

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135019/FO/2022		
Date registered valid:	16 November 2022		
Proposal:	Elevational alterations to form new shop frontage and entrance		
Address:	1 - 5 Swan Street, Manchester, M4 5JJ		
Ward(s):	Piccadilly		Ward
Applicant:	Mr Mike Dillon		
Agent (if any):	Steve Shiels Shiels Design Ltd		
Case officer:	Jack		Naven
	Tel: 0161	219	2095
	Email: jack.naven@manchester.gov.uk		
Recommendation:	Approved		
Date of recommendation:	01/02/2023		

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 29 November 2022

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

Printed: 16 November 2022 Expired: 7 December 2022

Site notice

Posted: 23 November 2022 Expired: 14 December 2022

Press advert

Published: 22 November 2022 Expired: 13 December 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order: Not applicable

Description of Area

The proposal site is located on a corner plot fronting both Swan Street and Oldham Street, within the area of Manchester City Centre known as the Northern Quarter.

The site is within the designated Smithfield Conservation Area. The property is not a Listed Building and there are no Listed Buildings adjoining the property on any side.

The immediate area is dominated by heavy traffic flows. The property is located at a busy junction where Swan Street and Oldham Street meet Great Ancoats Street. The general surrounding area is characterised by ground floor commercial uses, including retail and many food and drink establishments, which define the character of the area. The building is very prominent in both street scenes.

Previously the application site building was used for office accommodation on the upper two floors, with the ground floor having been used in the past for retailing and other commercial uses. Since 2019, the ground floor and basement have been used as a drinking establishment - originally applied as Class A4 Drinking establishments, now Class E(b). Parts of the first floor are currently used for studio apartments and a communal living space.

The building has a mainly glazed ground floor facing both Oldham Street and Swan Street, with the door located at the corner. Currently above the ground floor is a large, unsightly black fascia

board to both elevations of the building. An Advertisement Consent application has been submitted for this fascia to address this, but this application currently remains invalid.

Description of Development

The proposed works consist of elevational alterations to form new frontage and entrance. The fully glazed frontage on the corner will be restructured and replaced by a new entrance with a new timber door, a new wall mounted banner signage placed above the entrance. Externally, green glazed tile cladding with feature white tile string courses will be added to new decorative piers. Wall mounted up/down LED lights will be added to the tiled pillars. Windows will be replaced by Crittal T60 windows in aluminium frames in RAL 9011 Graphite black. The glazed tile cladding will be consistent with many other similar establishments within the Northern Quarter and surrounding area. Aluminium composite clad insulated panels will be added to stall rises. Specialist designed aluminium composite clad panels will be added to the fascia, the timber entablature detail will be re-introduced, with a concealed continuous warm white LED strip lighting to be introduced below the entablature.

The internal layout will remain the same. The public area of the bar will be at ground floor level, whilst the basement will be used for ancillary, sanitary accommodation, and storage. Separate access will be retained to the upper floors. Internally, most of the ground floor is devoted to the bar use, with a disabled toilet also provided. Level access is available from the main entrance.

Consultations & Notification Responses

Publicity - Notification letters were sent to surrounding residential and commercial properties. A site notice and local press advert were also produced. At the time of writing this report no representations have been received due to this publicity.

Greater Manchester Police - No comments received.

Policy

The main issues for consideration relate to the impact of the proposals on visual amenity, crime and disorder, residential amenity and the availability of disabled access. The main policies that relate to the proposal are Section 12 (Achieving well designed places) and Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), EN1 (Design Principles and Strategic Character Areas), DM1 (Development Management), CC10 (A Place for Everyone), T1 (Sustainable Transport) and T2 (Accessible Areas of Opportunity and Need) of the Adopted Core Strategy for the City of Manchester and saved policies DC26 (Development and noise), DC10 (Food and Drink Uses), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan (UDP) for the City of Manchester.

Issues

Visual Amenity and Heritage

The proposal seeks to replace the current frameless glazed system front with a front that has Crittal style windows in aluminium framing, broken up by new decorative piers with glazed green tile cladding. The design and materials proposed are considered to be acceptable and be more consistent with the visual amenity of the Smithfield Conservation Area and the general surrounding area. The glazed green tile cladded piers will be more in the visual style of many other establishments within the Northern Quarter area.

The relocation of the main entrance of the drinking establishment to the corner makes the entrance more visually appealing and more noticeable to prospective customers and passers by coming from the combined footfall of Swan Street, Oldham Street or Great Ancoats Street, thus creating a more active street scene and increasing passive surveillance.

It is therefore considered overall that the proposal will uplift a currently vacant unit and therefore hopefully enhance the street scene and designated conservation area. The proposal is therefore considered to accord with Core Strategy Policies SP1, DM1, EN1, EN3, CC9 and saved UDP policy DC18.

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:

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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:

Received on the 26 January 2023:

10 Page Drawing Pack - Existing and Proposed Floor, Elevations, Site and Location Plans

Received on the 31 January 2023:

Crittall T60 Window Specification

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

3) Prior to any external works, samples and specifications of all materials to be used on all external elevations shall be submitted and approved by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details. The approved details shall be implemented as part of the proposal.

Reason - In the interests of visual amenity and in order to protect the character and appearance of this building and to ensure consistency in accordance with policy EN1, EN3 and DM1 of the Core Strategy and saved policy DC18 of the Unitary Development Plan for the City of Manchester.

4) Window size and specification shall be carried out in accordance to the supporting information document received on the 31 January 2023 'Crittall T60 Window Specification'. Prior to the commencement of the development, a sample, specification of the window (including colour) and position in the window reveal (including appropriate section) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development.

Reason - In the interest of visual amenity and to ensure the window are an appropriate detail for the building in the conservation area pursuant to policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy (2012).

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

2) This application does not approve Advertisement Consent for the re-instatement of illuminated traditional style fascia & wall mounted signage. An application has been made for this (135362/AO/2022) and this application currently remains invalid.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Police
Greater Manchester Police

Room 15, 5 Swan Street, Manchester, M4 5JJ
Room 14, 5 Swan Street, Manchester, M4 5JJ
Room 13, 5 Swan Street, Manchester, M4 5JJ
Room 12, 5 Swan Street, Manchester, M4 5JJ
Room 11, 5 Swan Street, Manchester, M4 5JJ
Room 10, 5 Swan Street, Manchester, M4 5JJ
Room 9, 5 Swan Street, Manchester, M4 5JJ
Room 8, 5 Swan Street, Manchester, M4 5JJ
Room 7, 5 Swan Street, Manchester, M4 5JJ
Room 6, 5 Swan Street, Manchester, M4 5JJ
Room 5, 5 Swan Street, Manchester, M4 5JJ
Room 4, 5 Swan Street, Manchester, M4 5JJ
Room 3, 5 Swan Street, Manchester, M4 5JJ
Room 2, 5 Swan Street, Manchester, M4 5JJ
Room 1, 5 Swan Street, Manchester, M4 5JJ
First Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Second Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Third Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Basement And Ground Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
5 Swan Street, Manchester, M4 5JJ
Flat 1, 4 Swan Street, Manchester, M4 5JN
4 Swan Street, Manchester, M4 5JN
WORK SOLUTIONS, 116 Tib Street, Manchester, M4 1LR
Basement And Ground Floor, 2 Swan Street, Manchester, M4 5JN
2 Swan Street, Manchester, M4 5JN
7 - 9 Swan Street, Manchester, M4 5JJ
First Floor And Second Floor, 2 - 4 Swan Street, Manchester, M4 5JN
Frog And Bucket, 102 Oldham Street, Manchester, M4 1LJ
Crown And Kettle, 2 Oldham Road, Manchester, M4 5FE
2 - 4 Swan Street, Manchester, M4 5JN
135 - 141 Oldham Street, Manchester, M4 1LN
143 - 147 Oldham Street, Manchester, M4 1LN

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Smithfield Conservation Area 1987
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL