MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140975/FO/2024
Date registered valid:	9 September 2024
Proposal:	Installation of bi-fold aluminium glazed doors beneath existing canopy following removal of existing security shutters
Address:	18 Bury Old Road, Manchester, M8 9JN
Ward(s):	Crumpsall Ward
Applicant:	Mr M Noor Noor Mini Market
Agent (if any):	Mr Darren Pomfret Manchester Building Design Ltd
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	13 November 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 7 October 2024

Standard consultations:
Printed: 23 September 2024 Expired: 14 October 2024

Neighbour notifications
Printed: 23 September 2024 Expired: 14 October 2024

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of site / building / area

The site relates is situated on the corner of Crescent Road and Bury Old Road which lies within the defined district centre of Cheetham Hill - a bustling hub dominated by various commercial uses, including retail, food and drink, office uses. The host building is presently occupied by a retail food store (Noor Superstore). It is understood to have been converted to the present retail use via permitted development rights.





(Officer's site visit, 07.10.2024)

The building is predominantly of masonry construction. To the rear is a service yard. The premises incorporates a shopfront to Bury Old Road, with an existing canopy. To the front is a forecourt for the display area for goods, which is covered by a canopy.
The application site is situated along the eastern side of where Cheetham Hill Road and Bury Old Road merge - along the (A665), a main north/south arterial route which links north Manchester with the city centre.

Site History

- 128922/FO/2020 - Retrospective application for the installation of a canopy to the Bury Old Road elevation, together with elevational alterations and installation of roller shutters, REFUSED 07/2021.
  Subsequent Appeal Ref: APP/B4215/W/21/3287357 allowed on 7th April 2022.

- 128923/AO/2020 - Installation of internally illuminated front and side fascia signs, APPROVED 05/2021.

- 111510/AO/2016/N1 - Installation of replacement internally illuminated fascia signs to side and front elevations together with projecting box sign, non illuminated information signs and internally illuminated ATM sign, APPROVED 04/2016.

- 098846/AO/2012/N1 - Installation of externally illuminated fascia sign, 2no. externally illuminated hanging signs and associated ATM signage to replace the existing, APPROVED 05/2012.

- 069802/AO/2003/N1 - Erection of replacement externally illuminated fascia signage. Erection of 6m high totem pole signage, APPROVED 12/2003.

- 064034/FO/NORTH1/02 - Raising public footpath to enable disabled access. Erection of external lighting to elevation, APPROVED 03/2002.

- 052466/FO/NORTH1/97 - Installation of a 0.9m diameter, white, wall mounted satellite dish antenna, APPROVED 08/1997.

- 050826/AO/NORTH1/96 - Illuminated A.T.M. surround, APPROVED 10/1996.

- F12467 - Revised details of planted area, along Crescent Road, to incorporate oil storage tank, WITHDRAWN.

- F/AD02205 - A) Illuminated fascia name sign on front elevation of bank. B) Illuminated fascia name sign on Crescent Road elevation of bank. C) Illuminated double sided box sign on front elevation of bank, APPROVED.

- 026326 - Erection of 5 retail shop units, a restaurant/take-away with parking and servicing areas and closure of Trees Street, APPROVED.

Description of development

The submitted application proposes the installation of bi-fold aluminium glazed doors beneath existing canopy following removal of existing security shutters.

In this instance, there are two large pavement trees adjacent to the premises. It is noted from the submitted information that the applicant intends to seek consent to undertake the raising of the crowns by approximately 1.5m. Clarification was therefore sought from the planning agent in relation to this matter; and further details subsequently provided by the agent, (correspondence dated 05/11/24).

In terms of the submitted plan, it is intended to remove the existing security shutters and install aluminium bi-fold double glazed doors with laminated glass, powder coated graphite grey along the perimeter of the premises forecourt.

Consultations & Notification Responses

1. Neighbours

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received on this occasion.

2. Environmental Health

Having considered the application and due to the bi-folds remaining full open during business hours, Environmental Health officers have no comments/objections regarding the proposal. They also advise that information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

3. Highways

The proposal is to remove the existing security shutters and install bi-fold aluminium glazed screens/doors that will provide security to the perimeter of the premises when closed. Proposed Plans have been submitted which appears to indicate that the bi-fold doors are to be located within the forecourt area of the site. It is noted that the bi-fold doors will be retracted during trading hours and shut when the premises are closed.

There are two large trees adjacent to the premise. It is noted that the applicant will seek consent to undertake the raising of the crowns by approximately 1.5m.

Existing and proposed refuse bins are to be located in the rear yard of the site. Refuse bins are to be collected from the rear yard and returned following collection.

It is understood that waste servicing for the site will continue to follow existing arrangements.

4. Arboriculturists

The installation of the new glazed doors should have minimal impact on trees as this area is currently hardstanding and already has an existing canopy occupying this location, however, to

eliminate any confusion, they request that the applicant submits an Arboriculture Impact Assessment.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019.

The central theme to the revised NPPF is to achieve sustainable development. The government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role. The Framework underlines a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF. Relevant to this application is:

- Chapter 12: Achieving well-designed places.

Paragraph 135 states:
Planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users49; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 136 goes onto state that: Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

Paragraph 139 goes onto state that:
'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes'.

2. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following polices are considered to be relevant:

- JP-S1 - Sustainable development

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- EN9 (Green Infrastructure)
- EN15 (Biodiversity and Geological Conservation)

4. Saved Unitary Development Plan Policies (UDP)

Large elements of the UDP have been superseded by the Core Strategy Development Plan, however, due consideration should be given to the following saved policies:

- Saved Policy E3.3 - refers to the Council looking to upgrade the appearance of the city's major radial routes.

- Saved Policy DC14.1 - In determining applications relating to these premises for shopfronts, security grilles, advertisement signs, canopies and awnings, the council will seek to ensure that the proposals are in keeping with the character of the building and adjoining buildings, of adjoining shop fronts, where appropriate, and of the area within which the premises are located. This policy applies to all retail premises and to other commercial premises, which have similar physical characteristics e.g. betting shops, banks, building society offices, optician's premises etc.

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007

- Chapter 2: Design

ISSUES

In the case of this application, there are two large pavement trees adjacent to the premises. It is noted from the submitted information that the applicant intends to seek consent to undertake the raising of the crowns by approximately 1.5m. Clarification was therefore sought from the planning agent in relation to this matter; and further details subsequently provided by the agent, (correspondence dated 05/11/24).

Principle

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions be made in accordance with the development plan, unless material considerations indicate otherwise. In the case of this application, the principle of the incorporation bi-fold aluminium glazed doors to the property in the location proposed would not be out of character in the street scene within Cheetham Hill district centre, and therefore, the proposed development is considered acceptable within this context. Notwithstanding this factor, consideration must be given to the design and the impact upon existing levels of visual amenity.

Design and the Impact to Visual Amenity

Impact of works (Installation of bi-fold aluminium glazed doors beneath existing canopy following removal of existing security shutters) - In this instance, the site is within a commercial area which is characterised by a broad range of buildings and architectural styles. Due to the high level of commercial signage and paraphernalia, the street scene has a vibrant character. There are numerous buildings within the street scene with broad expanse of glazing, although in the case of this application, it is intended to enclose the perimeter of the forecourt with aluminium bi-fold double glazed doors with laminated glass, powder coated graphite grey. The bi-fold doors will be retracted during trading hours and shut when the premises are closed. The appearance in terms of height and scale would be broadly consistent with the existing street scene and therefore the proposal would not adversely affect the setting or appearance of the property within the Cheetham Hill district centre by way of its design and appearance. The development is considered to be broadly in keeping with its surroundings and is not considered to be detrimental to the character and appearance of the area; pursuant to Policy E3.3 of The Manchester Plan: The Unitary Development Plan for the City of Manchester (July 1995) and Policies DM1, EN1 and SP1 of Manchester's Local Development Framework: Core Strategy Development Plan Document (July 2012). These policies collectively, and amongst other matters, require that development makes a positive contribution to its surroundings, is appropriate with regard to siting, form, materials and detail and protects the appearance of key transport routes. It also complies with the design and appearance aims of the National Planning Policy Framework (NPPF), including Paragraph 135.

As previously stated, there are two large pavement trees adjacent to the application site which are considered to be of important amenity value. Whilst it is noted from the submitted information that the applicant will seek consent to undertake the raising of the crowns by approximately 1.5m. It is recommended that a condition is attached to safeguard the trees adjacent to the site; pursuant with policies EN9 and EN15 of the Core Strategy (2012).

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy

Framework (2021) chapter 12; policies SP1, EN1, DM1, EN9, EN15 of The Manchester Core Strategy Development Plan Document (2012); saved policy E3.3, DC14.1 of the UDP, and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no comments or objections have been received from local residents in response to this application.

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 polices 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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, there are two large pavement trees adjacent to the premise. It is noted from the submitted information that the applicant intends to seek consent to undertake the raising of the crowns by approximately 1.5m. Clarification was therefore sought

from the planning agent in relation to this matter; and further details were subsequently provided by the agent, (correspondence dated 05/11/24). The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- Application for planning permission forms, received by the City Council as Local Planning Authority on 09 September 2024.
- Location Plan with application site edged in red, received by the City Council as Local Planning Authority on 09 September 2024.
- Waste Management proforma, received by the City Council as Local Planning Authority on 09 September 2024.
- Design & Access Statement, received by the City Council as Local Planning Authority on 09 September 2024.
- Existing Plans and Elevations, Dwg. No. 94/24-01, Rev. A, received by the City Council as Local Planning Authority on 09 September 2024.

Proposed Plans and Elevations, Dwg. No. 94/24-02, Rev. A, received by the City Council as Local Planning Authority on 09 September 2024.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to The National Planning Policy Framework (2021) chapter 12; policies SP1, EN1 and DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy E3.3, DC14.1 of the UDP (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

3) Notwithstanding the submitted information, prior to commencement of the development hereby approved, an Arboriculture Impact Assessment (including measures to safeguard the existing street trees) shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall then be implemented as part of the development.

Reason - In order avoid damage to trees adjacent to the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy (2012).

4) The materials to be used for the development hereby approved shall be implemented in accordance with the approved plans, as stated on the submitted information.

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 elevational alteration, pursuant to The National Planning Policy Framework (2021) chapter 12; policies SP1, EN1 and DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy E3.3, DC14.1 of the UDP (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Robert Crawford (printers), Back St Marks Lane, Manchester, M8 4FW
First Floor, 597 Cheetham Hill Road, Manchester, M8 5EJ
Basement, 597 Cheetham Hill Road, Manchester, M8 5EJ
Flat 4, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 3, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 2, 591B Cheetham Hill Road, Manchester, M8 5EJ
Flat 1, 591B Cheetham Hill Road, Manchester, M8 5EJ
591A Cheetham Hill Road, Manchester, M8 5EJ
591 Cheetham Hill Road, Manchester, M8 5EJ
United Garage, St Mark's Lane, Manchester, M7 4FE
12 - 16 Bury Old Road, Manchester, M8 9JN
20 Bury Old Road, Manchester, M8 5BN
Iceland Frozen Foods, 22 Bury Old Road, Manchester, M8 5BN
Rear Of, 595 Cheetham Hill Road, Manchester, M8 5EJ
599 Cheetham Hill Road, Manchester, M8 5EJ
593 Cheetham Hill Road, Manchester, M8 5EJ
597 Cheetham Hill Road, Manchester, M8 5EJ
595 Cheetham Hill Road, Manchester, M8 5EJ

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester 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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA