

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128735/FO/2020
Date registered valid: 30 November 2020
Proposal: Erection of an external covered waiting area
Address: 461 Barlow Moor Road, Manchester, M21 8AU
Ward(s): Chorlton Park Ward

Applicant: R Okereke 461 Barlow Moor Road, Manchester, M21 8AU
Agent (if any): Phil Holmes PHA Aarchitects Ltd 1 Cranleigh Avenue, Stockport, SK4 3PZ
Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Refuse and Enforce
Date of recommendation: 21 January 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 2 December 2020 Expired: 23 December 2020

Neighbour notifications

Printed: 2 December 2020 Expired: 23 December 2020

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 mid parade property comprising a commercial ground floor use, a beauty salon, with what appears to be residential above. There is a deep forecourt to property, upon which a timber frame has been constructed creating a partially enclosed outside seating area.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The site is located at the southern end of Chorlton District Centre. It is part of a parade of 6 properties on the west side of Barlow Moor Road south of the junction with Beech Road. The adjoining property to the north is a tuition centre and to the south the property appears residential in character with a ground floor bay window with a shallow canopy, the use of the property is indeterminate, however, the planning register suggests that the ground floor was used as offices. There are commercial properties facing the site across Barlow Moor Road.

Description of development

This application has been generated as a result of a complaint in respect of the existing structure on the forecourt. Consent is sought to erect a canopy with partially enclosed sides and front. There is a drafting error on the drawings the floorplan shows the canopy projecting 4.6 metres whilst on the elevations the projection is 3 metres. There is a general lack of detail on the drawings which show a basic frame with a mono pitch roof which is described as glazed.

The canopy would be enclosed to a height of 1 metre by solid panels. The materials are described on the application forms as timber for the walls and a glazed roof. The drawings are to 1:100 scale and show little detailing. There is no supporting information.

Consultations & Notification Responses

Local residents/businesses

One letter has been received objecting to the proposed development. The issues raised are summarised below.

- Where are the customers going to park
- It doesn't look good and spoils the appearance of the row of shops.
- The purpose of the shops having open fronts is so that people can walk through. The canopy prevents this happening.

Highways

The proposal is on an area of private forecourt adjacent to the public footway and whilst it lies on an area to which private parking could have been provided, we are satisfied that it will not have an adverse impact from a highway perspective.

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.

Issues

Principle

The principle of a canopy is not necessarily unacceptable. A parade of shops nearby has had a reproduction Victorian/Edwardian canopy added. However, this is a canopy to a single premises which raises a number of issues addressed below.

Drawings

There is a discrepancy between the projection of the proposed canopy on the plans 4.6 metres and the elevations 3 metres. Assuming the intention is to retain the existing structure and add a roof then the canopy occupies the full depth of the forecourt which measures 4.3 metres on the O/S base in Uniform. The applicant was made aware of the drafting errors and has not responded. The application is therefore being considered on the basis of what is on site and the limited information provided by the inaccurate drawings.

Scale

This is the only canopy on this parade of commercial units. It is considered that at either 4.6 or 3 metres a canopy situated in the middle of the parade would have a significant impact because of its size and projection. It is considered that in isolation the scale of the proposed canopy would form an incongruous feature in the street scene.

Design

There is a lack of detail in the submitted drawings and the materials specified are not particularly detailed. The existing structure is a simple painted timber frame with painted timber panels. It is assumed that this is intended to form the basis of the proposed canopy. This structure lacks any finesse, and whilst simplicity of design can if done correctly be acceptable in this case the structure has no empathy with the original building. Regarding the roof there are no details of what the glazing will comprise or how it would be mounted.

On balance it is considered that based on the limited and inaccurate information provided the proposed structure is poorly designed and will appear incongruous.

Impact on amenity

The proposed structure it is considered, sitting as it does centrally within the parade will appear as an incongruous feature in the street scene and this will have a detrimental impact on the character of this small parade.

Parking

The structure results in the loss of the forecourt parking for the property. Highways have not raised this as an issue despite there being single yellow lines on the road outside.

Conclusion

If the existing unlawful structure is an indicator of the impact of the proposed development, then it is considered that the proposal will have a detrimental impact on the character of the area and is contrary to Council policy.

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: Refuse and Enforce

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed canopy by reason of its scale, design and materials would form an over dominant and visually incongruous feature in the street scene to the detriment of the visual amenity of the area. The proposed development is therefore contrary to the provisions of Core Strategy policy DM1.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Chorlton Voice

HOOKAHS, Ground Floor, 320 Barlow Moor Road, Manchester, M21 8AY
465A Barlow Moor Road, Manchester, M21 8AU
463A Barlow Moor Road, Manchester, M21 8AU
461B Barlow Moor Road, Manchester, M21 8AU
Flat Above, 318 Barlow Moor Road, Manchester, M21 8AY
Flat 2, 459 Barlow Moor Road, Manchester, M21 8AU
First Floor Flat, 320 Barlow Moor Road, Manchester, M21 8AY
326 Barlow Moor Road, Manchester, M21 8AY
322B Barlow Moor Road, Manchester, M21 8AY
Flat 3, 459 Barlow Moor Road, Manchester, M21 8AU
Flat 1, 459 Barlow Moor Road, Manchester, M21 8AU
318 Barlow Moor Road, Manchester, M21 8AY
461A Barlow Moor Road, Manchester, M21 8AU
322 Barlow Moor Road, Manchester, M21 8AY
465 Barlow Moor Road, Manchester, M21 8AU
457 Barlow Moor Road, Manchester, M21 8AU
1 Claude Road, Manchester, M21 8BZ
463 Barlow Moor Road, Manchester, M21 8AU

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) -
Area Team Boundary - Name: SOUTH