

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134177/FO/2022

Date registered valid: 12 July 2022

Proposal: Erection of single storey front extension in association with the sub-division of existing commercial unit 2 no. units

Address: 224 Fog Lane, Manchester, M20 6EL

Ward(s): Didsbury East Ward

Applicant: Mr Denis Gleeson M20 Builders 224 Fog Lane, Manchester, M20 6EL

Agent (if any): Mr Chris Wilkinson CD Wilkinson Plans 5 Highmeadow, Outwood, M26 1YN

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 August 2022



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 22 August 2022

Standard consultations:

Printed: 19 July 2022 Expired: 9 August 2022

Neighbour notifications

Printed: 19 July 2022 Expired: 9 August 2022

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 application site concerns the ground floor of a commercial shop unit on the south side of Fog Lane, east of Elmsmere Road in the Didsbury East ward.

The property currently operates as a pet shop and is accessed at the front via a concrete ramp which leads into the front door. This is sited in a corner formed of the building line of the adjoining building coming forwards by 1.1 metres. On the eastern side of the shopfront is a door giving access to a first-floor flat. There is another door adjacent to this which provides access to the first-floor above the adjoining premises.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is within the Fog Lane Local Centre which provides a range of independent shops, cafes and commercial businesses catering for every day needs and services. There is a delineated parking area in front of the shops on this side of Fog Lane.

Description of development

Erection of single storey front extension in association with the sub-division of existing commercial unit 2 no. units.

The proposal entails the removal of the ramped access at the front and the lowering of the entrance threshold.

The application was amended following receipt of the Council's concerns with the original proposal which created a hidden corner adjacent to the access to the upper storey flat, which raised a concern for the security of occupiers of the flat above, as well as a concern that 3no.

doors adjacent to each other would appear cluttered and out of character with the pattern of shopfronts in the street scene. The agent amended the scheme as set out below.

Consultations & Notification Responses

The application was notified to 13no. neighbouring occupiers / businesses by letter; no comments were received.

Highway Services

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development only increase the A1 area by 5sqm, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works must be submitted for checking (for a fee) to MCC Bridges/Structures Section. The applicant is advised to contact highways.structures@manchester.gov.uk.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

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).

Issues

The application is subject to assessment under the following planning policy framework:

National Planning Policy Framework (2021) - Chapter 12 – Achieving well-designed places. Paragraph 130 relates to decision-making and notes 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 visually 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.

Saved UDP policy - DC14 – Shopfronts

Core Strategy policies:

DM1 – Development management

Principle

The application proposes a small 5sqm front extension to facilitate the internal sub-division of the site. The site will remain a conforming use within an active Local Centre and is therefore acceptable in principle. The sub-division creates 2no. additional jobs and raises no concerns with Highways and parking issues.

Development will align with the adjoining building line on the right of the building (Nos.220-222). The shopfront proposal has been amended to remove the Council's concerns as set out above. The matters which are material to the proposal are the impacts on visual amenity and safety.

Visual amenity / safety

Saved UDP policy DC14.1 requires that shopfronts are appropriate in terms of their design and appearance. In this case the original shopfront has a building line that is flush with No.226, the unit immediately to the east but is recessed alongside the double shop unit to the right (Nos.220-222). A ramped access currently bridges the raised internal floor-level and the glazing sits above a high painted brick stallriser.

The proposal infills the recess by bringing forward the shopfront 1.1 metres to align with Nos.220-222. The additional footprint amounts to 5sqm and is within the curtilage of the site. The front door will be lowered to create a level threshold and the external ramp will be removed.

The proposal creates a deeper glazed frontage with a minimal stallriser similar to No.226 and a flat roof similar to Nos.220-222. This enhances the simple design and contemporary appearance of the frontage, reducing some of the visual clutter to the benefit of the street scene. The second door has been moved from the front to the extended side elevation which further reduces the impression of visual clutter and, as it is fully glazed, promotes intervisibility thus removing the hidden corner and safety concern in the original scheme. The materials are grey uPVC and aluminium frames to match the existing.

On balance, the proposal represents a minimal intervention to the Fog Lane frontage. It continues the contemporary theme of the existing shopfront but updates it by removing the painted brick stallriser and ramp that projects beyond the building line which together detract from the otherwise simple character of original shopfronts in the street scene. Access is facilitated by lowering the threshold giving direct access off the street. On this basis, the proposal complies with saved UDP policy DC14.1, Core Strategy policy DM1 and to the general guidance within Paragraph 130 of the NPPF.

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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in this delegated report. The application was subject to an amendment to improve the security of the entrance and maintain the character of the street scene.

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 27th of June 2022, or as specified:

Application Form

Location Plan

Existing and Proposed Plans and Elevations Ref: 2402_DID_ 01_Planning_Rev A Received by email on the 29th of August 2022

Photos Received on the 12th of July 2022

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 materials to be used on the external surfaces of the extensions hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Application Form.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policy DC14.1 (Shopfronts) of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy and the general guidance within Paragraph 130 of the National Planning Policy Framework (July 2021).

Appendix 1 – List of consultees & neighbours notified

Highway Services

5 Norwood Avenue, Manchester, M20 6EX
224A Fog Lane, Manchester, M20 6EL
Basement Flat, 226 Fog Lane, Manchester, M20 6EL
163A Fog Lane, Manchester, M20 6FJ
226A Fog Lane, Manchester, M20 6EL
Top Flat, 165 Fog Lane, Manchester, M20 6FJ
Fountain Solicitors, 165 Fog Lane, Manchester, M20 6FJ
220 - 222 Fog Lane, Manchester, M20 6EL
163 Fog Lane, Manchester, M20 6FJ
1A Elmsmere Road, Manchester, M20 6EY
7 Norwood Avenue, Manchester, M20 6EX
3 Norwood Avenue, Manchester, M20 6EX
226 Fog Lane, Manchester, M20 6EL

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
Area Team Boundary - Name: SOUTH AREA