

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141242/FO/2024	
Date registered valid:	4 November 2024	
Proposal:	Installation of new shopfront.	
Address:	5 Cross Street, Manchester, M2 1HX	
Ward(s):	Piccadilly	Ward
Applicant:	Mr Sam Moloney Joe & The Juice	
Agent (if any):	Mr Stuart Evans Design Time Ltd	
Case officer:	Max Tel: 0161 219 Email: maximillian.gibson@manchester.gov.uk	Gibson 6359
Recommendation:	Approve	
Date of recommendation:	27/12/2024	

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 11 November 2024

Standard consultations:

Printed: 7 November 2024 Expired: 28 November 2024

Neighbour notifications

Printed: 7 November 2024 Expired: 28 November 2024

Site notice

Posted: 11 November 2024 Expired: 2 December 2024

Press advert

Published: 12 November 2024 Expired: 3 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site relates to a ground floor commercial unit in the Arndale shopping centre located at 5 Cross Street. The unit previously houses a branch of the bank Santander but has stood empty for a number of years

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The proposal site is located in Manchester City Centre and therefore the surrounding area has a wide variety of uses including, residential, offices, restaurants, cafes, bars, retail and commercial outlets in the immediate area with associated advertisements on their respective buildings. The site is not covered by a conservation area, but the St Anns Square Conservation area is the other side of Cross Street.

Description of development

The development relates to the installation of a new glazed shopfront, with solid fascia panel, to the ground floor commercial unit at 5 Cross Street in support of a new café business.

Consultations & Notification Responses

Publicity - a notice was displayed close by to the site, informing passers-by of the development. A press notice was placed in the local press advertising the works as those affecting the setting of a listed building and conservation area. Letters were sent to surrounding occupiers notifying

them of the development. No representations have been received as a result of this publicity, however, a comments was received for the related signage application 141243/AO/2024. The comments are summarised below:

-No level access provided as part of new shopfront. Suggested modifications could be made to provide level access rather than having moveable ramp placed by staff when needed.

Environmental Health - no objection, condition requiring control of signage illuminance level requested.

Highways Services - no objections, changes would not impinge of adopted highway. Informative regard fitout arrangements, hoardings, licencing, working close to TfGM assets and projecting over licence requested.

Issues

The main policies that relate to this application are DM1 (Development Management), SP1 (Spatial Principles), EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage) CC2 (Retail), CC9 (Design and Heritage) and CC10 (A Place for Everyone) of the Manchester Core Strategy (2012), saved policies DC14 (Shopfronts and Related Signs), DC18 (Conservation Areas) and DC19 (Listed Buildings) of the Unitary Development Plan for Manchester (1995), policy JP-P2 of Places for Everyone and the guidance contained within the Shopfront and Signage Design Guide (2024).

Principle

The application seeks planning permission for the installation of a new shopfront to a ground floor commercial unit of the Arndale Shopping Centre. The shopfront faces on to Cross Street opposite the Royal Exchange. The shopfront is currently covered by a timber hoarding by virtue of the unit at 5 Cross Street having been unoccupied for five years. The unit previously housed a branch of Santander.

The unit has not been let since it was vacated by Santander and has been vacant for some time. A new occupier has been secured and they are seeking a new shopfront to refresh the unit's appearance, facilitate the installation of their signage and maximise the internal floor plate. The works are therefore related to enhancing the economic vitality of the City Centre and diversifying its food and drink offer pursuant to policies CC2, which supports development that enhances the vitality of the Primary Shopping Area.

Visual amenity

The existing shopfront comprises a glass curtain wall with recessed entrance on the northern end, with a small fascia panel above the entrance alcove. There is a large step up to the existing entrance way by virtue of a structural beam that runs along the base of the shopfront. The shopfront has been covered by a timber hoarding for many years, which gives the street scene on this side of Cross Street a somewhat empty and forgotten-about feeling.

The proposed shopfront would comprise a flat curtain wall, without recessed entrance. The curtain wall would be constructed from frameless glazing, with a blue fascia panel above the glazing with a height of 750mm. The fascia panel is similar in location and proportion to those to the retail units to either side of the unit and would help to obscure the internal riser ducting to the northern end of the unit from external view. This element of visual solidity would be balanced against the lightweight appearance of the frameless glazing across the rest of the shopfront, which would be very visually permeable. This would help activate the frontage and

bring a feeling of life back into the street scene. This is supported pursuant to policy EN1 of the Manchester Core Strategy (2012) which states that new development should enhance the experience of all at street level.

On balance, it is considered that the new shopfront is acceptable with regard to visual amenity pursuant to policies DM1 and EN1 of the Manchester Core Strategy.

Access

A comment was received on related application 141243/AO/2024, querying the lack of level access and suggesting a modification could be made to the step at the entrance of the unit. Policy CC10 states that new development should have high quality accessibility arrangements and an assessment of the accessibility of the shopfront has been made below.

The shopfront has a significant step at the entranceway by virtue of a large reinforced concrete beam that runs the length of the front of the unit. The applicant has stated the beam is structural and is necessary to support the wider elevation and building itself. During the course of the application, requests were made to consider removal of part of the beam, or reprofiling it shape to chamfer the edge, to allow for level access. The applicant has submitted evidence from a structural engineer that states this is not possible, and any modification could leave the beam structurally unsound, with a significant potential impact on the stability of the building. This evidence has been assessed and accepted by officers within the City Council Department of Planning, Licensing and Building Control and therefore it is considered that a modification to shopfront design to provide level access would not be possible.

The above notwithstanding, the City Council is committed to securing high-quality, permanent access arrangements across buildings in the City Centre. A condition attached to this approval will require the applicant to explore alternative methods for providing access. This could include a potential modification to the footway.

Highways impacts

The works related to the proposal are contained within the curtilage of the building and thus would not impinge on the adopted highway. The entrance door opens inwards, ensuring there it would not cause an obstruction to the footway.

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

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:

-Drawing - Proposed REV E FACADE SECT AA + BB

-Drawing - Proposed REV F SHOP FRONT PLANS AND ELEVATIONS

Both received by the City Council, as Local Planning Authority, on 17/12/2024

-Supporting Information CARONA LOGO

-Supporting Information HANG SIGN WITH LIGHT

Both received by the City Council, as Local Planning Authority, on 15/10/2024

-Supporting Information REV A FLAG SIGN received by the City Council, as Local Planning Authority, on 14/11/2024

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, saved policy DC19.1 and Sections 12 of the National Planning Policy Framework.

3) Within 3 months of the date of this permission, a scheme to incorporate measures to improve disabled access into and throughout the premises shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The agreed scheme shall be implemented within 3 months of the date of this permission and shall thereafter be retained and operational for the lifetime of the development.

Reason - To ensure that satisfactory disabled access is provided pursuant to the provisions of policies CC10, T2, SP1 and DM1 of the Manchester Core Strategy (2012).

Informatives

- 1) The applicant is to be advised of the details of working safely near Metrolink which can be found on the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/workingsafely>. This document provides contact details for the Metrolink Operator in order that the proposed method of erection can be discussed and relevant permits obtained.
- 2) The applicant is required to discuss and agree any requirements for temporary traffic and pedestrian management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk
- 3) The applicant is required to discuss and agree any requirements for licensing, hoarding /scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Advertising Right JC Decaux Outside 1, Cross Street, Manchester, M2 1HX
8 - 10 Cross Street, Manchester, M2 7AE
3 Cross Street, Manchester, M2 1WE
8 New Market, Manchester, M2 1WB
28 Market Street, Manchester, M1 1PW
30 Market Street, Manchester, M1 1PW
26 Market Street, Manchester, M1 1PW

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL