

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137767/FO/2023

Date registered valid: 23 August 2023

Proposal: Elevational alterations to the Wilbraham Road and Barlow Moor Road frontages to increase the size of the windows

Address: 571 - 575 Wilbraham Road, Manchester, M21 9AB

Ward(s): Chorlton Park Ward

Applicant: Mr Seamus O Connell, Caffè Nero

Agent (if any): Mr Iain Hope, Cobalt

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19.10.2023

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: October 2023

Standard consultations:

Printed: 25 August 2023 Expired: 15 September 2023

Neighbour notifications

Printed: 25 August 2023 Expired: 15 September 2023

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 an end of terrace property that sits at the junction of Wilbraham Road and Barlow Moor Road. It has been vacant for a while having previously been used as a bank (Use Class E). The property is three storey and is constructed of red brick with stone sills to the upper 2 floors whilst the ground floor is constructed from stone block. The access into the building is located on the corner point at the junction of the two roads. The property is identified as 571 - 575 Wilbraham Road in the Chorlton Park ward of the City and sits at the back of pavement. It benefits from level access.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly commercial on the frontages in the form of the district centre with a mix of retail and commercial uses, with the side streets comprising of established residential terraces. The commercial area of the district centre has a wide variety of properties in regards to their age of development and their elevational features.

Description of development

The proposal is for elevational changes to the windows along both the Wilbraham Road and Barlow Moor Road elevations, which involves lengthening the window panels. and replacing the glazing with one large double -glazed panel of glass within the lengthened openings. The entrance door will now comprise of a half panel double glazed unit in a dark charcoal colour, with the bottom panel being solid. However, the solid panel detail will be replaced with glazing panels. The building has changed its use under Permitted Development from a bank to a cafe which is occupied by Cafe Nero. The works at the time of the visit have been carried out and are therefore retrospective.

There is also an advertisement application currently being assessed independently under reference 137768.

Consultations & Notification Responses

Local residents were informed- no representations have been received.

Chorlton Voice were informed- no representations have been received.

Issues

National Planning Policy Framework (July 2021) - 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 type 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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and communities' health, social and cultural well-being; and

An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve 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.

There should be a presumption in favour of sustainable development and planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality 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 124).

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 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 EN19 requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

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.

Places for Everyone Plan - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on

the proposed Modifications before finalising the examination report. Given the stage the Plan has reached and level of public consultation and scrutiny it has received, 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.

Principle - The proposed elevational alterations are considered acceptable in principle. There is an eclectic mix of buildings and building frontages within the district centre many of which have been altered from their original frontages over the years. However the proposed changes must be considered in terms of their impacts on the proposal site itself, and the area within which it is located.

Residential Amenity - The proposal involves the changes to the elevations only, as the change to a cafe is a permissible change as the previous use as a bank and the new use both fall within Class E, and as such it is only the physical changes to the elevations that require planning

consent. It is not considered that these changes would result in a detrimental impact upon the amenity currently enjoyed by neighbouring properties.

Visual Amenity- The proposed works involve the alteration of the windows to the front and side elevations, including increasing the size of the openings by extending the glazing and lowering the bottom sills to meet the stone datum, glazed inserts replaced by a solid panel to the lower half of the door to the main entrance. The extended windows will be a painted timber frame, and double glazed which will improve the thermal efficiency and provide a shop front display canvas. They will be in a dark charcoal colour which visually is an improvement for both the frames and the main entrance door. The changes are relatively minor, and the property is located within a street scene that has a wide range of styles, ages and materials presented in the various shop fronts so is not a departure from a particular style. It is not considered that the proposal would have a detrimental impact upon the visual amenity of the property itself or the area within which it is located.

Materials - will be an extension of the existing fenestration, however the colour will be changed which gives a more subtle aesthetic and is considered an improvement. The materials that have been used therefore are considered acceptable.

Planning consideration cannot be given to the change in the proposed use as both previous and proposed uses fall within Class E of the General Permitted Development Order and as such planning consent is not required for the change. Permission will be required for the erection of retractable canopy over the entrance door at the junction of Wilbraham Road and Barlow Moor Road, together with any signage that may be necessary.

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

The application has been determined in a positive and proactive manner, and in accordance with both national and local policies. In this instance no issues have arisen, and appropriately worded conditions have been attached.

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:

596779-1 Rev C- Proposed Elevations

CN1028-602 Proposed Barlow Moor Road Elevations received 19th October 2023 by email from agent

CN1028-603 Proposed Wilbraham Road Elevations received 19th October 2023 by email from agent

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) The development shall be carried out in accordance with the external materials and finishes as set out on the approved drawings. The stone and mortar to be used in any patching in shall match that of the brickwork immediately surrounding those areas in terms of size, colour, texture and arrangement.

Reason - In the interests of the visual amenity of the area pursuant to policies DM1 and SP1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Chorlton Voice

Chorlton Voice

571 Wilbraham Road, Manchester, M21 0AE

456A Wilbraham Road, Manchester, M21 0AG

438 Barlow Moor Road, Manchester, M21 0NW

First Floor, 436 Barlow Moor Road, Manchester, M21 0AB

Flat 6, 460 Wilbraham Road, Manchester, M21 0AG

Flat 5, 460 Wilbraham Road, Manchester, M21 0AG

Flat 4, 460 Wilbraham Road, Manchester, M21 0AG

Flat 3, 460 Wilbraham Road, Manchester, M21 0AG

Flat 2, 460 Wilbraham Road, Manchester, M21 0AG

Flat 1, 460 Wilbraham Road, Manchester, M21 0AG

460A Wilbraham Road, Manchester, M21 0AG

436A Barlow Moor Road, Manchester, M21 0AB

464A Wilbraham Road, Manchester, M21 9AS
464 Wilbraham Road, Manchester, M21 9AS
577B Wilbraham Road, Manchester, M21 9AF
Max Spielmann, Basement and Ground Floor, 436 Barlow Moor Road, Manchester, M21 0AB
577 - 579 Wilbraham Road, Manchester, M21 9AH
583 Barlow Moor Road, Manchester, M21 8AE
577A Wilbraham Road, Manchester, M21 9AF
458 Wilbraham Road, Manchester, M21 0AG
456 Wilbraham Road, Manchester, M21 0AG
567 Wilbraham Road, Manchester, M21 0AG
569 Wilbraham Road, Manchester, M21 0AG

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