

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127842/FO/2020

Date registered valid: 16 September 2020

Proposal: Installation of new shop front in association with internal alterations to sub-divide shop into two units (both Use Class E); installation of external staircase at rear to provide access to first floor

Address: 555A Wilbraham Road, Manchester, M21 0AE

Ward(s): Chorlton Park Ward

Applicant: Mrs Sadia Hanif, 555A Wilbraham Road, Manchester, M21 0AE

Agent (if any): Mr Amjad Tahir, Aeys Associates Ltd, 173 Dickenson Road, Manchester, M13 0YN

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 09 November 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: No site visit conducted during COVID-19 – Photos provided and google earth utilised

Standard consultations:

Printed: 24 September 2020

Expired: 15 October 2020

Neighbour notifications

Printed: 24 September 2020

Expired: 15 October 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/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Installation of new shop front in association with internal alterations to sub-divide shop into two units (both Use Class E); installation of external staircase at rear to provide access to first floor

Consultations & Notification Responses

No letters of correspondence were received from neighbouring properties.

Chorlton Voice – No comments received

Environmental Health - The proposals laid out in section 4.2.2 of the report to install the Primus wall mounted extract canopy hood, baffle filter, fine filter, then carbon filter system is acceptable for this development. Recommended conditions relating to servicing/delivery hours and refuse.

Policies

National Planning Policy Framework

The National Planning Policy Framework replaced previous guidance in PPGs and PPSs, setting out the Government's planning policies and how they are expected to be applied. The

NPPF underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the Framework is a material consideration in planning decisions. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester and states that, outside the City Centre and the Airport, the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 seeks to ensure that new development contributes to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities and particularly by contributing to neighbourhoods of choice.

Issues

Principle - The proposal is the installation of new shop front in association with internal alterations to sub-divide shop into two units (both Use Class E); installation of external staircase at rear to provide access to first floor which is considered to be entirely acceptable in principle.

Notwithstanding this, consideration must be given to the proposed developments design and Appearance and its impact upon residential amenity.

Visual Impact – It is not considered that the shop front alteration or the inclusion of steps to the first floor storage area would have any adverse impact on the design or appearance of the unit in the Chorlton district centre. The units created would both have level access.

Residential Amenity – It is not considered that the alteration to the shop front or the inclusion of steps would have any impact upon the residential amenity of any nearby property.

The change of use of part of the mobile phone shop to a dessert café would not require planning consent. However, Environmental Health queried the means of extraction from the property, further information was provided to the satisfaction of Environmental Health and this is conditioned as part of this approval. Conditions recommended with regards to servicing/delivery cannot be appended as these are beyond the control of the local authority in this instance. Whilst the same applies to refuse collection, the scheme which is unclear could have impact for residential amenity and the applicant has stated they will respond to the queries of Environmental Health through discharge of condition. A condition requiring bin storage to be agreed is therefore recommended.

Conclusion - The proposal is considered acceptable in this location in terms of design and it is not considered that the proposal would create any undue loss of amenity to neighbouring occupiers, nor that of the present and future occupiers of the application site.

The proposal therefore complies with policies DC1 of the Unitary Development Plan, DM1 and SP1 of the Core Strategy.

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. The proposal is considered to be acceptable and has been determined in a timely manner.

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:

AA-07 Existing and Proposed Building Elevations

AA-08 Proposed

AA-01 Proposed Location Plan

Received by the local planning authority 26 August 2020.

Proposed Building Plans

Received by the local planning authority 16 September 2020.

Odour Impact Assessment prepared by Redmore Environmental dated 27th October 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the development hereby permitted shall match those as stated on the approved drawings listed at Condition 2.

Reason - To ensure the appearance of the building to be altered is not adversely affected by the materials to be used in the construction of the shop front, pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Manchester Core Strategy.

4) Prior to occupation of the development the mitigation required as part of the submitted Odour Impact Assessment listed at condition 2 must be implemented. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

5) Prior to the commencement of the development hereby approved a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Chorlton Voice

List of those notified on Uniform

Appendix 2 – Planning constraints