

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136064/FO/2023
Date registered valid: 25 January 2023
Proposal: Elevational alterations to existing shopfront
Address: 46 Beech Road, Manchester, M21 9EG
Ward(s): Chorlton Ward

Applicant: Mr Ludovic Piot-Williams Epicerie Ludo
Agent (if any): Mr John Cummins MTPC My Town Planning Consultancy
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 21.03.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 15 February 2023

Standard consultations:

Printed: 14 February 2023 Expired: 7 March 2023

Neighbour notifications

Printed: 14 February 2023 Expired: 7 March 2023

Site notice

Posted: 15 February 2023 Expired: 08 March 2023

Press advert

Published: 21 February 2023 Expired: 14 March 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane (Extension) Conservation Area 2007

Tree Preservation Order:

The application site relates to an end terraced property comprising a retail unit (Class E) on the ground floor and with what appears to be residential above. The property has a deep open forecourt and a yard area to the rear and side.

Description of area

This area is predominantly residential with a varied mix of commercial/retail along Beech Road within the Wilbraham Road/Edge Lane (Extension) Conservation Area 2007.

Description of development

The application seeks consent for the installation of elevational alterations to existing shopfront. The proposed works include replacement of 2 awnings and replacing the existing shopfront. The proposed scheme involves Beech Road's frontage (principal elevation) and Chequers Road frontage (eastern elevation).

Consultations & Notification Responses

Local residents were notified however no responses were received.

Policy

National Planning Policy Framework (NPPF):

The Framework states that the purpose of the planning system is to contribute to sustainable development, to which there are three dimensions - economic, social and environmental.

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. The statutory status of the development plan remains as the starting point for decision making. Paragraph 14 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay.

Core planning principles in the NPPF - Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. In this case specific weight is given to the need to:

- i. Secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - ii. Take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
 - iii. Support the transition to a low carbon future in a changing climate, taking full account of flood risk and encourage the reuse of existing resources, including conversion of existing buildings;
 - iv. Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
 - v. Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
 - vi. Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
 - vii. Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
- Manchester's Core Strategy:

The following Core Strategy policies are applicable to the proposed development:

Policy SP1 - Core Development Principles

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 DM1 - Development Management states - All development should have regard to:

Appropriate siting, layout, scale, form, massing, materials and detail.

-Impact on 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 upon amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, 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.

Policy EN3- Heritage states- Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Saved Unitary Development Plan for the City of Manchester
Regarding development management:

14.SHOP FRONTS AND RELATED SIGNS

This policy applies to all retail premises and to other commercial premises which have similar physical characteristics e.g. betting shops, banks, building society offices, opticians premises etc.

DC14.1 In determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

DC14.2 Shopfronts should allow full access for people whose mobility is impaired. The only exceptions which the Council will normally permit are where the cost is unreasonably high or where there are particularly difficult physical constraints, or where the architectural character of a listed building would be damaged.

DC14.3 Externally mounted security grilles or shutters will not normally be permitted if they are of solid construction.

DC14.4 In cases where externally mounted security grilles or shutters are considered acceptable, the boxes housing the grille or shutter should wherever possible be located behind the fascia.

So far as policy DC14.3 is concerned, the Council is aware of the need for greater security for commercial premises in many parts of the City, but takes the view that only in exceptional circumstances would it be necessary to resort to designs which present wholly solid exteriors to the street. These are usually unattractive, provide targets for graffiti and can add to a sense of intimidation and degeneration in the wider area.

DC18.1 The council will give particularly careful consideration to development proposals within Conservation Areas.

- a) the council will seek to preserve and enhance the character of its designated Conservation Areas by carefully considering the following issues:
 - l) the relationship of new structures to neighbouring buildings and spaces

- II) the effect of major changes to the appearance of existing buildings
- III) the desirability of retaining existing features such as boundary walls, gardens, trees (including street trees)
- IV) the effect of signs and advertisements
- V) any further guidance on specific areas which has been approved by the council

Issues

Principle

It is considered that the proposed scheme is acceptable in terms of the NPPF, policies SP1, EN3 and DM1 of the Manchester's Core Strategy and saved policy DC14 and DC18 of the Unitary Development Plan.

Visual Amenity

The proposed external alteration would enhance the frontage to create a fresh image of the building and the use of high quality materials will further improve the visual amenity of the area. The predominately window glazed shopfront alongside the new retractable canopy to replace existing and timber façade panels will not detract from the character and appearance of the premises or the parade along Beech Road, in accordance with policies DM1 and DC14, due to the transparent character and appearance of the shopfront. Therefore, it is deemed that the proposal is acceptable as it is felt that the works would not adversely affect the appearance of the building or visual amenity within the area.

Additionally, it should be noted that the proposed elevations drawings dated 25 January 2023 indicate a shop fascia signage and a projecting sign that include externally illuminated signage located along the front and side elevation, this will require separate advertainment consent and thus an informative has been included to ensure is the case.

Residential Amenity

It is considered that the proposed shopfront would not provide additional residential amenity implications to the surrounding neighbouring occupiers. It is deemed the small scale nature of alterations to the authorised Class E commercial unit within a predominately mixed use area would not give rise to significant noise and disruption impacts to the residents along Beech Road. The proposed new shopfront along Chequers Road frontage (eastern elevation) is considered acceptable in this location and would not result in significant residential amenity implications for the area. Therefore, the proposal complies with saved UDP policy DC1 and Manchester Core Strategy DM1 and SP1.

Impact on Wilbraham Road/Edge Lane (Extension) Conservation Area

It is considered that the proposed scheme's impact on the Wilbraham Road/ Edge Lane Conservation Area is acceptable. Policy EN3 requires development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods. Saved Policy DC18 of the UDP requires consideration of the relationship of new structures to neighbouring buildings, in relation to conservation areas. The proposed elevational alterations and design of the proposal are sympathetic to the property in the conservation area. On balance, it is considered that the proposed development would cause a low level of less than substantial harm to the conservation area.

Conclusion

The proposal is considered acceptable in this location in terms of design, and it is not considered that the proposal would create any undue loss of amenity to neighbouring occupiers, nor that of the present and future occupiers of the application site. It is considered of sufficient quality with regards to its siting within the Wilbraham Road / Edge Lane Conservation Area. The proposal therefore complies with policies DC1 and DC18 of the Unitary Development Plan, DM1, SP1 and EN3 of the Core Strategy.

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

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 permission.

Reason- Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents: Local Plan and drawings numbers:

Drawing: External Elevation ref. 002.1A

Drawing: External Elevation ref. 002.2A

Drawing: General Arrangement ref. 002.1A

Drawing: Second Floor Plan ref. . EBB389-01-005 P2

Drawing: Location Plan

All stamped as received by the City Council as Local Planning Authority on 25 January 2023

Reason- To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, and DM1 of the Manchester Core Strategy (2012).

Informatives

The approved plans outlined in Condition 2 of this decision indicate fascia and projecting signage proposed on the principal and eastern elevation are to be installed, however these signs would require separate advertisement consent. The granting of this planning permission does not override the need to obtain advertisement consent for the signage.

Appendix 1 – List of consultees & neighbours notified

Chorlton Voice

47 Chequers Road, Manchester, M21 9DX
44 Chequers Road, Manchester, M21 9DY
42 Chequers Road, Manchester, M21 9DY
105A Beech Road, Manchester, M21 9EQ
101A Beech Road, Manchester, M21 9EQ
105 Beech Road, Manchester, M21 9EQ
101 Beech Road, Manchester, M21 9EQ
50 Beech Road, Manchester, M21 9EG
55 Chequers Road, Manchester, M21 9DX
53 Chequers Road, Manchester, M21 9DX
49 Chequers Road, Manchester, M21 9DX
103 Beech Road, Manchester, M21 9EQ
48 Beech Road, Manchester, M21 9EG
44 Beech Road, Manchester, M21 9EL
46A Beech Road, Manchester, M21 9EG

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
Conservation Area - Wilbraham Road/Edge Lane (Extension) Conservation Area 2007
Area Team Boundary - Name: SOUTH AREA