

Application Number	Date of Appln	Committee Date	Ward
085978/FO/2008/S1	4th Mar 2008	11th Sep 2008	Moss Side Ward

**Proposal** Erection of a canopy at rear of property

**Location** Worldwide Cash And Carry, Wilmslow Road, Rusholme, Manchester.

**Applicant** Worldwide Cash And Carry, Wilmslow Road, Rusholme, Manchester.

**Agent** Ferguson Developments 252 Whitworth Road, Rochdale, OL12 0SA

### **Description**

This application relates to a single storey detached building, which was purpose built to accommodate a large retail food store.

The site is located within the busy Rusholme District Centre, which is made up of a mix of commercial uses, with the immediate area surrounding the site consisting of retail, food and drinking outlets.

The proposal relates to the erection of a canopy at the rear of the property and the relocation of the disabled parking bays.

Currently the food store operating as Worldwide has built a platform and a canopy over the existing four disabled parking bays this was brought to the Council's attention following a complaint.

Following an enforcement investigation it was deemed that the works would require planning permission therefore the owners were invited to make an application. However the canopy as existing would not be granted planning permission, as it is not visually acceptable. Therefore the application being considered at this meeting would if granted permission replace the unauthorised canopy.

The proposed canopy which comprises of a steel frame which will be painted black and a canopy made from polycarbonate sheeting is in keeping with the character and design of the building, scheme also allocates 6 disabled parking bays.

### **Consultations**

**Local Residents** - 2 letters of objection received from one neighbour, the main concerns are as follows:

- The loss of the disabled parking space
- The disabled parking bays on the new scheme are further away from the entrance than what the existing bays were.
- The visual appearance of the canopy

**South Manchester Regeneration** – The proposed scheme will improve the external appearance, therefore no objections.

**John Leech MP** – Supports the letter of complaint received from his constituent.

### Issues

**Unitary Development Plan** - the site does not have a specific allocation within the UDP. However it is clearly shown within the Chorlton District Centre boundary accordingly when determining planning applications of this nature the following policies will be considered:

S1.2 states the Council in partnership with the private sector will encourage, where appropriate, the improvement and redevelopment of existing District Centres in order to ensure that they remain the focus for both shopping a full range of community facilities.

S2.1 states that the council recognises the importance of good quality local and convenient shopping facilities within easy reach of people's homes and will seek to ensure that all parts of the city are well provided for and that facilities are accessible to disabled people.

S2.5 states the council will seek to ensure that shopping facilities are of a high standard of design with adequate parking provision and provide a safe and attractive environment for all shoppers.

T2.6 states the council will expect adequate car parking provision to be made for disabled people to gain easy access.

### **The Guide to Development in Manchester 2**

In addition to the above mentioned policies particular consideration should be given to the guidance set out in this Supplementary Planning Document.

The guide provides a framework for all development within Manchester and has particular reference to the importance of good quality design and also states that new development should comply with the standard details within Design for Access.

**Design for access 2** – The guide provides standards in access issues, which the Council wish to achieve.

### **Regional and National Planning Guidance**

Planning Policy Statement 1 - Delivering Sustainable Development sets out the overarching policies on the delivery of sustainable development through the planning system. Emphasis is placed on the need for good design to ensure attractive, usable, durable and adaptable places.

**Principle** – It is considered that the principle of erecting a canopy at the rear of the building and relocating the disabled parking bays is acceptable and would pose no significant harm to the amenity of shoppers or lead to any negative impact on the character of the area.

**Disabled parking** – The original layout of the application site was granted permission prior to Design For Access 2 therefore the scheme only allocated four parking spaces for disabled shoppers. The application being considered now offers 6, these are sited further away from the entrance than the original four but still meet Design For Access 2 standards which specify that all disabled parking bays must be within 50 metres of the entrance. As shown on drawing number 2679.01B these fall within that requirement, with the nearest being 10metres from the entrance and the furthest being 25metres from the entrance.

The scheme if granted will be fully Design For Access 2 compliant as 10% of the available parking will be allocated for disabled customers. In light of this it is the Head of Planning's view that despite the parking bays being slightly further away from the entrance the gain in number of disabled parking bays compensates for this.

For clarity and ease of use a clearly sign-posted and easily recognisable signing strategy should be implemented.

**Design** – The owners of the site attempted to authorise the works that have already been implemented however the visual appearance of the unauthorised canopy is unacceptable, therefore a new design was negotiated. It is the Head of Planning's view that the proposed canopy is acceptable visually and on balance the scheme as a whole improves the shopping environment at this site.

**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 Unitary Development Plan, the Head of Planning 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. He 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**

Approve on the basis that the proposal is in accordance with the City Council 's Unitary Development Plan in particular policies DC9 and H2.2, and there are no material considerations of sufficient weight to indicate otherwise.

### **Conditions and/or Reasons**

1) The development must be implemented within 3 months 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 unless otherwise agreed in writing by the City Council as Local Planning Authority: drawing number 2679.01B stamped 15/05/2008.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

4) No development that is hereby approved shall commence unless and until a scheme that shows a clearly sign - posted and easily recognisable signing strategy that provides supplemental signage with non-written information to assist people with cognitive difficulties has been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester Policies DC9.

### **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: 085978/FO/2008/S1 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:**

Flat 5, 12 Wilmslow Road, Manchester, M14 5TP  
Flat 6, 12 Wilmslow Road, Manchester, M14 5TP

Flat 2, 12a, Wilmslow Road, Manchester, M14 5TP  
Flat 3, 12a, Wilmslow Road, Manchester, M14 5TP  
Flat 4, 12a, Wilmslow Road, Manchester, M14 5TP  
Flat 5, 12a, Wilmslow Road, Manchester, M14 5TP  
Flat 6, 12a, Wilmslow Road, Manchester, M14 5TP  
Flat 2, 14 Wilmslow Road, Manchester, M14 5TP  
Flat 3, 14 Wilmslow Road, Manchester, M14 5TP  
Flat 4, 14 Wilmslow Road, Manchester, M14 5TP  
Flat 5, 14 Wilmslow Road, Manchester, M14 5TP  
Flat 6, 14 Wilmslow Road, Manchester, M14 5TP  
Flat 7, 14 Wilmslow Road, Manchester, M14 5TP  
Flat 8, 14 Wilmslow Road, Manchester, M14 5TP  
Flat 2, 14a, Wilmslow Road, Manchester, M14 5TP  
Flat 3, 14a, Wilmslow Road, Manchester, M14 5TP  
Flat 4, 14a, Wilmslow Road, Manchester, M14 5TP  
Flat 5, 14a, Wilmslow Road, Manchester, M14 5TP  
Flat 6, 14a, Wilmslow Road, Manchester, M14 5TP  
Flat 7, 14a, Wilmslow Road, Manchester, M14 5TP  
Flat 8, 14a, Wilmslow Road, Manchester, M14 5TP  
Aldi Foodstore Ltd, 401 Great Western Street, Manchester, M14 4AH  
Zap Computers Distributors Ltd, 8a, Wilmslow Road, Manchester, M14 5TP  
Vernons Jerk Paradise, 2 Wilmslow Road, Manchester, M14 5TP  
Flat, 357a, Great Western Street, Manchester, M14 4AH  
Northern Examinations & Assessment Board Publications, Aldon House, 39  
Heald Grove, Manchester, M14 4NA  
Department Of Works & Pensions, 341 Great Western Street, Manchester, M14  
4HB  
Whitworth Arms, 508 Moss Lane East, Manchester, M14 4PA  
The Mandarin, 23 Wilmslow Road, Manchester, M14 5TB  
Sangam Restaurant, 13-21, Wilmslow Road, Manchester, M14 5TB  
Mailboxes Etc, 6 Wilmslow Road, Manchester, M14 5TP  
Flat 1, 12 Wilmslow Road, Manchester, M14 5TP  
Flat 1, 12a, Wilmslow Road, Manchester, M14 5TP  
Flat 1, 14 Wilmslow Road, Manchester, M14 5TP  
Flat 1, 14a, Wilmslow Road, Manchester, M14 5TP  
Flat 2, 345 Great Western Street, Manchester, M14 4AH  
Flat 3, 345 Great Western Street, Manchester, M14 4AH  
Flat 4, 345 Great Western Street, Manchester, M14 4AH  
Flat 5, 345 Great Western Street, Manchester, M14 4AH  
Flat 6, 345 Great Western Street, Manchester, M14 4AH  
Flat 7, 345 Great Western Street, Manchester, M14 4AH  
Flat 8, 345 Great Western Street, Manchester, M14 4AH  
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Flat 1, 345 Great Western Street, Manchester, M14 4AH  
Flat 1, 347 Great Western Street, Manchester, M14 4AH  
Flat 1, 349 Great Western Street, Manchester, M14 4AH  
Flat 1, 351 Great Western Street, Manchester, M14 4AH  
Flat 1, 353 Great Western Street, Manchester, M14 4AH  
Flat 1, 355 Great Western Street, Manchester, M14 4AH  
Flat 1, 357 Great Western Street, Manchester, M14 4AH  
M S V South, 357a, Great Western Street, Manchester, M14 4AH  
Flat 2, 12 Wilmslow Road, Manchester, M14 5TP  
Flat 3, 12 Wilmslow Road, Manchester, M14 5TP  
Flat 4, 12 Wilmslow Road, Manchester, M14 5TP

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

Guido D'Isidoro, 76 Nell Lane ,, Chorlton ,, Manchester ,

**Relevant Contact Officer :** Charenjit Kaur  
**Telephone number :** 0161 234 4548  
**Email :** c.kaur@manchester.gov.uk