Planning Inspectorate

Appeal Decision

Site visit made on 17 December 2024

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2025

Appeal Ref: APP/B4215/Z/24/3347447
Azmirana Solicitors, 2 Middleton Road, Manchester, M8 5DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Ghassan Kamha (of Gkamha and Partners) against the decision of Manchester City Council.
- The application Ref is 139672/FO/2024.
- The development proposed is forming enlarged opening by taking down the stonework below two of the existing front elevation windows and replacing the window frames with full height inward opening French glazed doors.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the building and surrounding area.

Reasons

3. The appeal site comprises a detached former public house set at the junction between Middleton Road and Bury Old Road. Given its prominent siting and design, the building presents a feature at the junction. The Council consider the building to be a non-designated heritage asset (NDHA) as a result of its age, architectural style and its historic context, being one of the last public houses built by Phoenix Brewery.

4. It was clear during my site visit that works had been carried out to the building that somewhat eroded its historic interest. In part, timber windows had been replaced with uPVC examples and signage that is not typical of a public house is present. Nevertheless, I do not find that these changes significantly affect the importance of the building. However, the two front doors of the building appear to have also recently been replaced with glass plate doors served by external roller shutters stored within boxes above the doors. These are prominently positioned on the front elevation and do not reflect the pattern and proportions of the original fenestration. These doors more significantly erode the pattern of openings and detailing on the ground floor and the building's overall historic interest. Nevertheless, the building is still of moderate historic interest sufficient to warrant consideration as a NDHA.

5. The proposal includes the removal of two large windows either side of the existing doors. The windows are landscape in proportion and include stone mullions and transoms. Although, as noted above, the timber frames have been removed, I find the current frames largely retain the proportion and appearance of the windows.

6. By increasing the glazed area down to the ground, the proposed doors would rotate the proportions of the windows from landscape to portrait. In this way they would not reflect the proportions of the removed windows and would as such erode the legibility of the building's historic appearance. The appearance of the frontage would be further harmed through the loss of features such as the transoms, mullions and sills which, from my site visit, appear to be original. The formation of additional doors across the frontage would also harm the overall pattern and balance of the frontage resulting in a cluttered appearance to the detriment of the legibility of its historic use as a public house. As such, the proposal would unacceptably harm the character and appearance of the host building, including as a NDHA.

7. The appeal building is a prominent feature within the street scene and the proposal would make changes to the frontage which would be readily legible within the street scene. The harm identified above would erode the quality of the contribution the appeal building makes to the surrounding area and as such would be harmful to its appearance. I am mindful of the scale of the proposal in relation to the wider area and as such consider this harm to be only modest.

8. The proposal, by way of introducing incongruous features to, and eroding the historic interest of, the NDHA, would harm its character and appearance to the detriment of its contribution to the surrounding area. The proposal would therefore conflict with Policies SP1, DM1, EN1 and EN3 of the Core Strategy Development Plan Document and Policy JP-P2 of the Places for Everyone Joint Development Plan Document. These collectively, and amongst other matters require developments to create well designed places using appropriate materials and details to reinforce or create local character. JP-P2 also specifically seeks for developments to conserve and enhance historic assets and aid their understanding and interpretation. The proposal would also conflict with the National Planning Policy Framework (the Framework), particularly Chapters 12 and 16, which amongst things seeks for developments to be sympathetic to local character and history, and take account of any effect on the significance of an NDHA.

Other Matters

9. There are two existing doors present on the building's frontage that are very close to those proposed before me. I consider that these provide a suitable level of access and that the proposed doors would not so improve this provision as to outweigh the harm identified above.

Conclusion

10. The proposal would harm the character and appearance of the NDHA and surrounding area, and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR