

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135980/JO/2023

Date registered valid: 20 January 2023

Proposal: Variation of conditions 7 (railings) and 8 (highway works) attached to planning permission referenced 130405/FO/2021

Address: 618 Stockport Road, Manchester, M13 0RQ

Ward(s): Longsight Ward

Applicant: Mr W Chaudry

Agent (if any): David Ormesher, Holborow and Ormesher

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5 May 2023

Application details

Type of application: Variation or Removal of Condition

Development type: Notifications

Date of site visit: 13 February 2023

Standard consultations:

Printed: 23 January 2023 Expired: 13 February 2023

Neighbour notifications

Printed: 23 January 2023 Expired: 13 February 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area



Fig.1 – Views of the application site with existing railings in situ.

This planning application relates to the sub-division of a two-storey building situated at the junction of Stockport Road and Stamford Road. It also relates to the retention of adjoining single storey units along Stamford Road, including the provision of an in-fill unit. The development involves a total of 6 units. Beyond the application site on the northern-side of Stamford Road

further retail units have been formed before the street transitions into 2-storey red-brick terraced houses. The application site is within Longsight District Centre.

Description of development

The application seeks to amend conditions 7 and 8 of planning permission ref: 130405/FO/2021 - Retrospective application for elevational alterations to existing building to facilitate the sub-division to create 5 shop units with front extension and covering of yard area to form additional shop unit.

i. Condition 7 – The applicant proposes to replace existing railings attached to the eastern and southern perimeters of the barber shop roof. The railings comprise of upright and alternate outwardly projecting bars to an approximate height of 1 metre. The replacement railings would comprise of upright bars to a height of 1.1 metres and located adjacent to the eastern and southern perimeter of the roof.

ii. Condition 8 – The applicant has sought to vary condition 8, which states:

Within 3 months of the date of the planning permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing approved reinstatement works to the footpath on Stamford Road (adjacent to 618D) as shown on drawing referenced Proposed shop floor units Ref: 2103/20/02 Rev D. The scheme shall include a timescale for the implementation of works, which shall remain in situ at all times thereafter.

Reason - In the interests of pedestrian and highway safety pursuant to policy SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

The applicant seeks to extend the period for submitting the required details by a further 4 months from the date of the new planning permission.

Consultations & Notification Responses

Local residents – No comments received.

Highway Services – The following comments have been received:

i. Condition 7 – The design of the replacement railings is considered to be acceptable in terms of design, security and positioning, i.e., a projection over the highway would not occur. It is recommended that the development be conditioned to ensure the installation of the railings is undertaken to an agreed timescale.

ii. Condition 8 - Highways have confirmed that the required Section 278 application [for highways works] has been submitted proposals.

High Speed Two (HS2) Limited - No objection as it is unlikely that the development would affect sub-surface works.

Issues

National Planning Policy Framework (NPPF) - National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through which locally-prepared plans for housing and

other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- i. Chapter 7: Ensuring the vitality of town centres - Paragraph 86 states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It is considered that the proposal would help to sustain existing uses that contribute positively to the vitality of the district centre.
- ii. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). The development would be appropriately related to the street and help to appropriately secure the building and the highways works would improve surfacing to the street. It is considered that the development would continue accord with chapter 8.
- v. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment. The revised development would aid the delivery of sustained use for existing buildings to secure compliance with Chapter 11.
- vi. Chapter 12: Achieving well-designed places - States that 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. The development would improve the appearance of the building and its setting and thereby be appropriately related to chapter 12.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler and is to be read in conjunction with the National Planning Policy Framework (NPPF). It is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the amended development consideration has been given to the following aspects of the PPG, which have been satisfactorily and appropriately responded to:

- i. Consultation and pre-decision matters
- ii. Design
- iv. Health and well-being

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

The proposed railing design development has been satisfactorily related to the existing building and improve its security. Improvements would also be delivered to the highway. Policy SP1 would be satisfactorily responded to.

The development would continue to be satisfactorily related to the following policies:

Policy C 1 (Centre Hierarchy)
Policy C2 (District Centres)
Policy C 5 (Central Manchester District Centres)
Policy EN19 (Waste)
Policy T1 (Sustainable transport)

Policy EN1 (Design Principles and Strategic Character Areas) -States that opportunities for good design to enhance the overall image of the City should be fully realised to reinforce and enhance the local character and context of the development site. In this case, it is considered that the revised development would positive contribute the appearance of the building and its setting. Policy EN1 would thereby be accorded with.

Policy DM1 (Development Management) - 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. Relevant considerations in this case are:

- o Impact on the surrounding areas in terms of the design;
- o Effects on amenity;
- o Accessibility;
- o Community safety and crime prevention;
- o Design for health.

The relationship of development to its context would be improved by the proposed amendments. Reinstatement of the footpath would be beneficial to both amenity and accessibility. The proposed railing design would reduce the risk of crime.

Unitary Development Plan (Saved UDP) Policies -The development would continue to accord with the following Unitary Development Plan saved policies:

- i. Policy S1.2 (Shopping)
- ii. Policy DC26 (Development and noise)

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. In this case, the applicant provided sufficient details to allow the satisfactory assessment of the amended development and no further negotiation was required.

Principle of the development - The amended development would not depart from planning permission ref: 130405/FO/2021. Therefore, the principle of the development continues to be acceptable.

Height and siting of the railings – The proposed railings would have a height of 1.1 metres and an overall height of 4.2 metres above ground level. This height is considered to be acceptable, given the design of the railings and height of neighbouring buildings and related roofscapes.

Siting - The siting of the railing fencing would be acceptable. It would not overhang the highway or impact upon pedestrian movement.

Crime reduction and security – The railing would help to secure the exposed perimeter of a single storey flat roof building that would otherwise be vulnerable to crime. The amended development would thereby improve the security of the application property.

Highways – Highways have confirmed that the required s278 Agreement has been submitted giving some certainty that the required works (involving footpath reinstatement to Stamford Road) will be delivered within the proposed timescale. Condition 8 has been amended to require the submission of highways details within 4 months from the date of the new planning permission.

Design - The installation of vertical railing would improve the appearance of the existing building. The spaces between the railings would secure permeability and reduce the related visual impact. A condition has been included that would ensure that the railings are maintained with a black colour treatment.

Access - The constraints of the site and changes to external ground and internal floor levels would prevent the formation of inclusive access. However, footpath reinstatement would be beneficial to the movement of pedestrian along Stamford Road.

Conditions – Previous conditions relating to the following have been re-attached:

- i. Use
- ii. Waste and recycling management
- iii. Opening hours
- iv. Servicing hours
- v. Noise

Conclusion - On balance, the amended development is considered to be acceptable subject to conditions to secure its appropriate implementation and future management.

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

In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, the applicant provided sufficient details to allow the satisfactory assessment of the amended development and no further negotiation was required.

Condition(s) to be attached to decision for approval

1) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 25 May 2021, 18 June 2021, 25 June 2021, 1 March 2022 and 5 January 2023:

Application forms for the removal or variation of a condition following grant of planning permission

Location plan with red edge

Existing plans and elevations Ref: 2103/220/01

Proposed shop floor units Ref: 2103/20/02 Rev D

Drawing detailing the proposed siting of railing facing to the roof perimeter to 2A Stamford Road and position of footpath reinstatement adjacent to 618 D Stockport Road and 2A Stamford Road

(received on 5 January 2023)

Design and access statement: 618 Stockport Road, Levenshulme M13 0RG
Proposed Works to Roof Railings at 2A Stamford Road and Footpath Reinstatement of
Footpath outside Unit 618D Stockport Road

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 for the City of Manchester.

2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises (identified as 618A, 618B, 618C, 618D Stockport Road and 2a Stamford Road) shall be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification other than retail, commercial and restaurant use.

Reason - To safeguard the amenities of the occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

3) The development shall be implemented at all times in accordance with the waste and recycling arrangements detailed on drawing referenced: Proposed shop floor units Ref: 2103/20/02 Rev D.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

4) a) Before its installation, any externally mounted ancillary plant, equipment and servicing required in support of any of the units comprising the authorised development, shall be selected and / or acoustically treated in accordance with a scheme designed so as to achieve a satisfactory noise rating level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

b) Prior to operation of the installed equipment, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

5) The premises shall not be open outside the following hours:

618 Stockport Road - 09.00 - 23.00 Monday - Sunday

618A Stockport Road - 09.00 - 18.00 Monday - Saturday, Closed Sunday

618B Stockport Road - 09.00 - 18.00 Monday - Saturday, Closed Sunday

618C Stockport Road - 09.00 - 20.00 Monday - Saturday, Closed Sunday

618D Stockport Road - 09.00 - 20.00 Monday - Saturday, Closed Sunday
2A Stamford Road - 09.00 18.00 Monday - Saturday, Closed Sunday

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

6) Deliveries, servicing and collections, including waste collections, to the units comprising the development shall not take place outside the following hours: 7:30 am to 8:00 pm, Monday to Saturday. No deliveries / waste collections shall take place on Sundays / Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

7) Within two months of the date of the planning permission hereby granted, a scheme shall be submitted to and approved by the City Council as local planning authority confirming the installation of the railing fencing indicated on approved drawing detailing the proposed siting of railing facing to the roof perimeter to 2A Stamford Road and position of footpath reinstatement adjacent to 618 D Stockport Road and 2A Stamford Road (received on 5 January 2023). Following its installation, the authorised railing fencing shall be maintained in situ at all times thereafter with a black painted external finish.

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

8) Within 4 months of the date of the planning permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing approved reinstatement works to the footpath on Stamford Road (adjacent to 618D) as shown on drawing referenced Proposed shop floor units Ref: 2103/20/02 Rev D. The scheme shall include a timescale for the implementation of works, which shall remain in situ at all times thereafter.

Reason - In the interests of pedestrian and highway safety pursuant to policy SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

9) The development hereby approved does not confer consent for the display of advertisements, including illuminated fascia signage.

Reason - For the avoidance of doubt and the interests of the visual amenity of the area, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

Informatives

1) Guidance for developers can be found via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) It is recommended that consideration is given to the inclusion of the following security measures:

i. If any new external fittings are to be installed (i.e. shutters, windows or doors) then they should be certified to Secured by Design standards.

- ii. If cash is to be kept within the property overnight then a time delay safe certified to LPS 1183 should be installed and kept within a secure room that is only accessible by the members of staff.
- iii. Any staff areas that are to be included within the property should be access controlled and restricted to members of staff only.
- iv. An intruder alarm should be installed with contacts on all external doors and with movement detectors. The alarm should be monitored by an appropriate body.

3) As the existing vehicular access on Stamford Road will no longer be required as a result of the development, the adjacent footway on Stamford Road should be reinstated through a Section 278/184 agreements. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

4) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the Council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004 - highwayapplications@manchester.gov.uk).

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited
Highway Services

2A Stamford Road, Manchester, M13 0SF
589 Stockport Road, Manchester, M13 0RX
618A Stockport Road, Manchester, M13 0RQ
618B Stockport Road, Manchester, M13 0RQ
1 Stamford Road, Manchester, M13 0SE
2B Stamford Road, Manchester, M13 0SF
First Floor, 618 Stockport Road, Manchester, M13 0RQ
6 Stamford Road, Manchester, M13 0SF
8 Stamford Road, Manchester, M13 0SF
4 Stamford Road, Manchester, M13 0SF
591B Stockport Road, Manchester, M13 0RX
1A Stamford Road, Manchester, M13 0SE
Unit 4, 1B Stamford Road, Manchester, M13 0SE
Unit 3, 1B Stamford Road, Manchester, M13 0SE
Unit 2, 1B Stamford Road, Manchester, M13 0SE
Unit 1, 1B Stamford Road, Manchester, M13 0SE
1B Stamford Road, Manchester, M13 0SE
Flat 1, 1A Stamford Road, Manchester, M13 0SE
Flat 2, 1A Stamford Road, Manchester, M13 0SE
Flat 3, 1A Stamford Road, Manchester, M13 0SE
Flat 4, 1A Stamford Road, Manchester, M13 0SE
591A Stockport Road, Manchester, M13 0RX
591 Stockport Road, Manchester, M13 0RX
Ground Floor, 620 - 622 Stockport Road, Manchester, M12 0SH
Ground Floor, 595C Stockport Road, Manchester, M13 0RX
First Floor And Second Floor, 620 - 622 Stockport Road, Manchester, M12 0SH
First Floor Office 3, 618 Stockport Road, Manchester, M13 0RQ
595C Stockport Road, Manchester, M13 0RX
595D Stockport Road, Manchester, M13 0RX

620 - 622 Stockport Road, Manchester, M12 0SH
595C - 595D Stockport Road, Manchester, M13 0RX
593 Stockport Road, Manchester, M13 0RX
595E Stockport Road, Manchester, M13 0RX
595A Stockport Road, Manchester, M13 0RX
614 Stockport Road, Manchester, M13 0RQ
595B Stockport Road, Manchester, M13 0RX
595F Stockport Road, Manchester, M13 0RX
First Floor, 595C - 595D Stockport Road, Manchester, M13 0RX
616 Stockport Road, Manchester, M13 0RQ
610 Stockport Road, Manchester, M13 0RQ

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA