MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140086/FO/2024
Date registered valid:	22 May 2024
Proposal:	Erection of single storey side extension to form enlarged retail shop and new shopfront
Address:	187A Dickenson Road, Manchester, M13 0YN
Ward(s):	Rusholme Ward
Applicant:	N Rasooli Barakat Food Store
Agent (if any):	Philip Holmes, PHA Architects Ltd
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	16 July 2024

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Standard consultations:
Printed: 31 May 2024 Expired: 21 June 2024

Neighbour notifications
Printed: 31 May 2024 Expired: 21 June 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: Not applicable

Tree Preservation Order: Not applicable

This application relates to an end terraced retail shop, with apartments above, in a local shopping parade of 12 units. The property sits at the junction of Dickenson Road and Laindon Road and has windows on both frontages.

It is proposed erect a single storey side extension to form an enlarged retail area. The extension would be set-back, from the Dickenson Road frontage, of the building, by approximately 2.5 metres, and would project approximately 3.6 metres, from the side of the property, towards Laindon Road. The extension would be constructed in brickwork, largely in a 'pillar' type arrangement, with large windows in between, and a slate roof with a shallow slope. The extension would only be accessed through the main shop area.

The proposal also includes a new shop front, to the existing shop frontage.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Highway Services - Make the following comments:

The submitted plan shows that a side extension will be in place along Laindon Road elevation and be situated within the private boundary of the site. The proposal does not extend onto the adopted highway and therefore will not impact on pedestrian movements.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached, to any permission, in relation to construction hours and the acoustic insulation of any external equipment.

Flood Risk Management Unit - No objections.

Greater Manchester Police - No comments received.

Issues

National Planning Policy Framework (December 2023) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that 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 visibly 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 well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to

communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 126).

The 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.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

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.

Policy C1 relates to commercial centres hierarchy and states that the development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre,
District Centres and Local Centres. In order to maintain the vitality and viability of its centres, provide services as locally as possible and minimise the need to travel by car,

It identifies the centre hierarchy as Manchester City Centre, District Centres and then Local Centres. It states that District centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. Development in these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:
- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed
guidance may be given within a supplementary planning document:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Guide to Development in Manchester Supplementary Planning Guidance - Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

The 'Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039' was adopted on 21 March 2024.

Policy JP-S1 relates to Sustainable Development and states that, to help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.

Impact of development - The side elevation of the property follows the same building line as all properties along the western side of Laindon Road, including the residential properties, nos. 18-70 Laindon Road. All the properties are set back from the back of pavement, on Laindon Road, with each property having a front garden and front boundary treatment. In the case of the application site, this has a different arrangement, as the side of the property is open with no boundary treatment. Nevertheless, the building line along this road is strong, continuing all the way to the junction with Dickenson Road, and the proposed extension does not respect this,

coming forward of the building line by a considerable distance, thereby creating a structure that would be visually prominent and out of character with its surroundings, to the detriment of the visual amenity of the area.

Submitted details - The plans show slim brick columns, supporting the roof, with what appears to be large areas of glazing in between, although this may be open, rather than glazing, thereby creating an external covered display area, rather than an enclosed extension. The applicant was asked to confirm the proposed arrangement, but no response was provided. Either way though, this does not alter the height, scale and footprint of the proposed structure and its adverse impact upon the existing building line and the visual amenity of this location.

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: Refuse

Article 35 Declaration

Officers have attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, and invited the withdrawal of the application, but the applicant did not take up this option. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The proposed extension, by virtue of its scale, size and projection, would have a detrimental visual impact on the surrounding environment and constitute an unduly obtrusive and incongruous feature within the street scene, appearing out of character with the remainder of the building and adversely impacting upon the established building line created by the adjacent row of properties, on Laindon Road. The proposal would therefore have an unacceptable and detrimental impact on the visual amenity of the area contrary to Government Guidance contained in the National Planning Policy Framework and policies EN1, SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Flat 11, 189 - 191 Dickenson Road, Manchester, M13 0YW
Flat 10, 189 - 191 Dickenson Road, Manchester, M13 0YW
Flat 9, 189 - 191 Dickenson Road, Manchester, M13 0YW
Flat 8, 189 - 191 Dickenson Road, Manchester, M13 0YW
Flat 4, 187 Dickenson Road, Manchester, M13 0YN
Flat 3, 187 Dickenson Road, Manchester, M13 0YN
187B Dickenson Road, Manchester, M13 0YN
Flat 1, 187 Dickenson Road, Manchester, M13 0YN
187 Dickenson Road, Manchester, M13 0YN
First Floor, 185 Dickenson Road, Manchester, M13 0YN
Flat 4, 72 - 76 Laindon Road, Manchester, M14 5DG
Flat 9, 72 - 76 Laindon Road, Manchester, M14 5DG
Flat 7, 72 - 76 Laindon Road, Manchester, M14 5DG
Flat 1, 72 - 76 Laindon Road, Manchester, M14 5DG
Flat 8, 72 - 76 Laindon Road, Manchester, M14 5DG
Flat 6, 72 - 76 Laindon Road, Manchester, M14 5DG
187C Dickenson Road, Manchester, M13 0YN
Flat 2, 72 - 76 Laindon Road, Manchester, M14 5DG
Flat 5, 72 - 76 Laindon Road, Manchester, M14 5DG
Flat 3, 72 - 76 Laindon Road, Manchester, M14 5DG
256 Dickenson Road, Manchester, M13 0YL
Flat 5, 189 - 191 Dickenson Road, Manchester, M13 0YW
Flat 3, 189 - 191 Dickenson Road, Manchester, M13 0YW
72 - 76 Laindon Road, Manchester, M14 5DG
185 Dickenson Road, Manchester, M13 0YN
2 Willesden Avenue, Manchester, M13 0ZN
Flat 1, 189 - 191 Dickenson Road, Manchester, M13 0YW
Flat 2, 189 - 191 Dickenson Road, Manchester, M13 0YW
258 Dickenson Road, Manchester, M13 0YL
254 Dickenson Road, Manchester, M13 0YL
252 Dickenson Road, Manchester, M13 0YL
260 Dickenson Road, Manchester, M13 0YL
250 Dickenson Road, Manchester, M13 0YL
Flat 7, 189 - 191 Dickenson Road, Manchester, M13 0YW
Flat 6, 189 - 191 Dickenson Road, Manchester, M13 0YW
Flat 4, 189 - 191 Dickenson Road, Manchester, M13 0YW
12 Kinross Road, Manchester, M14 5DT

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA