

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140928/FO/2024
Date registered valid: 22 October 2024
Proposal: Erection of a single storey canopy together with installation of roller shutters
Address: 876 - 878 Stockport Road, Manchester, M19 3BP
Ward(s): Levenshulme Ward

Applicant: Mr Mustafa Khan
Agent (if any): Mr Muhammad Dabeer, Rana MD Design Consultancy
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 12 December 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 21 November 2024

Standard consultations:

Printed: 30 October 2024 Expired: 20 November 2024

Neighbour notifications

Printed: 20 November 2024

Expired: 11 December 2024

Site notice

Posted: 21 November 2024

Expired: 12 December 2024



Fig.1 – Site notice – Development potentially affecting the setting of St Peter's Church (Grade II listed) situated on the eastern side of Stockport Road.

Press advert

Published: 12 November 2024

Expired: 3 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This application relates to a former bank that is situated within the Levenshulme District Centre and is positioned on the western side of Stockport Road with its respective junctions with Levenshulme Terrace and Worsley Grove. The building comprises of a 1920's style mid-brown brick, flat roof building incorporating a parapet with stone detailing around the doorways and eaves level to its Stockport Road frontage. There is an adjoining 1970's, two storey addition to the bank building providing shop display windows to the back of pavement with articulated columns, elongated upper floor windows and parapet detailing. The south-west elevation of the site turns the corner to present a frontage to Worsley Terrace where access is formed to a car parking area. Beyond the commercial and retail fronting Stockport Road, Worsley Grove predominantly comprises traditional terraced housing. To the north of the site is Arcadia Library and Leisure Centre. Lay-by parking is formed outside the shop on Stockport Road with double yellow lines at the junction of Stockport Road and Worsley Grove. The site frontage comprises of a forecourt area, which is used for the display of goods associated with the retail use. The display of goods continues along the pavement to Worsley Grove; a section of highways that forms part of an unadopted road and part of the curtilage to 876 Stockport Road.





Fig.2 – Views of the application site from Stockport Road and Worsley Grove.

Description of development

The proposed development would involve:

- i. The formation of a side extension with an overall length of 10 metres and projection of 1 metre from the southern elevation of the building (adjacent to Worsley Grove). The extension would be sited across ground floor display windows that are covered with vinyl signage.
- ii. The development would necessitate the removal of fixed profiled canopy to allow the formation of a lean-to roof with a maximum height of 2.6 metres and 2 metres at the eaves.
- iii. The extension would have solid side elevations. Vertical columns to the southern elevations would allow the integral installation of roller shutters in three sections.

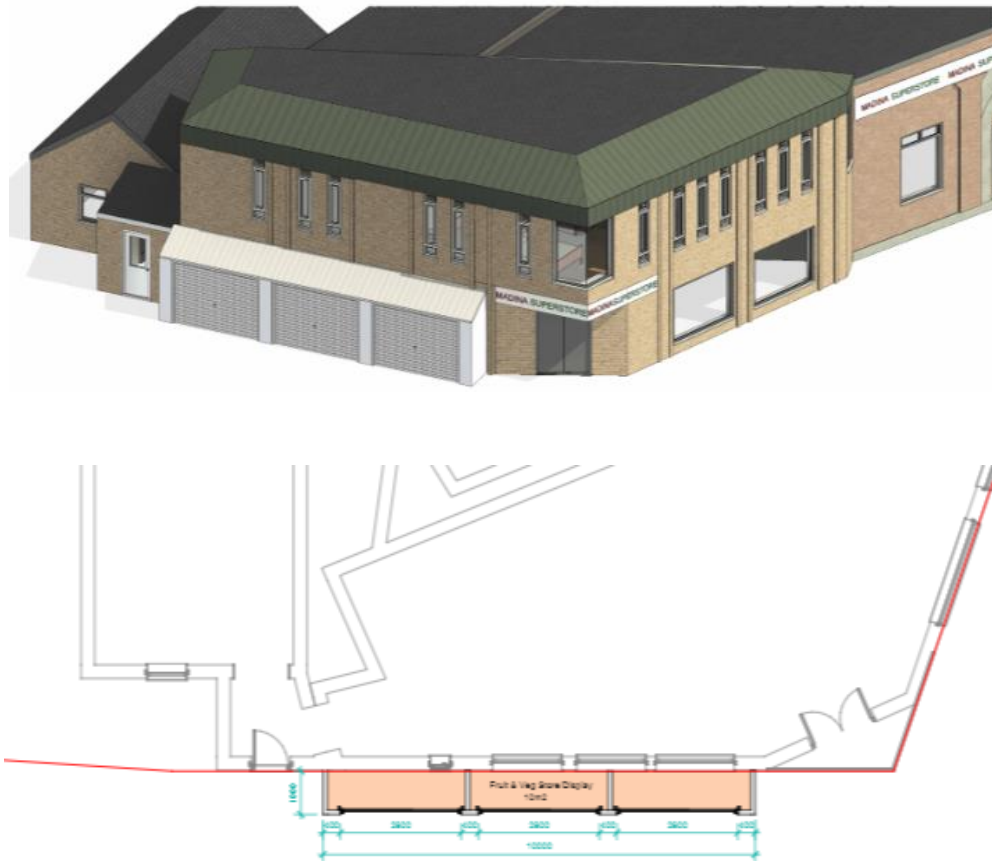


Fig.3 – Proposed elevation and layout drawing

Site history

1. 139060/P3GPA/2024: Approved - 13.03.2024 - Prior Approval for change of use of first floor offices (Class E) to 1no. three-bedroom flat (Class C3)
2. 102985/FO/2013/N2: Approved - 24.12.2013 - Erection of single storey rear extension to form additional retail space to existing shop and laying out of 6 no. space car park using existing access from Worsley Grove
3. 110908/AO/2015/N2: Approved - 11.02.2016 – Retrospective application for the retention of internally illuminated fascia sign and surrounds to ATM,
4. 110907/FO/2015/N2: Approved - 11.02.2016 - Retrospective application for the retention of an ATM to the front elevation
5. 097308/FO/2011/N2: Refused - 16.11.2011 - Retrospective application for retention of retractable canopy blinds and erection of 5 additional retractable canopy blinds to building and rear yard area
6. 097325/AO/2011/N2: Approved and Refused - 16.11.2011 - Display of various internally illuminated and non-illuminated signs
7. 098264/FO/2012/N2 : Approved - 10.05.2012 - External alterations incorporating new windows.
8. 081574/FO/2006/N2: Approved - 12.02.2007 - Installation of one external condenser unit to the rear elevation

9. 059767/AO/NORTH2/00: Approved - 18.08.2000 - Illuminated fascia name sign and repositioning of projecting box sign

10. 036225: Approved - 12.04.1990 - Installation of 2nd cash dispenser

023267: Approved - 06.02.1985- Two storey extension to bank

11. 019596: Approved - 15.07.1983 - Installation of a cash dispenser

12. F04574: Approved - 21.06.1976 - Alterations and extension to existing bank.

Consultations & Notification Responses

Local residents and businesses – No comments received.

Highways The following comments have been received:

- i. The submitted drawings suggest that the extension would be sited on an area of unadopted footway to the side of the Worsley Grove elevation of the building. Confirmation of the ownership of this land and also access rights over adjacent land outside the application site should be provided.
- ii. An unobstructed footway clearance of 2 metres from the proposed extension to the edge of the carriageway should be maintained.
- iii. Should planning permission be granted the development should be related to a construction management plan. Requirements for licensing, hoarding / scaffolding etc should be agreed with the Council as local highways authority.

Greater Manchester Police Design for Security – The following recommendations have been made:

- i. The development should be designed to discourage climbing and access to the first floor windows of the premises as much as possible.
- ii. Consideration should be given to the installation of security-certified shutters to achieve an independently proven level of resistance.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in December 2024. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'. The purpose of the planning system is to achieve sustainable development. The NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.

iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are relevant.

i. Section 6: Building a strong, competitive economy - States that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In this case, the application incorporates proportionate trading space, and it is not apparent that the extension is required to sustain the viable use of the business. The development would have an incongruous relationship to the existing building and the character and amenities of the surrounding area, and these considerations are significant.

ii. Section 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. Issues of crime reduction and security could potentially be addressed as part of a more appropriate development. As visual harm caused by the development would be unacceptable, section 8 would not be accorded with.

iii. Section 12: Achieving well-designed places - States that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It also states that development should function well in the long term and add to the overall quality of the area and lead to the formation of places that are safe, inclusive and accessible and promote health and well-being. The design the proposed extension would not be appropriately related to the existing building and its context. The development would thereby fail to accord with section 12.

iv. Section 14: Meeting the challenge of climate change, flooding and coastal change - The site is in flood zone 1 and it is not apparent that the development would result in an increased risk of flooding.

v. Section 16: Conserving and enhancing the historic environment - Requires that consideration is given to the impact of development of heritage assets, in this case the Grade II St Peter's Church. In this case, the proposed side extension has been related to any potential harm caused to the setting of the listed church. Given the siting of the proposed extension and the separation afforded by Stockport Road, the development would not unduly affect the setting of the listed building. The development would therefore be satisfactorily related to section 16.

Planning Policy Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:

i. Consultation and pre-decision matters - The PPG reasserts that local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. All necessary local consultation has been undertaken.

ii. Design - Good quality design is an integral part of sustainable development. It is considered that the development presents a contemporary building with a configuration that balances the functional requirements of the proposed mix of uses within a coherent design. The design of the development is not considered to be appropriate for the reasons set out in this report. The above objectives would not, therefore, be accorded with.

iii. Flood Risk Planning and Flood Risk - As stated the development is in flood zone 1 and would present an apparent increased risk of flooding or additional drainage requirements.

iv. Health and well-being - States those local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in planning decision making. In this case, the operation of the development would not be appropriately related to the existing building and would be harmful to visual amenity and the well-being of nearby residents. The above objectives would therefore not be accorded with.

Places for Everyone - The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'. The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone. The first Council meetings to approve the plan will be Salford and Wigan (28 February). The plan was considered at the Full Council meeting in Manchester on 20 March 2024 and was subsequently approved on 21st March 2024. Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance. The following policies are relevant:

Policy JP-P1 - Sustainable places - Discusses amongst other things, the need to ensure that development responds to the needs of all parts of society. In this case, significant emphasis has been placed upon the harmful visual impact of the development. Given these concerns, it is not considered that policy JP-P1 would be accorded with.

Policy JP-S4 - Flood risk and the water environment - States that in locating and designing development to minimise the impacts of current and future flood risk. The site is in flood zone 1 and would present an apparent increased risk of flooding or additional drainage requirements.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG, which have not been appropriately responded to:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Health and well-being

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for the City. In this case, the relevant principles relate to the extent the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health,

safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;

- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

It is not considered that the proposed development would positively contribute to the character of the surrounding residential area or the amenities of neighbouring residents. Policy SP1 would not be accorded with.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester should meet high standards of urban design and opportunities for good design, which enhance the overall image of the City should be fully realised. It is not considered that the design of the extension would be appropriately related to the building or the surrounding context. Policy EN1 would not, therefore, be accorded with.

Policy EN3 (Heritage) – Policy EN 3 (Heritage) - Has been related to the assessment of the proposed extension in relation to its impact on the neighbouring listed Grade II listed St Peters Church. It is not apparent that the siting of the proposed extension would cause undue harm to this listed building.

Policy EN 14 (Flood Risk) - States that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The application sites located in Flood Zone 1 and it is not apparent that the development would presents additional risk of flooding.

Policy EN19 (Waste) - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

The development would not significantly affect the existing operation of the site with regard to the generation of waste and recycling. The continued use of these arrangements would therefore be appropriate.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- o Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection.

It is not considered that the development would accord with policy DM1, due to the inappropriate siting design and appearance of the proposed extension and relationship to the characteristics of the streetscene.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires the local planning authority demonstrates how it has engaged with the applicant prior to the determination of the planning application. In this case, the application has been determined within the statutory timescale. In this instance the principle of the application proposals is contrary to the adopted development plan and would not improve the social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make the development acceptable. The applicant's agent was informed of these concerns prior to the determination of the application

Principle of the development - It is acknowledged that businesses may seek to expand floorspace to in response to changing operational needs. However, such aspirations need to be balanced against any potential harm attributable to the development. In this case, the development would have an incongruous relationship to the existing building and be harmful to the character of the streetscene. The prominence of the extension would also harm the visual amenity of residents living in houses on Worsley Grove. The principle of the development is therefore considered to be unacceptable.

Design – The proposed extension would obscure ground floor window open and the vertical arrangement of brick column detailing that form the southern and eastern elevation of the building. The extension would thereby depart from the character of the original building. The incongruous relationship between existing and new built form would be exacerbated by the solidity of unperforated galvanised roller shutters as the principal feature of the proposed southern elevation of the extension

Siting – The proposed extension would be related to a section of highways framed by densely configured buildings to each side of Worsley Grove with separation afforded by a relatively narrow carriageway. Whilst acknowledging that the extension would have a depth of 1 metre, the visual impact of the development on the streetscene would be significant and harmful due to the close arrangement of adjoining and neighbouring built form.

Pedestrian safety and accessibility - The extension would be 10 metres in length and would be sited adjacent to a pavement that provides access houses on Worsley Grove. Notwithstanding the partial demarcation of the respective Stockport Road and Worsley Grove Junctions with double yellow lines, unrestricted car parking occurs to each side of Worsley Grove and results in localised congestion (including 'banking' of vehicles on to the adjacent pavement). There is concern that the proposal would formalise the display of goods on Worsley Grove, and lead to potential congestion between pedestrians attempting to manoeuvre within limited space along the pavement and customers accessing displayed goods. Such circumstances may be particularly harmful to wheelchair and pushchair users, who may be displaced into the carriageway due to obstruction within the pavement. The development would thereby be potentially harmful to pedestrian safety and unacceptable.

Impact on listed building – As stated, the proposed extension would be positioned at the side of the application building and separated from the listed St Peters Church by Stockport Road. It is not apparent, therefore, that the siting of the proposed extension would cause undue harm to this listed building.

Residential amenity – As discussed, it is considered that the development would potentially cause significant harm to residential amenity.

Crime and security - The comments of GM Police would be capable of being addressed by condition.

Waste management - The existing arrangements would be maintained.

Conclusion - The development would be unacceptable due to its design, appearance and siting. It would also be unduly harmful to the residential amenities of the area.

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: Refuse

Article 35 Declaration

The application has been determined within the statutory timescale. In this instance the principle of the application proposals is contrary to the adopted development plan and would not improve the social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make the development acceptable. The applicant's agent was informed of these concerns prior to the determination of the application.

Reasons for recommendation to refuse

1) The development, by virtue of its siting and appearance would have an unduly prominent impact on the adjacent pavement and wider streetscene. It would thereby be poorly related to the characteristic arrangement of the adjoining building. The development would thereby be harmful to the visual and residential amenities of the area and be contrary to policies DM1, EN1

and SP1 of the Core Strategy for the City of Manchester and policy JP-P1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

2) The development would formalise the display of goods on Worsley Grove, and lead to potential congestion between pedestrians when attempting to manoeuvre within limited space along the pavement and customers accessing displayed goods. Such circumstances may be particularly harmful to wheelchair and pushchair users who may be displaced into the carriageway due to obstructions within the pavement. The development would be potentially harmful to pedestrian safety and be contrary to policies DM1, EN1 and SP1 of the Core Strategy for the City of Manchester and policy JP-P1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

3) The design and appearance of the development would be poorly related to the characteristic architectural detailing of the adjoining building, including the formation of a southern elevation comprising unperforated galvanised roller shutters. The development would thereby be contrary to policies DM1, EN1 and SP1 of the Core Strategy for the City of Manchester and policy JP-P1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Greater Manchester Police

1 To 21 Worsley Grove Manchester, M19 3AF

8 To 20 Worsley Grove Manchester, M19 3AF

Arcadia Library And Leisure Centre, 868 Stockport Road, Manchester, M19 3BP

1A Worsley Grove, Manchester, M19 3AF

Top Flat, 884 Stockport Road, Manchester, M19 3AD

799 Stockport Road, Manchester, M19 3DL

St Peters C Of E Church, Stockport Road, Manchester, M19 3BS

884 - 886 Stockport Road, Manchester, M19 3BN

Second Floor, 880 Stockport Road, Manchester, M19 3BN

First Floor, 880 Stockport Road, Manchester, M19 3BN

Ground Floor, 880 Stockport Road, Manchester, M19 3BN

882 Stockport Road, Manchester, M19 3BN

803 Stockport Road, Manchester, M19 3BS

6 Worsley Grove, Manchester, M19 3AF

4 Worsley Grove, Manchester, M19 3AF

797 Stockport Road, Manchester, M19 3DL

795 Stockport Road, Manchester, M19 3DL

1 Worsley Grove, Manchester, M19 3AF

2 Worsley Grove, Manchester, M19 3AF

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21 Worsley Grove, Manchester, M19 3AF

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA