

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139269/FO/2024
Date registered valid: 16 March 2024
Proposal: Elevational alterations including installation of a new shopfront.
Address: 130 - 132 Market Street, Manchester, M60 1AY
Ward(s): Deansgate Ward

Applicant: Ms Feng Pudding & Morning Manchester Ltd
Agent (if any): Mr Shijian Zheng Panorama Architects and Interior Designers Limited
Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 02/05/2024

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit:

Standard consultations:

Printed: 27 March 2024 Expired: 19 April 2024

Neighbour notifications

Printed: 27 March 2024 Expired: 19 April 2024

Site notice

Posted: 2 April 2024 Expired: 23 April 2024

Press advert

Published: 9 April 2024 Expired: 23 April 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the ground floor commercial unit of the Royal Buildings site at no130-132 Market Street. Royal Buildings is a non-designated heritage asset completed in stone with an ornate façade. Its ground floor is characterised by 4no commercial units, with 2no fronting out onto Market Street, 1no facing out onto Mosley Street and 1no on the corner of Market Street and Mosley Street, the latter being subject to this application. The corner commercial unit's side elevation runs along Mosley Street and features large obscurely glazed windows.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site fronts out onto Piccadilly Gardens, an open public area at the heart of Manchester City Centre. Neighbouring development consists of a high number of property's of varying ages and styles in commercial class E retail uses at ground floor, with office uses above (Class E). Active tram lines are present to the east of the site that link Market Street and Piccadilly Gardens to St Peter's Square and as such vehicular access to the site and wider neighbouring area is limited.

Description of development

The application seeks consent for the installation of a shopfront.

The proposal would see the removal of the glass panels situated within the second opening along the unit's side elevation on Mosley Street, and a portion of the stone plinth situated beneath it. In its place a shopfront consisting of 3 windowpanes and a doorway would be installed. The proposed shopfront would be completed in a frame of aluminium coloured chrome/stainless steel effect. The crossbars for the frame would be no wider than 60mm.

Planning History

137450/FO/2023 - Change of use of upper floors from offices (Use Class E) to hotel (Use Class C1), including infilling of lightwells, with boundary treatment to Meal Street – Approved December 2023.

075658/FO/2005/C1 - Alterations to main entrance, including new doors and disabled access ramp – Approved July 2005.

Consultations & Notification Responses

Environmental Health – No objection subject to a condition relating to illuminated signage.

Greater Manchester Police – No objection. Alterations to the shopfront should be to secured by design standards.

Highways – No objection subject to further information relating to construction and fit out arrangements, and informatives relating to highway hoarding and operating in close proximity to metrolink infrastructure.

Transport for Greater Manchester/Metrolink – No objection.

Publicity – None received.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC3 – The Regional Centre
- Policy CC1 – Primary Economic Development Focus: City Centre and Fringe
- Policy CC2 – Retail
- Policy CC9 – Design and Heritage
- Policy CC10 – A Place for Everyone
- Policy C10 – Leisure and Evening Economy
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester – The following saved UDP Policies are of relevance to this application:

- Policy DC10 – Food and Drink Uses
- Policy DC18 – Conservation Areas

The Places for Everyone Plan – Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:

- Policy JP-Strat2 – City Centre
- Policy JP-P2 – Heritage

National Planning Policy Framework (NPPF)

- Chapter 16 – Conserving the Historic Environment

Other Legislative Requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Issues

Principle of the Development

The application would see the creation of a new shopfront within an existing commercial unit that would effectively sub-divide the site into 2no separate Class E commercial units. The application site sits within Piccadilly Gardens, an area home to a variety of commercial Class E units and offices. It is considered the insertion of an additional shopfront would allow for the provision of an additional commercial premises that would assist in the ongoing regeneration of Manchester City Centre in accordance with Core Strategy Policies SP1, EC3, CC1, CC2, C10 and DM1. On this basis the proposal is acceptable in principle subject to the matters discussed below.

Visual Amenity

The proposal would see the installation of a modern shopfront at the ground floor of the Royal Buildings site. Built development within Piccadilly Gardens consists of a variety of buildings of varying ages and thus the mix of shopfronts within the street scene is somewhat varied. The proposed shopfront would be completed in a stainless steel/chrome finish which is considered would compliment the pale stone of the Royal Buildings site. Furthermore, the width of the shopfront is slim, with the shopfront's crossbars being no wider than 60mm. It is acknowledged that the combined width of the doorframe and door would lead to a width of 80mm but given the context of the application site and the varied design of neighbouring shopfronts, this arrangement is considered to be acceptable in this instance. In the interest of visual amenity, it is considered necessary to attach conditions in the event of an approval that would require the submission of material samples of the shopfront, as well as a condition that would prevent the use of vinyl advertisements. Therefore, subject to appropriate condition, the proposal is considered to be acceptable in this instance and is therefore in accordance with Core Strategy Policies SP1, EN1 and DM1, and the National Planning Policy Framework.

Heritage

As stated previously within this report, Royal Buildings is a non-designated heritage asset. The insertion of a shopfront within this elevation would create an active ground floor appearance for the property and its design has been proposed so not as to draw attention away from the building's historical and architectural significance.

On this basis, the proposal is considered to have a neutral impact on the significance of the heritage asset and therefore meets the statutory test to preserve as put forward under Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and as such is in accordance with policies SP1, EC3, CC1, CC2, CC9, CC10, C10, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC18.1 of the Unitary Development Plan for the

City of Manchester (1995), Places for Everyone Plan Policies JP-Strat2 and JP-P2, the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

The application site lies within an area populated by a high number of commercial units. The proposed shopfront would not extend beyond the confines of the host property and thus there would be no opportunity for neighbouring properties to suffer an unacceptable degree of overshadowing. It is also noted the host property is in an existing commercial use and the proposal as an elevational alteration would not lead to a material change in the level of noise emanating from the application site. Greater Manchester Police have stated that the new shopfront should be installed to secured by design standards, subject to a condition that would secure this, the proposal is acceptable in this regard and therefore accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Accessibility

The shop front would feature a level access ensuring that those that require accessible entry would be able to gain access to premises without difficulty. As such, this element of the proposal is considered to accord with Core Strategy Policies SP1, CC10 and DM1, and the National Planning Policy Framework.

Highway Safety

As stated previously within this report, vehicular access to the site is limited due to the presence of active tram lines adjacent to it. Transport for Greater Manchester and Metrolink do not object to the proposal. Highways have requested that detail should be sought from the applicant in relation to any proposed construction or fit-out arrangements, where there is an impact on the highway. Due to the scope of the proposal and the confined nature of the application site, it is considered necessary and sufficient to attach an informative notifying the applicant that all works should take place so as not to infringe upon the public highway. Subject to this informative and other informatives relating to site hoarding and metrolink infrastructure, this element of the proposal is considered to be acceptable and is in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

Conclusion

In light of the above, it has been found that, subject to appropriate planning condition that the proposal is acceptable and therefore accords with Core Strategy Policies SP1, EC3, CC1, CC2, CC9, CC10, C10, EN1, EN3 and DM1, Saved Unitary Development Plan Policies DC10, DC18 and DC19, Places for Everyone Plan Policies JP-Strat2 and JP-P2, and the National Planning Policy Framework. The proposal is therefore recommended for approval.

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: Approved

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. In this instance, this has included ongoing advice that has resolved the issues associated with the proposal.

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:

- o Location Plan (Reference number PP-12779402v1; Dated & Received 15/02/2024)
- o 0119 (03) 300 Revision C: Proposed Street Elevation (Received 02/05/2024)
- o 0119 (03)_302 Revision A: Proposed Shopfront Elevation (Received 29/04/2024)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to any installation works commencing on site, samples and specifications of all material to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The approved materials used shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) The shopfront hereby approved, shall be transparent at all times for the lifetime of the development, with the exception of manifestations required for building control purposes.

Reason - In order to allow motorists good visibility of crossing pedestrians and vice versa and in the general interest of highway safety in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

5) The shopfront hereby approved shall be installed to secured by design standards. Prior to the first occupation of the development, evidence that a secured by design accreditation has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

Informatives

1) All construction and fit out works should be coordinated so that there is no impact on the adjacent highway or adjacent commercial units.

2) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements, including Section 50, will need discussion and agreement with the council's Highway Network Management teams via Email -highwaylicences@manchester.gov.uk OR highwaynetworkmanagement@manchester.gov.uk

3) The applicant is to be advised of the details of working safely near Metrolink which can be found on the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/workingsafely>. This document provides contact details for the Metrolink Operator in order that the proposed method of erection can be discussed and relevant permits obtained.

4) The shopfront hereby approved shall be installed to secured by design standards.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Transport For Greater Manchester

Royal Buildings, Mosley Street, Manchester, M2 3AB
122A Market Street, Manchester, M1 1WA
Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
First Floor Suite 3, Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
2A Mosley Street, Manchester, M2 3AN
124 - 126 Market Street, Manchester, M1 1WA
First Floor, Royal Buildings, 2 Mosley Street, Manchester, M2 3AB
Debenhams, 109 - 127 Market Street, Manchester, M60 1TA
Second Floor, Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
Third Floor, Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
128 Market Street, Manchester, M1 1WA
1 - 3 Piccadilly, Manchester, M1 1LZ
Fourth Floor, Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
Halifax, 5 Piccadilly, Manchester, M1 1LZ
First Floor Commissionaires Room, Royal Buildings, Mosley Street, Manchester, M2 3AB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL