

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140010/FO/2024

Date registered valid: 13 June 2024

Proposal: Installation of new shopfront and other associated external alterations.

Address: 45 - 47 Thomas Street, Manchester, M4 1NA

Ward(s): Piccadilly Ward

Applicant: Westbrook

Agent (if any): Simon Ellis LWE Interiors Ltd

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation:

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 27/06/2024

Standard consultations:

Printed: 19 June 2024 Expired: 10 July 2024

Neighbour notifications

Printed: 19 June 2024 Expired: 10 July 2024

Site notice

Posted: 21/06/2024 Expired: 12/06/2024

Press advert

Published: 25 June 2024 Expired: 9 July 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application building is located on the east side of Thomas Street within the Northern Quarter area of Manchester City Centre. The building is bounded by built development to the north (43 Thomas Street) and south (49 Thomas Street) and development fronting Edge Street to the east. The is not listed but there is a cluster of Grade II listed buildings opposite at 44-46 Thomas Street and 7 Kelvin Street. The building is relatively modern, but has been designed to reflect the dominant materiality, form and scale of the surrounding buildings, comprising three storeys with a flat brick primary elevation, with glazed commercial units to the ground floor and four windows to each to the first and second floors.

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order:

Description of area

The area relates to the Norther Quarter of Manchester's City Centre., which comprises a variety of uses including bars, restaurants, commercial, residential, hotel uses and places of worship. The area is covered by the Smithfield Conservation Area.

Description of development

The development relates to the installation of a new timber and glass shopfront to the ground floor, with associated grille style shutters. To the upper floors, aluminium windows are proposed. The elevation would be cleaned and made good.

Consultations & Notification Responses

Publicity - a notice was displayed nearby to the site informing passers-by of the development. A notice was placed in the local press advertising the works as those affecting a conservation area. Letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Highways Services - further information requested on cycle storage provision and waste/servicing arrangements. Informatives on construction and projecting over licencing requested. Recommend internally opening doorways.

Environmental Health - no comments due to nature of proposal, advice regarding signage strategy provided.

Issues

The main policies that relate to this application are DM1 (Development Management), SP1 (Spatial Principles), EN3 (Heritage) and CC9 (Design and Conservation) of the Manchester Core Strategy (2012), saved policies DC18 (Conservation Areas) and DC26 (Development and Noise) of the Unitary Development Plan for Manchester (1995) and Sections 12 and 16 of the National Planning Policy Framework.

Impact on visual amenity

The proposal site is a three-storey brick building located on Thomas Street inside the Smithfield Conservation Area. Whilst the building is relatively modern, it broadly reflects the surrounding buildings in form, scale and materiality. Hence it integrates well into the surrounding street scene. The most significant points of departure from the surrounding buildings are the aluminium shopfront, roller shutters and window proportions.

The introduction of a new timber shopfront would result in the most significant improvement to the visual amenity of the building. The traditional proportions and materiality would be in keeping with the historic character of the conservation area and style of the surrounding buildings. Large, glazed elements would create high levels of permeability into the units and help to activate the street scene. The new grille style shutters would replace the roller shutters, meaning the visual permeability would be maintained through the shopfront after close, whilst ensuring the units remain secure.

The windows in situ have different proportions to those along the rest of the street, with a large upper pane and much smaller, visually subservient lower pane. The dominant form along the rest of the street is two equally sized panes. Given the similarity in form and proportions of the buildings either side of the development site, this creates a displeasing visual incoherence. The proposal would see the introduction of new windows to match the double paned, equally proportioned form present on other buildings, thereby improving the visual amenity of the building and wider street scene.

Impact on the conservation area

The proposal would see the removal of a modern aluminium shopfront and the installation of a new timber shopfront to the building, which would be more traditional in terms of design and materiality. This is considered to be appropriate for use in a conservation area and would help further integrate the building into the street scene. The replacement of windows to reflect the proportions across the rest of the north side of Thomas Street will likewise help provide a visual consistency with surrounding buildings, including the listed buildings at number 44-46 Thomas Street and 7 Kelvin Street. The installation of a traditional grille-style shutter, similar to those in situ at number 59 Thomas Street, would have a similar impact.

Taken together, these elements of the elevational alterations are considered to enhance the special character of the conservation area by achieving a greater congruency in materials and form with historic buildings in the vicinity. Given the above, the proposed development is considered acceptable on heritage grounds pursuant to policies EN3 and CC9 of the Manchester Core Strategy (2012), saved policy DC18 of the Unitary Development Plan for Manchester (1995) and Section 16 of the NPPF.

Highways issues

As confirmed on the approved drawing (Drawing - Proposed 112 REV C FRONT ELEVATION AND SECTION received by the City Council, as Local Planning Authority, 25/07/2024), the proposed new doorways to the shopfront would open inwards, thereby ensuring no obstruction to the footway. Further information on servicing and cycle storage was requested but it is not considered pertinent to this application for elevation alterations.

Signage

The end user of the ground floor unit is not yet known and so there is no advertisement consent application submitted in conjunction with this application. To minimise any future impact on the character of the conservation area and give certainty to the end user when applying for signage, a signage strategy has been agreed for the building.

The fascia signage would consist of individual letters, either halo or face illuminated, affixed directly to the concrete lintel with concealed fixings and wiring. The lettering would be fabricated from metal, with an acrylic face if face illuminated. The permitted depth would be a maximum of 30mm. The use of individual letters is consistent with the provisions of saved policy 14.5 (e) of the Unitary Development Plan, which supports the use of fascia signage comprising individual letters in conservation areas.

A single projecting sign would be permitted, of a traditional hanging bracketed design which is appropriate for use in the conservation area and would be consistent with other approved projecting signs on the street. The depth of the sign would be a maximum of 30mm. No internal or external illumination would be permitted. The projecting sign would have to be installed in line with the fascia sign.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. This has included correspondence regarding the conditions to be attached to any permission

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 have been carried out in accordance with the following drawings and documents:

-Drawing - Proposed 112 REV C FRONT ELEVATION AND SECTION received by the City Council, as Local Planning Authority, 25/07/2024

-Heritage Statement Rev A received by the City Council, as Local Planning Authority, 24/07/2024

-Design and Access Statement Rev A received by the City Council, as Local Planning Authority, 24/07/2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the adopted Core Strategy for the City of Manchester and saved policy DC18 of the Unitary Development Plan for Manchester (1995).

3) Prior to the commencement of the development hereby approved, full and final details of all materials to be used on the external elevations of the building shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall include product specifications and details (including scaled cross sections, joinery details, elevations of the location, appearance and method of installation) of the timber shopfront, glazing, doors, windows and any associated ironmongery.

The approved details and method statement shall be implemented as part of the development and completed prior to the first occupation of the development.

Reason - To ensure that the development is acceptable in the interest conservation and heritage pursuant to policies SP1, DM1, CC9 and EN3 of the Manchester Core Strategy (2012) and saved policy DC18.1 of the Unitary Development Plan (1995)

4) Prior to the commencement of the development hereby approved, full and final details of the grille shutter shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall include product specifications and details (including scaled cross sections, joinery details, elevations of the location, appearance and method of installation).

The approved details and method statement shall be implemented as part of the development and completed prior to the first occupation of the development.

Reason - To ensure that the development is acceptable in the interest conservation and heritage pursuant to policies SP1, DM1, CC9 and EN3 of the Manchester Core Strategy (2012) and saved policy DC18.1 of the Unitary Development Plan (1995)

5) Prior to the commencement of repair works to the exterior brickwork, a detailed method statement and specification (including material specification) for the removal, alteration, repair, re-pointing, cleaning and replacement works shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details and method statement shall be implemented as part of the development and completed prior to the first occupation of the development.

Reason - To ensure that a satisfactory restoration and repair of the exterior of the listed building in order to ensure that the historic fabric is retained where possible and appropriate materials used in the restoration of the Listed Building pursuant to policy EN3 of the Manchester Core Strategy (2012) and extant policy DC19 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF/NPPG.

6) Prior to the first occupation of the development a signage strategy for the unit building shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, the signage shall comprise:

- 1no. fascia sign comprising individual metal letters (with an acrylic face if face illuminated)
- 1no. non-illuminated projecting sign, of a hanging, bracketed design and a depth of not more than 30mm
- Any illuminated signage to have an illuminance level of no more than 300cd/m²

The signage strategy will include timescales for implementation. The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

7) Notwithstanding any manifestations required by Approved Document K of the Building Regulations and the approved grille shutter, the window(s) at ground level, fronting onto Thomas Street shall be retained as a clear glazed window openings at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with

saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Heritage & Urban Design

First And Second Floor, 36 - 40 Edge Street, Manchester, M4 1HN
36 - 40 Edge Street, Manchester, M4 1HN
42 Edge Street, Manchester, M4 1HN
First Floor, 42 Edge Street, Manchester, M4 1HN
Second Floor, 42 Edge Street, Manchester, M4 1HN
43 Thomas Street, Manchester, M4 1NA
49 - 51 Thomas Street, Manchester, M4 1NA
48 Thomas Street, Manchester, M4 1ER
42 - 46 Thomas Street, Manchester, M4 1ER

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Smithfield Conservation Area 1987
Area Team Boundary - Name: CENTRAL