company dated April 2018

Emails from Forena Business Group dated 19 March 2021 and 24 March 2021 relating to the specification of the roller shutter electrical operating mechanisms

Email from Forena Business Group dated 21 April 2021 confirming internal positioning of the roller shutter box.

Email from Forena Business Group dated 22 April 2021 confirming perforation to the roller shutter and grey (RAL RAL180 40 05) colour finish.

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 development hereby approved shall be fully implemented in accordance with the materials and specifications stated in drawings and on document referenced:

Proposed General Arrangement drawing M19 3DL/A003 Rev C

Email from Forena Business Group dated 22 April 2021 confirming perforation to the roller shutter and grey (RAL RAL180 40 05) colour finish.

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 for the City of Manchester.

4) The roller shutters shall be installed in accordance with details of the Securiguard Roller Shutter data sheet by the Bolton Gate Company dated April 2018, including the incorporation of perforated slaths and cross section details showing the internal 'face fixed inside' positioning of roller shutter boxes as Email from Forena Business Group dated 21 April 2021. The development shall be implemented in accordance with the above detail, which shall be maintained in situ thereafter.

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 for the City of Manchester.

5) The authorised roller shutters shall be installed in accordance with specifications for the electrical opening and closing mechanisms as detailed in emails from Forena Business Group dated 19 March 2021 and 24 March 2021. Following installation, the roller shutters shall operate using the electrical mechanism that shall always be maintained in situ thereafter.

Reason – In the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and policy DC26 of the Unitary Development Plan.

6) The ground shopfront alterations hereby approved relate to the use of the premises for retail purposes (Class E).

Reason - In order to ensure that the development relates to the character and viability of Levenshulme District Centre and in the interests of the amenities of the area, pursuant to policies SP1, C1, C2 and DM1 of the Core Strategy for the City of Manchester.

7) The planning permission hereby granted does not confer consent for the display of advertisements.

Reason - In order to ensure that the development relates to the character of the Levenshulme District Centre and in the interests of the amenities of the area, pursuant to

policies SP1, EN1, C1, C2 and DM1 of the Core Strategy for the City of Manchester.

Informative

- 1) The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester highwayapplications@manchester.gov.uk (Tel. 0161 234 5004).
- 2) The following security arrangements are recommended.
 - i. The roller shutters should be certified to LPS1175;
 - ii. Staff carry out risk assessments relating to opening up and closing of the premises. Lone working at the beginning or end of the day is not recommended.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Arcadia Library And Leisure Centre, 868 Stockport Road, Manchester, M19 3BP
787A Stockport Road, Manchester, M19 3DL
Second Floor, 880 Stockport Road, Manchester, M19 3BN
First Floor, 880 Stockport Road, Manchester, M19 3BN
Ground Floor, 880 Stockport Road, Manchester, M19 3BN
7 Chinwell View, Manchester, M19 3EP
5 Chinwell View, Manchester, M19 3EP
5 Barlow Road, Manchester, M19 3DH
3 Barlow Road, Manchester, M19 3DH
4 Balleratt Street, Manchester, M19 3DF
2 Balleratt Street, Manchester, M19 3DF
Flat 3, 2A Balleratt Street, Manchester, M19 3LP
Flat 2, 2A Balleratt Street, Manchester, M19 3LP
Flat 1, 2A Balleratt Street, Manchester, M19 3LP
St Peters C Of E Church, Stockport Road, Manchester, M19 3BS
866 Stockport Road, Manchester, M19 3AH
Top Flat, 789 Stockport Road, Manchester, M19 3DL
1C Barlow Road, Manchester, M19 3DH
1B Barlow Road, Manchester, M19 3DH
1A Barlow Road, Manchester, M19 3DH
Flat 4, 1 Barlow Road, Manchester, M19 3DH
Flat 3, 1 Barlow Road, Manchester, M19 3DH
Flat 2, 1 Barlow Road, Manchester, M19 3DH
Flat 1, 1 Barlow Road, Manchester, M19 3DH
791A Stockport Road, Manchester, M19 3DL
18 Cardus Street, Manchester, M19 3EX
799 Stockport Road, Manchester, M19 3DL
793 Stockport Road, Manchester, M19 3DL
1 Barlow Road, Manchester, M19 3DH
Levenshulme Islamic Centre, 2 Barlow Road, Manchester, M19 3DJ
793A Stockport Road, Manchester, M19 3DL

791 Stockport Road, Manchester, M19 3DL
876 - 878 Stockport Road, Manchester, M19 3BP
16 Cardus Street, Manchester, M19 3EX
795 Stockport Road, Manchester, M19 3DL
789 Stockport Road, Manchester, M19 3DL
787 Stockport Road, Manchester, M19 3DL
803 Stockport Road, Manchester, M19 3BS

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
Area Team Boundary - Name: NORTH2