

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
113853/FO/2016	8 Sep 2016	12 Jan 2017	Hulme

**Proposal** Installation of new shop front and elevational alterations to rear

**Location** 30 Hulme High Street, Manchester, M15 5JS

**Applicant** Power Leisure Bookmakers Ltd, C/o Agent

**Agent** Mr Sam Deegan, Planning Potential Ltd, 14-15 Regent Parade,  
Harrogate, HG1 5AW

### **Update following the Committee meeting held on 15<sup>th</sup> December 2016**

Members will recall that the committee visited the site at their last meeting of 15<sup>th</sup> December 2016 where they were later minded to refuse the application. The report relating to planning application reference 113852/FO/2016 which also appears on this Committee agenda, sets out a detailed response to the matters raised by Members at the meeting on 15<sup>th</sup> December 2016.

The issues raised by Members to this application, as set out within the report relating to application reference 113852/FO/2016, have been carefully considered. In this instance it is not considered that there are reasons to refuse this application that could reasonably be sustained. Based upon the considerations and additional comments received the Committee is asked to consider the original recommendations in the context of the supplemental report.

### **Description**

At the meeting of 17<sup>th</sup> November 2016, Members resolved to defer consideration of this application for a site visit. This application relates to a ground-floor unit, within the middle of a mixed use parade. The property is located on the west side of Hulme High Street, within Hulme District Centre. The property is a vacant grocery store (Class A1).

There are commercial properties either side of the application site. To the rear is a service yard. Directly above the ground-floor properties are self-contained flats. Facing the site across Hulme High Street are further commercial uses.

There are double yellow lines directly to the front of the property, with limited parking spaces along the high street, for permit holders or pay and display. However, there is an abundance of free parking available on the Asda retail park, which is a short distance away.

The applicant is seeking to replace the existing shop front with a new shop front. The door way will be moved to a more central position within the unit, and the existing concrete flags to the front of the store will be raised to provide a level access. The existing door to the rear will be bricked up and there will be no access to the premises available to the rear.

This application relates solely to the installation of a new shop front and elevational alterations to the rear. Three further separate applications have been received for the

proposed change of use, proposed signage, and proposed satellite dishes and air conditioning units. The associated applications appear elsewhere on this agenda, with the exception of the signage application.

## **Consultations**

Local residents – one letter of objection has been received on grounds related to the change of use. The change of use does not form part of this planning application and is considered elsewhere on this agenda. Comments were as follows:

- Betting shops tend to be associated with noise, antisocial behaviour and instances of violence and vandalism, which would have a serious negative effect on residents quality of life.

Environmental Health – No comments

## **Policies**

### **National Planning Policy Framework**

National guidance can be found in the National Planning Policy Framework (NPPF). The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7).

Paragraphs 11, 12, 13 and 14 of the NPPF outlines a presumption in favour of sustainable development. This means approving development, without delay, where it accords with the development plan. Paragraph 12 provides: Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

As set out in the remainder of this report the proposals are considered to comply with the Manchester Core Strategy and on the basis it constitutes is sustainable development and complies with the National Planning Policy Framework.

### **The Development Plan**

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

**Policy SP1** sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- creating well designed places,

- making a positive contribution to health, safety and well-being,
- considering the needs of all members of the community, and
- protecting and enhancing the built and natural environment.

**Policy DM1** is relevant to the proposed development as it seeks to protect the amenity of an area from the adverse impact of development including road safety and traffic generation.

**Policy EN1** 'Design principles and strategic character areas' states that all development in Manchester will be expected to follow the seven principles of urban design. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Proposals for new development must clearly detail how the proposed development addresses the design principle, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives.

As set out within this report the proposal for the installation of a new shop front and bricking up of a doorway to the rear are considered to accord with the policies of the Core Strategy and will positively contribute to the district centre.

### **Unitary Development Plan for the City of Manchester (Saved Policies)**

The below saved policies of the Unitary Development Plan are considered relevant:

**Policy DC26** – is relevant as it seeks to reduce the impact of noise generating development. The Council will consider the effect of new development proposals and the implications of new development being exposed to existing noise sources. Developments likely to result in unacceptably high noise levels will not be permitted

### **Issues**

**Principle** - The proposal seeks to make elevational alterations to the building, by installing a new shop front to replace the existing. This would include the relocation of the entrance doorway to a more central position within the unit with the provision of level access. Also it is proposed to brick up a door to the rear of the premises.

The proposed works are considered to be acceptable in principle. Matters which require consideration are whether the elevational alterations are acceptable in visual amenity terms and whether or not the proposal would lead to any greater noise breakout. These matters are considered below.

**Visual amenity and possible noise breakout** – The amount of glazing and openings within the shop front will be broadly the same as existing, with just the doorway being moved to a more central position. The existing roller shutters and boxing will be removed from the entire length of the shop unit, thus contributing to the provision of an active frontage and improving the overall appearance of the building. There would be no greater amount of noise breakout associated with the shop front design proposed.

The provision of level access would constitute an improvement in accordance with City Council policy.

The bricking up of the door to the rear would be done in a material to match the existing unit.

**Conclusion** - Overall the proposal will make for an improved frontage within the district centre to the benefit of those visiting the premises and will provide an improved and more attractive building from Hulme High Street which complies with the spirit of policies SP1, EN1 and DM1 of the Core Strategy.

**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 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 Head 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 approval of the application is proportionate to the wider benefits of approval 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.

### **Reason for recommendation**

### **Conditions to be attached to the decision**

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:

Proposed front and rear elevations 2016/50/05 rev A stamped as received 8th September 2016.

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 shop front and elevational alterations to rear hereby permitted shall match those as stated on the submitted drawings.

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 Policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 113853/FO/2016 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

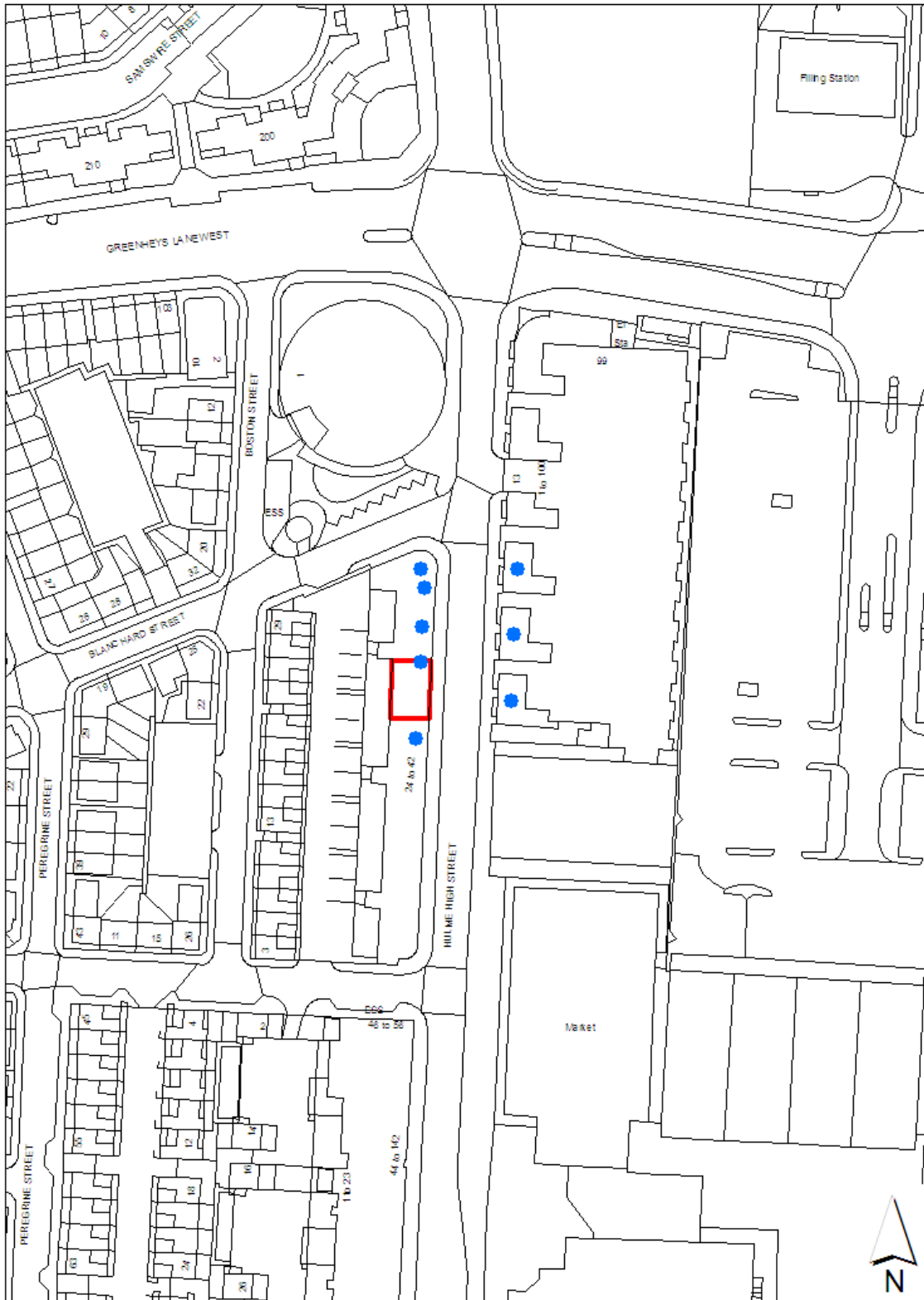
Environmental Health

A map showing the neighbours notified of the application is attached at the end of the report.

**Representations were received from the following third parties:**

40 Betsham Street, Manchester, M15 5JN

**Relevant Contact Officer :** Melanie Tann  
**Telephone number :** 0161 234 4538  
**Email :** m.tann@manchester.gov.uk



 Application site boundary  Neighbour notification  
© Crown copyright and database rights 2017. Ordnance Survey 100019568