

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142197/FO/2025

Date registered valid: 18 February 2025

Proposal: Retention of existing retractable awning with drop down screens to existing outdoor area.

Address: 56 Beech Road, Manchester, M21 9EG

Ward(s): Chorlton Ward

Applicant: Juan Jose Martinez Ibanez, Bar San Juan

Agent (if any):

Case officer: Jake Walther
Tel: 0161 234 1632
Email: jake.walther@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **09/04/2025**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 26/03/2025

Standard consultations:

Printed: 25 February 2025 Expired: 18 March 2025

Neighbour notifications

Printed: 25 February 2025 Expired: 18 March 2025

Site notice

Posted: 27/03/2025 Expired: 17/04/2025

Press advert

Published: 4 March 2025 Expired: 25 March 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the restaurant in the ground floor unit of 56 Beech Road, a 2-storey end of terrace brick building. The restaurant faces Beech Road, a popular commercial area that compliments Chorlton District Centre.



Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane (Extension) Conservation Area 2007

Tree Preservation Order: Not applicable

Description of development

The applicant is seeking permission for the retention of the existing fixed awning that was approved in 2019 on a temporary basis.

Consultations & Notification Responses

Neighbours, as per appendix 1 – No comments received.

Environmental Health – No objection – advised the same conditions relating to opening hours and noise from the previous application are carried over again.

Highways – No objection.

Greater Manchester Police – No comments received.

Chorlton Voice – No comments received.

Beech Road Traders – No comments received.

Previous Approval

The same awning was previously approved in 2019 on a temporary basis following the application 122664/FO/2019. This application is for the retention of the as built structure that has been in situ since 2019.

Policy

The following policies are considered relevant in the considerations of this application.

The Manchester Core Strategy Development Plan Document 2012-2027 - The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EC1 – Existing Employment Space
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 - Heritage

Places for Everyone

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The following policies are relevant:

- JP - S1- Sustainable development
- JP – P2 - Heritage

The National Planning Policy Framework (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective
- a social objective and
- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Manchester City Council - Shopfront and Signage Design Guide 2024 - This document sets out best practice for shopfronts and signage design across the City in order to promote positive change in the context of its urban environment.

Principle

As the proposed awning and drop screens are already in place there is no objection to the principle to the proposal. Notwithstanding this, any impact upon the Conservation Area, pedestrian safety and existing levels of residential and visual amenity must be assessed.

Design/Visual Amenity/ Impact on Conservation Area

The design and impact on visual amenity have previously been assessed in the approved scheme this application seeks to retain. The purpose of conditioning the previous application to a temporary approval was in order for the council to assess the impacts of weathering on the awning screen over time. Following a site visit it has been assessed that the materials used are of high quality and are in good condition following 6 years of consistent use. The use of wood panelling and transparent glazing screens is in-keeping with the frontages along Beech Road causes less than substantial harm that is outweighed by the benefits of the proposal and is acceptable in terms of its impact on visual amenity and the Wilbraham Road/ Edge Lane Conservation Area.

The proposal therefore complies with policies SP1, EN1, EN3 of the Core Strategy, policies JP-S2 of Places for Everyone and the NPPF and the guidance set out in the Manchester Shopfronts and Design Guidance.

Highways safety

The awning is set in from the public highway and leaves roughly 2.21m of pavement which is ample for pedestrian movements. Furthermore, highways have no objection to the awning. The proposal is therefore acceptable in terms of highways and pedestrian safety.

Residential Amenity

The awning fronts Beech Road, a commercial street with bars, restaurants and shops, many of which feature outdoor seating and awnings fronting Beech Road. It is therefore assumed that there is a greater level of activity and noise than can be expected on an average street and as such an awning providing shelter for outdoor dining and drinking would not lead to an unacceptable impact in noise pollution to surrounding residents. Further this Environmental

Health are satisfied with the proposal subject to conditions relating to opening hours and amplified music being carried over from the previous approval.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 issues arising from the consideration of this application.

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

1. Specified plans:

The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a) Drawing External Elevation 1 – Ref: 002.2B – Received 18 February 2025.
- b) Drawing – External Elevation 2 – Ref 002.3B – Received 18 February 2025.
- c) Drawing – Proposed Plan – Ref: 002.4B – Received 18 February 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

2. Specified materials:

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

3. Opening Hours

The outside seating area shall not be open outside the following hours,
9.00am to 11.00 pm Monday to Saturday, 9.00am to 10.00pm Sunday

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

4. Amplified Music

There shall be no playing of live or amplified music outside of the main building.

Reason - to protect the amenity of the area from excessive noise pursuant to Core Strategy policies DM1 and C10 and saved Unitary Development Plan policies DC10 and DC26

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Chorlton Voice
Beech Road Traders

115A Beech Road, Manchester, M21 9EQ
117A Beech Road, Manchester, M21 9EQ
113A Beech Road, Manchester, M21 9EQ
52A Beech Road, Manchester, M21 9EG
First And Second Floors, 111 Beech Road, Manchester, M21 9EQ
Flat 2, 109 Beech Road, Manchester, M21 9EQ
58A Beech Road, Manchester, M21 9EG
54C Beech Road, Manchester, M21 9EG
Flat 1, 109 Beech Road, Manchester, M21 9EQ
119 Beech Road, Manchester, M21 9EQ
52 Beech Road, Manchester, M21 9EG
109 Beech Road, Manchester, M21 9EQ
119A Beech Road, Manchester, M21 9EQ
54B Beech Road, Manchester, M21 9EG
60 Beech Road, Manchester, M21 9EG
58 Beech Road, Manchester, M21 9EG
117 Beech Road, Manchester, M21 9EQ
54 Beech Road, Manchester, M21 9EG
56A Beech Road, Manchester, M21 9EG
54A Beech Road, Manchester, M21 9EG
113 Beech Road, Manchester, M21 9EQ
111 Beech Road, Manchester, M21 9EQ
115C Beech Road, Manchester, M21 9EQ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Conservation Area - Wilbraham Road/Edge Lane (Extension) Conservation Area 2007
Area Team Boundary - Name: SOUTH AREA