

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133190/JO/2022

Date registered valid: 11 March 2022

Proposal: Variation of Condition 2 (specified plans) attached to planning permission 130984/FO/2021 to modify the shop front to provide domestic entrance, with application of render to ground floor and installation of two externally mounted roller shutters.

Address: 56 Lloyd Street South, Manchester, M14 7HT

Ward(s): Whalley Range Ward

Applicant: Mr Richard Ward, Millerbrook Properties Ltd, 83 Fountain Street, Manchester, M2 2EE

Agent (if any): Mr Andrew Collier, C3 Design Consultancy, 1 Princes Terrace, Brownhill, Ruyton XI Towns, Shrewsbury, SY4 1LP

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 July 2022

Application details

Type of application: Variation or Removal of Condition

Development type: Change of use

Date of site visit: 5 April 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 11 May 2022 Expired: 1 June 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a part single part two storey terraced building of red brick and slate, with a historic retail unit at ground floor and a residential duplex flat above.

Description of area

The area is predominantly residential, mainly consisting of two storey red brick terraced dwellinghouses along Lloyd Street South, Burdith Avenue and beyond. The site lies within the Whalley Range ward and benefits from its proximity to several bus stops and Princess Road.

Description of development

The applicant gained permission for a new shop front last year under ref: 130984/FO/2021. They didn't build in accordance with the approved plans and are now seeking retrospective permission for the altered design as it currently exists. Previously the changes were applied for under an NMC (132834/NMC/2022) but the changes could not be considered material and this application was withdrawn.

Consultations & Notification Responses

Local residents as per appendix 1 – One objection received, which read:
This has already been done, why ask for planning permission when they have already done this.



(Photo taken August 2021)



(Photo taken April 2022)

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but some policies are still considered of relevance.

- Saved policy DC14 - Shop fronts and related signs

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

- Policy DM 1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021):

- Chapter 12 – Achieving well-designed places

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.

Issues

Principle – The proposal seeks retrospective permission for elevational alterations to the shop, following the installation of a new frontage and entrance to the flat above. The works are considered to be acceptable in principle and are not thought to impact residential amenity, as the premises have been in retail use for many years and do not involve an enlargement of the property or change of use. However, consideration must be given as to whether the elevational alterations are acceptable in terms of design, visual amenity and security.

Design and visual amenity – The works would include the replacement of the shop front, which previously consisted of brick stallrisers and pilasters; and timber framed windows either side of the doorway which featured a metal roller shutter, below a timber fascia. The existing frontage was dated, the paint was peeling and the glazing was damaged, after several years of the unit being vacant. The proposal involves the installation of new glazing and new glazed doors, with new grey paint to the retained fascia, white render to the ground floor of No.56, an externally mounted roller shutter and new entrance door to the flat. The windows at No.56 are 5.2m in width and 2.3m in height, with a 6.2m wide, 0.76m high fascia. The glazing at No.58 measures 5.85m in width and 2.6m in height, with 1.75m wide doors and a 1.66m high, 5.85m wide fascia.

The amount of glazing and openings within the shop front matches the previous arrangement. The existing façade appeared tired and unkempt, therefore the works, including new frames, glazing, shutter and flat entrance, arguably improves the overall appearance of the building and contributes positively to both the terrace in which it sits and the wider street scene of Lloyd Street South. It is considered that the works constitute an improvement visually and have updated a run-down looking frontage, thereby improving the visual amenity of the area, pursuant to policies DM1 and SP1.

Security – The previous external metal roller shutter over the door (see 2021 photo above) has been removed. This only secured the central door within the No.58 side of the unit, however the new roller shutters occupy the full extent of glazed frontage, which itself consists of laminated safety glass to the windows and toughened glass for the doors. Policy DC14.4 asks that the boxes housing the roller shutter be hidden behind the fascia where possible, however in this case the fascia is almost flush with the front elevation, leaving no room for the box, which measures 3.15m in width, 0.27m in projection and 0.22m in height, which is relatively small and considered acceptable in this case. It is sited 2.6m above ground and therefore would not pose

a hazard to those using the footpath. The addition of a new entrance to the flat, within the Lloyd Street South frontage, is welcomed, given this increases the safety and convenience for occupiers of the flat compared to the existing entrance within the gated alleyway.

Access – Policy DC14.2 asks that shopfronts should allow full access for people whose mobility is impaired. The double door to the retail unit provides level access from the street, with a width of 1.7m, which is acceptable.

Other matters – An objection was received from a local resident, however the only issue raised was the retrospective nature of the application. Applicants have the right to apply for retrospective works, therefore this objection does not bear sufficient weight to warrant refusal.

Conclusion – Overall the proposal will make for an improved frontage, to the benefit of both those visiting the shop and those living nearby, and will make for a more attractive building whilst remaining in-keeping with the rest of the small terrace. No objections of weight have been received and the proposal broadly complies with policies SP1, DC14 and DM1, therefore development may commence in accordance with the following conditions and the approved plans.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

Condition(s) to be attached to decision for approval

1) The development must be begun not later than the expiration of three years beginning with the date of planning permission reference 130984/FO/2021, that date being 7th September 2021.

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 drawing numbered '21-120-02 Rev C', stamped as received by the City Council as Local Planning Authority on the 10th May 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.

Appendix 1 – List of consultees & neighbours notified

25 Lloyd Street South, Manchester, M14 7HS
23 Lloyd Street South, Manchester, M14 7HS
17 Lloyd Street South, Manchester, M14 7HS
19 Burdith Avenue, Manchester, M14 7HX
17 Burdith Avenue, Manchester, M14 7HX
19A Burdith Avenue, Manchester, M14 7HX
Flat 9, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 8, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 7, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 6, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 5, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 4, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 3, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 20, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 2, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 19, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 18, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 17, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 16, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 15, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 14, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 13, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 12, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 11, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 10, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
Flat 1, The Parkside, 62 Lloyd Street South, Manchester, M14 7HT
60A Lloyd Street South, Manchester, M14 7HT
60 Lloyd Street South, Manchester, M14 7HT
54 Lloyd Street South, Manchester, M14 7HT
21 Lloyd Street South, Manchester, M14 7HS
19 Lloyd Street South, Manchester, M14 7HS

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
Susceptible to Surf Water Flood (Less)
Susceptible to Surf Water Flood (Less)
Susceptible to Surf Water Flood (Less)
Area Team Boundary - Name: SOUTH