

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135211/FO/2022
Date registered valid: 7 November 2022
Proposal: Installation of security shutter together with pitched roof and covered canopy to flat entrance doors
Address: 172-176 Great Western Street, Manchester, M14 4SN
Ward(s): Moss Side Ward

Applicant: Mr Mohammed Sayda, Sayda Trade Supplies Ltd.
Agent (if any): Mr Paul J Ormandy, Paul J Ormandy - MCIAT, MCSD
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 21 June 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 13th December 2022

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

Printed: 24 November 2022 Expired: 15 December 2022

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

The property that is the subject of this application is identified as 172- 176 Great Western Street. It is a brick built end of terrace property that occupies a corner position at the junction of Great Western Street and Broadfield Road. The brickwork is originally a red brick, this has now a cream painted finish. The ground floor is currently in use as a plumbers and builders merchants with flats to the upper floors these being accessed by a separate doorway one on Great Western Street and the other on Broadfield Road. There is a zebra crossing towards the junction of the two roads, and zig zag lines to the frontage. The host property sits to the back of pavement. The deliveries are currently taken into the building via double doors on Broadfield Road. The property is located within the Moss Side ward of the City.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The remainder of the area is predominantly residential with properties comprising of bay fronted terraced properties with yards to the rear. There is no in curtilage parking provision with residents being reliant upon on street parking provision. To the opposite side of Great Western Street is Moss Side Community Park, a resource well used by local residents. There are some small pockets of retail units to serve the local area. The property is on a good sustainable transport network and is accessible by alternative modes of transport to the car.

Description of development

The proposal is for the erection of a canopy to run the full length of both the Great Western Street elevation and the Broadfield Road elevation. The canopy would comprise of steel frames with 8 security shutters forming the elevation on Great Western Street elevation and 6 security

shutters along the Broadfield Road elevation. The roof above would be extended with roof lights set within the tiles.

Consultations & Notification Responses

Local residents were informed- no representations have been received

Highways- The proposed security shutter extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway. Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

Greater Manchester Police Architectural Unit-were consulted-no representations have been received.

Issues

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 - 2027.

'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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EN1 (Design Principles and Strategic Character Areas) All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes

Policy SP1 (Spatial Principles) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

In addition, the following UDP policy is considered relevant:
Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

National Planning Policy Framework (July 2021)

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 Section 12- 'Achieving Well-Designed Places'.

Paragraph 130 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 users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 134 goes on to 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'.

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 proposed development is not considered acceptable and is in conflict with the aforementioned development plan policy and associated guidance.

Design and the Impact to Visual Amenity

Design plays a critical part in the acceptability of proposed development. Great emphasis is placed on development that respects local character, quality of design, the relationship with existing and neighbouring buildings and sense of place.

In this instance, it is believed that the design of the canopy is unsympathetic to its surroundings and as a result of its the appearance and position forward of the main building line to the front of the building, would have harmful impact to visual amenity and the appearance of the street scene.

In conjunction with its prominent position to the back of pavement, the proposed canopy fails to take opportunities for improving the quality of the area and would therefore undermine the Council's policy objectives of improving the appearance of its neighbourhoods.

It is maintained that the canopy would create a highly intrusive, prominent feature which clutters the frontage to the premises and is invasive when viewed from the habitable room windows of the adjoining residential properties. This in turn presents a visually harmful feature.

In addition, the proposal includes the introduction of external roller shutters to the shopfront facing Great Western Street and to the side elevation facing Broadfield Road. Whilst these are proposed with perforations, the area behind will be used for continuous storage of plumbing supplies, and even if lights were to be operational within the shop unit in hours of darkness, due to the storage of the stock, it would not allow for views through to the inside of the property when closed and at such times would create a dead frontage which detracts visually from the wider street scene and appearance of the wider area which in turn fails to improve the appearance of the area.

Residential Amenity

There is a strong established building line along the frontage of both Great Western Street and Broadfield Road. The properties immediately adjacent to the host property have small gardens to the front of the property, and strong features of bay windows to the ground and first floors. There are no features that sit forward of that established building line. It is considered that the prominent positioning of the enclosed canopy forward of this and immediately adjacent to the residential habitable room windows is considered to have a detrimental impact upon the residential amenity that should be reasonably expected to be enjoyed by those neighbouring properties. In addition, there is currently only ad hoc storage of materials upon the adjacent forecourts, however this would present a very large area for permanent storage of stock, which in turn would generate additional comings and goings from employees and customers and the noise associated with such additional activity.

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

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, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in accordance with both local and national policies.

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

1) The canopy, by virtue of its position forward of the main building line to both Great Western Street and Broadfield Road, creates an unduly intrusive and incongruous feature in the street-scene, to the detriment of visual amenity. The proposed development is therefore contrary to saved policy E3.3 of the Unitary Development Plan for the City of Manchester, policies DM1, EN1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

2) The canopy, by virtue of its size and position forward of the main building line to both Great Western Street and Broadfield Road, would result in an oppressive impact upon the residential amenity that should be reasonably expected to be enjoyed by the occupants of the residential accommodation. The proposed development would increase operational, pedestrian and vehicular noise and activity in close proximity to residential uses and is therefore contrary to saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester, and policies DM1, EN1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services

Greater Manchester Police

Greater Manchester Police

178 Great Western Street, Manchester, M14 4LH

170 Great Western Street, Manchester, M14 4SN

176A Great Western Street, Manchester, M14 4SN

4 Broadfield Road, Manchester, M14 4WF

Flat Above, 174 Great Western Street, Manchester, M14 4SN

Middle Flat, 49 Broadfield Road, Manchester, M14 4WB

53 Broadfield Road, Manchester, M14 4WE

166 Great Western Street, Manchester, M14 4SN

172 Great Western Street, Manchester, M14 4SN

Bottom Flat, 49 Broadfield Road, Manchester, M14 4WB

Top Flat, 49 Broadfield Road, Manchester, M14 4WB

12 Broadfield Road, Manchester, M14 4WF

1 Crondall Street, Manchester, M14 4UB

176 Great Western Street, Manchester, M14 4SN
168 Great Western Street, Manchester, M14 4SN
164 Great Western Street, Manchester, M14 4SN

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA