

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136694/FO/2023
Date registered valid: 6 April 2023
Proposal: Retrospective application for the installation of an ATM to shopfront
Address: 229-231 The Fairway, Manchester, M40 3WA
Ward(s): Moston Ward

Applicant: Mr Matthew Collins
Agent (if any): Mr Matthew Collins, Notemachine
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 31.05.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 05 May 2023

Standard consultations:

Printed: 26 April 2023 Expired: 17 May 2023

Neighbour notifications

Printed: 26 April 2023 Expired: 17 May 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to a two storey detached dwelling within the Moston Ward, Manchester. The property benefits from amenity space to the front and side with off-street car parking available adjacent to the public highway. The host property's orientation is different to the residential dwellings along the southern side of The Fairway with the front elevation facing a western direction. Directly to the south of the application site is Co-op Academy Broadhurst and residential dwellings encompass the surrounding area.

Description of development

The application seeks consent for the retention of an Automated Telling Machine (ATM) along the front elevation.

Consultations & Notification Responses

Local residents were notified however no responses were received.

Environmental Health: Had no objections to the proposal.

Highways Comments:

The ATM is building mounted and projects by 0.04m, a Projection Over License is not required.

The forecourt area within the vicinity of the ATM is sufficiently wide so that any queuing for the machine can be accommodated without inconveniencing passing pedestrians. It is anticipated that the ATM will not cause a significant increase to the level of vehicular trips on the surrounding highway. It is expected that many of the ATM users would arrive on-foot, by sustainable modes or park on-street on the surrounding residential roads.

There is parking space available on-site for the 'Cash In Transit' vehicle for when undertaking servicing of the ATM. It should be noted that all vehicles associated with the site should take into consideration surrounding waiting/loading restrictions.

The illuminated panel associated with the ATM features static internal illumination. The luminance of the signage is stated as 100cd/m² which is considered acceptable.

Greater Manchester Police: Had no objections to the proposal. Did seek further clarification/recommendations to integrating some dedicated lighting is provided given the distance from street lighting.

Policy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are:

- a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types 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;
- b) 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 support communities' health, social and cultural well-being; and
- c) 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.

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

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
- iii. Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

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 DM 1; which 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. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The 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.

Policy SP1 which sets out 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, amongst these include: 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.

Policy EN1 All development in Manchester will be expected to follow the seven principles of urban design (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), 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.

Issues

The main issues to consider with regards to this application are security, access, impact on the highway and visual amenity.

Security

The proposed location is adjacent to The Fairway close to other residential properties and a Secondary School located directly to the south. It is considered that a condition for external lighting addresses the issues raised by GMP and is sufficient from a crime prevention standpoint.

Access

The installation has been designed to anticipate and overcome the restriction that would prevent disabled persons from making full use of the service to be provided together with the needs of more vulnerable people from protection of attack and intimidation. The ATM has been installed at a suitable height in order that the cash dispenser can be easily accessed, in accordance with DDA regulations. Key 5 has raised markings for blind persons to identify the centre key. The display screen is carefully shielded from ambient lighting to prevent glare and reflection,

ensuring a clear and sharp image is visible by both standing and seated users. This is considered acceptable.

Impact on the highway

The ATM is building mounted and does not impact on or over-sail the adopted highway. The forecourt within the vicinity of the ATM appears sufficiently wide so that queuing for the machine can be accommodated without inconveniencing passing pedestrians in and out of the commercial unit. Highways have deemed the application acceptable.

Visual Amenity

The proposed ATM is small scale and set within the application's front elevation of the commercial unit. The adverts/signage surrounding the ATM have been retrospectively applied for under application 136695/AO/2023. The ATM is installed flush with the existing external façade with a modern design. The ATM adverts are of a standard design and appearance and very similar to other ATM's within the vicinity and elsewhere in the City. It is therefore not considered that the proposed ATM would have a detrimental impact on the visual amenity of the frontage and maintains the character of the surrounding area.

Given this, the proposed signage is considered to be in accordance with Sections 7 (Requiring Good Design) of the National Planning Policy Framework, DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC14.1 and 14.5 (Shop Fronts and Related Signs) of the Unitary Development Plan for the City of Manchester.

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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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

- 1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawing: Plan and Elevation

Stamped as received by the City Council as Local Planning Authority on 01.06.2023

Document: Application Form

Document: Design and Access Statement

Stamped as received by the City Council as Local Planning Authority on 06.04.2023

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.

- 2) The planning permission hereby granted relates only to the installation of the automated teller machine and to no other works to the shop front.

Reason - For the avoidance of doubt as other works to the shop front have been shown on the drawings, which are not applied for, pursuant to Policy DM1 of the Core Strategy.

- 3) Within three months of the date of planning permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision of external lighting around the ATM. The approved details shall be fully implemented within an agreed timescale and shall remain in place thereafter whilst the ATM remains in situ.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

Greater Manchester Police

225 The Fairway, Manchester, M40 3WA

2 The Links, Manchester, M40 3NU

Top Flat, 229 - 231 The Fairway, Manchester, M40 3WA

231 The Fairway, Manchester, M40 3WA

227 The Fairway, Manchester, M40 3WA
Co-op Academy Broadhurst, Williams Road, Moston, Manchester, M40 0BX
302 The Fairway, Manchester, M40 3NH
239 The Fairway, Manchester, M40 3WA
304 The Fairway, Manchester, M40 3NH
241 The Fairway, Manchester, M40 3WA

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA