

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139672/FO/2024
Date registered valid: 2 April 2024
Proposal: **Elevational alterations to incorporate additional glazed doors**
Address: 2 Middleton Road, Manchester, M8 5DS
Ward(s): Crumpsall Ward

Applicant: Mr Ghassan Kamha Gkamha and Partners
Agent (if any): Ghassan Kamha Kamha Architects
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: **28 May 2024**

Application details

Type of application: Full Application Consent

Development type: Minor Office

Date of site visit: 22 April 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 April 2024 Expired: 7 May 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 area

The application site relates to 2 Middleton Road within the north Manchester ward of Crumpsall and is located close to the junction of Middleton Road and Bury Old Road. The property has most recently been used as a solicitor's office, but historically was a public house. It is a 1930s inter-war period property constructed in a loose Tudor revival style with large gables to the front and side. 2 Middleton Road is characterised by ashlar stonework, half-timbering, stylised chimneystacks, overhanging dentilled eaves, weatherboards and continuous carved stone parapet/cornice above ground floor level.

The property does not lie within a designated area. The building was constructed as a Public House in the late 1930s, as one of the last pubs of the Phenix Brewery which dissolved in 1939. Based on its architectural, historical, social and townscape interest, and as a good and locally rare representative of its type in the area, it is the Local Planning Authority's view that 2 Middleton Road is considered an important local non-designated heritage asset (NDHA).

Amenity space connected to the property consists of hardstanding, and has an open aspect to Middleton Road and Bury Old Road.

Description of development

The submitted application seeks planning permission for elevational alterations comprising the insertion of wide, full height glazed doors within the front elevation of the existing property .

Two sets of existing window openings to either side of the property's central gables within the front elevation of the property would be altered to accommodate full height glazed doors with approximate dimensions each of Height: 2m x Width: 2.6 metres. The doors would consist of 4 panel double doors, with the existing stone lintel above the openings being retained. The existing UPVC windows above the proposed doors would be retained. At ground level, the existing stone cill would be re-purposed.

The central window and two central doors within the host property would remain the same as a result of the proposal.

Planning History

092937/AO/2010/N1-Retrospective Application for illuminated fascia signage to Middleton Road and Bury Old Road.
Approved 11 June 2010.

039334-Various illuminated fascia signs to public house.
Approved 20 June 1991.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective
- c) an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities

- ii. Chapter 12. Achieving well-designed and beautiful places
- iii. Chapter 16. Conserving and enhancing the historic environment- of particular relevance: paragraph 209: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management)

Policy SP1 (Spatial Principles)

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN3 (Heritage)

Policy EC1 (Employment and Economic Growth in Manchester)

Policy EC2 (Existing Employment Space)

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

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The following policies are relevant:

i.JP- S1- Sustainable development

ii.JP-P2- Heritage

ISSUES

Principle of Development

The submitted development application is for the elevational alterations to form enlarged patio doors. The application site is located on the corner of Bury Old Road and Middleton Road and was historically used as a public house. Most recently the property has been used as a solicitor's office but the submitted application form states the building was vacant at the time the planning application was submitted. Therefore, improvements to bring the building back into use would generally be acceptable to ensure the continued contribution of buildings towards a successful and thriving economy, in an easily accessible location. However, in this instance further consideration is required of the impacts from the proposed elevational alterations on the building in terms of visual amenity and having consideration to the building being a non-designated heritage asset. The current application and design of elevational alterations sought does not overcome the concerns raised by the Local Planning Authority in terms of the resultant visual impact from the incorporation of two sets of wide, full height glazed doors in addition to the existing two sets of entrance doors to the front elevation of the building.

Design and Appearance

Two sets of windows to either side of the property's central gables within the front elevation of the property would be removed and the elevation revised to accommodate full height glazed doors with approximate dimensions each of Height: 2 x Width: 2.6 metres.

The doors would consist of 4 panel double doors, with the existing stone lintel above the openings being retained. The existing UPVC windows above the proposed doors would be retained. At ground level, the existing stone cill would be re-purposed.

Identified as such, and in accordance with Policy EN3 of the Core Strategy and JP-P2 of Places for Everyone and Section 16 of the NPPF, as the building is considered to be a Non Designated Heritage Asset, and accordingly should be protected from harm and conserved in a manner appropriate to its significance, with any impact on its heritage interest taken into account in determining an application for any external alterations. It is noted that the developer has made attempts to mitigate the visual impact to the building in terms of choosing a style of fenestration with transoms and mullions within the glazing, which attempt to reflect the existing windows and re-purposing the existing stone cill at ground level and retaining the existing stone lintel. However, it is not considered that the proposed design would comprise less than substantial harm in regard to visual impacts to the property, and that the harm caused would outweigh any benefits to the use of the premises.

Despite the loss of the original timber leaded windows c.2010, the premises retains the pattern and proportion of the original openings with associated stone frames, which add to its appreciation, and historic and architectural interest as a NDHA. The relationship between the existing windows and doors to front, and stone window frames also add to its overall interest and contribution to the character and streetscene of the local amenity. The proposal would introduce two new full-height uPVC doors to the front elevation. These works would erode the integrity and appreciation of the historic building, with these new openings failing to preserve existing features (frames) and the overall balance of the elevation (windows versus doors). The new modern doors would fail to be integrated well within the external features of the premises, and to match the proportion, design, appearance and materiality of the central double doors to Middleton Road, with a negative impact on the appearance and architectural interest of the NDHA.

During the course of the application, the agent via email explained the elevational alterations would allow the property to be used as an alloy wheel show room and justified the reasons for the elevational alterations by maintaining the proportions and correct detailing of the host property and reinstalling the cill detail at ground level. However, it is not considered that this

justification outweighs the harm in visual terms, which would result with the incorporation of the doors for which consent is sought.

Visual Amenity

Improvements to bring the building back into use would generally be acceptable to ensure the continued contribution of buildings towards a successful and thriving economy, in an easily accessible location. However, the elevational alterations would detract from the original features of the building and lead to an imbalance in the relationship between the existing windows and doors to front, and stone window frames. Consequently, it is considered that the works would have a negative impact on visual amenity in the locality, and fail to be sympathetic to the local character and history in a highly visible location in the streetscene at a main road junction.

Conclusion

It is considered that the development, for the reasons set out above, would result in unacceptable alterations to the building which is reflective of the era in which it was constructed and which adds character to the building and the street and area in which it is located. The proposals would fail to reflect the historic fenestration and detailing of the property, and to match the proportion, design, appearance and materiality of the central double doors to Middleton Road. The development would therefore be unacceptable due to its harmful impact on the character of the area and the character of the building. As such the proposal is contrary to the City Council's Core Strategy Planning Policies SP1, DM1, EN1 and EN3, JP-S1 and JP-P2 of the Places for Everyone, and Section 12 and 16 of the NPPF.

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner, however the proposal and associated information is not considered to overcome the harm caused to 2 Middleton Road.

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

- 1) The proposed elevational alterations by reason of their height and appearance, as a result of their design, proportions, appearance and materiality, fails to respect the character and visual interest of the building. As such, the proposal would harm the quality of the building in visual terms, and adversely affect the visual amenity of the site and character of the area. As such the proposal is contrary to the City Council's Core Strategy Planning Policies SP1, DM1, EN1 and EN3, JP-S1 and JP-P2 of the Places for Everyone, and Section 12 and 16 of the NPPF.

Appendix 1 – List of consultees & neighbours notified

Halfway House Garage, 2 Middleton Road, Manchester, M8 5DS

15 Copeland Close, Manchester, M8 4HW

14 Copeland Close, Manchester, M8 4HW

13 Copeland Close, Manchester, M8 4HW

12 Copeland Close, Manchester, M8 4HW

5 Anchor Court, Bury Old Road, Manchester, M8 5DR

47 Anchor Court, Bury Old Road, Manchester, M8 5DR

44 Anchor Court, Bury Old Road, Manchester, M8 5DR

42 Anchor Court, Bury Old Road, Manchester, M8 5DR

4 Anchor Court, Bury Old Road, Manchester, M8 5DR

37 Anchor Court, Bury Old Road, Manchester, M8 5DR

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32 Anchor Court, Bury Old Road, Manchester, M8 5DR

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22 Anchor Court, Bury Old Road, Manchester, M8 5DR

2 Anchor Court, Bury Old Road, Manchester, M8 5DR

17 Anchor Court, Bury Old Road, Manchester, M8 5DR

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1 Anchor Court, Bury Old Road, Manchester, M8 5DR

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA