

Application Number/s: 133605/FO/2022

Applicant: Urban & Civic (Princess Street) Ltd

Agent: Deloitte LLP

Location: Manchester New Square

Proposal: Alterations to shopfront and installation of 7no. bollards

Ward: Piccadilly

Description of Site and Surrounding Area

The application relates to a ground floor retail unit (currently vacant) within a building which forms part of the Manchester New Square Development.

Building

The building that contains the retail unit is a 12 storey primarily residential building in the city centre of Manchester. The building is orientated west, facing Princess Street. The building is bound by the Rochdale Canal/Towpath to the north, 14 storey/15 storey buildings to the east that form the remainder of the Manchester New Square development, Whitworth Street to the south and Princess Street to the east.

The application specifically relates to the front elevation of a ground floor retail unit which front Princess Street and has an elevation to Whitworth Street. The unit is to be occupied by a convenience store, with the client requiring some modest alterations to the front elevation.

Listed Building

The building is not listed.

Surrounding Area (including Conservation Area)

The area of the city centre of Manchester is characteristically midrise, with some low-rise buildings to the north forming Manchester's Gay Village district. The building falls within the boundaries of the Whitworth Street Conservation Area and is proximate to a number of listed buildings, including Grade II listed Central House and Grade II* Lancaster House, which are both opposite the application site to the west.

Conservation Area

The Whitworth Street/Princess Street conservation area is uniquely Mancunian in character, its physical form being established by the wealth of fine Victorian and Edwardian buildings erected between 1850 and 1920. They reflect the historical importance of the textile industry in the city.

The conservation area was designated by the City Council in September 1974, and was bounded by Oxford Street, Portland Street, Abingdon Street, Bloom Street, Chorlton Street, Cobourg Street and the Piccadilly to Oxford Road railway viaduct. It

was extended in June 1985 to include an area bounded by Whitworth Street, London Road and the above viaduct.

Description of Proposal

The application seeks planning permission to alter the ground floor front elevation (retail unit) to accommodate changes necessitated by an incoming retail tenant. The alterations include:

Princess Street elevation

- Replacement of one existing hinged door with an automated bi-folding door
- Replacement of one existing hinged door with fixed glazed panelling
- Alterations to layout of stainless steel bollards to allow for increased security

Eastern Courtyard-facing elevation

- Removal of 3no. high level glazing panels and replacement with louvres to allow for air conditioning/ventilation required by the incoming tenant.

The Planning Submission

The application is supported by the following information:

- Application Form
- Covering Letter
- Location Plan
- Existing and Proposed Plans
- Bollard Specification

Publicity LBC

Site Notice/s Posted and Dates: Posted 20/06/22, Expired 11/07/22

Press Adverts Published and Dates: Published 22/06/22, Expired 13/07/22

Neighbour Notification: Expired 08 July 2022

Representations Received: None

Consultations

Highways

No objections to the scheme. Clarification sought regarding land ownership.

Informative

Greater Manchester Police

Recommendation that bollards are anti-ram bollards and certified BS PAS 68.

Informative

Policy

The Development Plan

The Development Plan consists of: The Manchester Core Strategy (2012); and Saved policies of the Unitary Development Plan for the City of Manchester (1995). The Core Strategy is the key document and sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved. Planning applications in Manchester must be decided in accordance with the Core Strategy and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

The relevant policies within the Core Strategy are as follows:

Spatial Principles (SP1) – Development in all parts of the city should:

- Create well designed places that enhance or create character
- Make a positive contribution to the health, safety and wellbeing of residents
- Consider the needs of all members of the community
- Protect and enhance the built and natural environment
- Minimise emissions and ensure efficient use of natural resources
- Maximise the use of previously developed land
- Improve access to jobs, services, education and open space
- Reduce the need to travel and provide good access to sustainable transport

Design and Heritage (CC9) – Development in Manchester City Council should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

Development Management (DM1) – All development should have regard to a variety of specific issues.

The relevant policies within the Unitary Development Plan are as follows:

Shop Fronts and Related Signs (14) – The LPA 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. Shopfronts should allow full access for people whose mobility is impaired.

Conservation Areas (18) – The LPA will give particularly careful consideration to development proposals within Conservation Areas. The LPA will seek to preserve and enhance the character of its designated conservation areas.

Listed Buildings (19) – The LPA will seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by preservation of trees and landscape features.

Other Material Considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

Chapter 2 ‘Design’ – outlines the City Council’s expectations that all new developments should have a high standard of design making a positive contribution to the City’s environment;

City Centre Strategic Plan 2015-2018 (March 2016)

On the 2 March 2016 the City Council’s Executive approved the City Centre Strategic Plan which seeks to provide an up-to-date vision for the City Centre within the current economic and strategic context along with outlining the key priorities for the next few years for each City Centre neighbourhood. This document seeks to align itself with the Manchester Strategy (January 2016) along with the Greater Manchester Strategy. Overall the City Centre plan seeks to “shape the activity that will ensure that the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the north of England”.

Manchester Strategy (January 2016)

The strategy sets the long-term vision for Manchester’s future and how this will be achieved. An important aspect of this strategy is the City Centre and how it will be a key driver of economic growth and a major employment centre. Furthermore, increasing the centre for residential is fundamental along with creating a major visitor destination.

National Planning Policy Framework (July 2021)

The revised NPPF re-issued in July 2021. The document states that the ‘purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the ‘objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs’ (paragraph 7). In order to achieve sustainable development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 4 – Decision-making – States that local planning authorities should approach decisions on proposed developments in a positive and creative way, making use of pre-application discussions etc. In addition, applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance, the proposal will be assessed on up to date development plan and any other material considerations. The applicant made use of pre-application discussions and a site visit.

Section 8 – Promoting healthy and safe communities – Paragraph 97 states that planning decisions should promote public safety and take into account wider security and defence requirements. This includes anticipating malicious threats.

Section 12 – Achieving well designed places – Paragraph 130 states that planning decisions should:

- Function well and add to the overall quality of the area for the lifetime of the development.
- Are visually attractive and result in good architecture with appropriate layout and landscaping
- Are sympathetic to local character and history, including the surrounding built environment
- Optimises the potential use of the site to accommodate and sustain an appropriate amount and mix of development.
- Create places that are safe, inclusive and accessible.

Section 16 – Conserving and Enhancing the Historic Environment

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to the significance.

Paragraph 206 states that LPAs should look for opportunities for new development in conservation areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting and make a positive contribution to the asset should be treated favourably.

National Planning Practice Guidance (NPPG)

Historic Environment – In addition to the planning framework which is primarily set out in the Town and Country Planning Act, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural and historic interest.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

Section 72 of the Act requires the LPA to, during the assessment for planning permission, exercise due respect to any buildings or other land that falls within a designated conservation area. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.

Equality Act (2010)

S149 (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.

Issues

Design and Appearance

The proposed alterations to the external appearance of the ground floor retail are modest in nature. It is understood and demonstrated on submitted plans that the proposed shopfront would only differ slightly from the existing, with 1 door replace with glazing to match existing and 1 door to be replaced with an automatic door. These alterations would have very minimal impact on the appearance of the building, particularly from Princess Street and Portland Street elevations.

The proposed addition of louvres to the rear elevation of the unit (to the inner courtyard) would have modest impact on the appearance of this elevation and are not ideal. However, they are not considered in their own right to be so detrimental to the design and appearance of the building that they warrant refusal of the application. The louvres are understood to be necessitated for required air conditioning/cooling. In addition, they are indicated to match an existing louvre in colour, size and style, which will reduce the overall impact of their addition.

The proposed silver, stainless steel bollards match existing bollards. Although there will be a net increase in the number of bollards, the bollards are simple and appropriately scaled and are necessary for security reasons.

Overall, the proposed alterations to the retail unit's external appearance would have a neutral impact on the appearance of the building. As such, the proposal would be consistent with Core Strategy policies SP1, DM1 and Section 12 of the National Planning Policy Framework.

Historic Environment

The application site is located within the Whitworth Street Conservation Area. The proposed alterations to the newly built building are not significant and thus would not trigger the definition of 'major alterations to a building within a conservation area' as set out in saved UDP Policy 18. As such, it is not considered necessary to assess the minor external changes against this policy.

The retail unit is within the setting/proximate to listed buildings. The proposed changes to the retail unit's exterior would not have any notable impact on the setting or character of these buildings.

In summary, the proposal is consistent with saved Unitary Development Plan policies 18, 19, as well as Core Strategy policies SP1, EN3, DM1 and Section 16 of the National Planning Policy Framework.

Safety

The proposed development includes provision of additional bollards to the front elevation of the building, around the building's entrances. This is understood to be

necessitated for safety reasons. Though the appearance of the bollards is modestly negative, it is respected that the important of safety as identified at Paragraph 97 of the NPPF and within Core Strategy SP1. As such, this element of the proposal is accepted and the development is consistent with safety requirements.

Conclusion

The proposed development represents sustainable development. As per Paragraph 11 of the NPPF, plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up to date development plan without delay.

Human Rights Act 1998

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 the right to a fair hearing and to this end the Committee 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 of the application 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:

That planning permission be granted subject to the following conditions:

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:

- Location Plan (Drawing PL_001 dated December 2021) – Received 25 April 2022
- Existing Site Plan (Drawing 10011-B0-A-G100-P-00-001 Revision 18 dated June 2015) – Received 25 April 2022
- Existing Site Plan (Drawing PL_002 dated December 2021) – Received 25 April 2022

- Existing Elevations (Drawing 10011-B2-A-G251-E-07-001 Revision R dated April 2016) – Received 25 April 2022
- Existing Ground Floor Front Elevation Layout (Drawing PL_003 dated December 2021) – Received 25 April 2022
- Proposed Site Plan Ground Floor Level (Drawing 10011-B2-A-B5:D9-P-00-001 Revision 00 dated June 2022) - Received 08 June 2022
- Proposed East Elevation (Drawing 10011-B2-A-B5:D9-E-E Revision 05 dated January 2017) – Received 08 June 2022
- Proposed West Elevation (Drawing 10011-B2-A-B5:D9-E-W Revision 06 dated January 2017) – Received 08 June 2022
- Proposed Main Entrance Details (Drawing 01, undated) – Received 25 April 2022
- Proposed Bollard Layout (Drawing PL_004 dated December 2021) – Received 25 April 2022
- Proposed Bollard Elevations (Drawing PL_005 dated December 2021) – Received 25 April 2022
- Proposed Refrigeration Plant Layout Basement & Roof Area (Drawing CR3(A0) Revision 01 dated 25 June 2021) – Received 25 April 2022.
- Bollard Information Sheet prepared by Autopa

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 additional louvres to the east elevation hereby approved shall match the appearance, style, size and colour of existing louvres to the east elevation.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Informatives:

- *The applicant has confirmed with the LPA that the bollards are to be land within their ownership/control, and not on the public adopted highway. If the bollards are placed on the highway, the applicant has been informed that they must contact the Council's Highways Department to discuss the implementation of the necessary Section 278.*
- *Greater Manchester Police recommend that bollards are anti-ram bollards and certified BS PAS 68*