

Appeal Decision

Site visit made on 27 August 2024

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th September 2024

Appeal Ref: APP/P4225/W/24/3339557

209 Manchester New Road, Middleton, Rochdale M24 1JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Daly on behalf of Peeco Ltd against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is 23/01261/FUL.
 - The development proposed is new shop front to existing shop.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was submitted, the Council has adopted the Places for Everyone¹ Joint Development Plan (PfE Plan) as part of the Development Plan for Rochdale. The main parties were given the opportunity to comment on this adopted plan, and I have taken into account any comments raised.
3. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. Whilst a direction of travel has been outlined within the Written Ministerial Statement, which is a material consideration, the weight I give to the changes in the draft Framework is limited given that no final document has been published and it is subject to potential change in the future.
4. In any event, the policies that are material to this decision are not subject to any fundamental changes, and I am satisfied that this has not prejudiced any party. Consequently, in reaching my decision I have therefore had regard to the Framework published in December 2023.
5. I observed on my site visit that the appeal proposal has been implemented.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the host building and surrounding area.

¹ Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039, Adopted 21 March 2024.

Reasons

7. The appeal relates to a red-brick, mid-terrace, interwar property situated centrally within the Manchester New Road with Kingsway Local Centre. The property is adjoined on both sides by commercial premises, with the wider area residential in character.
8. The appeal property occupies a prominent corner location within this local centre, with its angled shop front facing the highway junction of Manchester New Road and Kingsway. Above its shop front, at first floor level, the appeal property has an attractive curved bay window with a date stone below.
9. The appeal property has altered its shop front, with the evidence before me indicating that the previous shop front included traditional features such as a significantly recessed, centrally located, front entrance doorway and brick stallrisers below the display windows situated either side of this doorway. The Council's submission also states that the previous shop front had an attractive timber door, and this has not been disputed by the appellant.
10. This traditional shop front design, along with the distinctive bay window above, would have collectively positively contributed to the character and appearance of the host building, the terrace row and the surrounding area in general.
11. The above-mentioned traditional features within the former shop front have been lost and replaced with a fully glazed shop front, and a central glazed door that is no longer recessed. The fully glazed replacement shop front has a modern and flat appearance, lacking in depth and traditional character, with the display windows extending almost down to ground level. As a result of its modern, fully-glazed design, style and appearance, the replacement shop front appears out of keeping with the original traditional character and appearance of the host building and detracts from its visual quality on this prominent corner location.
12. In coming to the above view, I note that the fascia above the shop front, and pilasters at either end, have been retained. However, the significant number of swan lights fixed above the fascia add visual clutter to the building and only exacerbate the visual harm arising from the new shop front.
13. I acknowledge the appellant has made reference to the variety of shop front designs in this local centre, however I have not been provided with all the details and planning history of these other shop fronts. Furthermore, whilst one of the shop fronts was not visible during my site visit because its roller shutter was closed, the other shop fronts I observed within this local centre had some form of solid feature or stallriser below the display window. Therefore, none of the shop fronts I observed had full length glazing extending down to almost ground level, as is the case at the appeal site, and are therefore not directly comparable to the shop front installed within the appeal property.
14. Moreover, the appeal site occupies a corner plot at the junction of Manchester New Road and Kingsway and is therefore visually prominent within the local centre, especially because of its projecting bay window at first floor level. As such, I do not find that the other shop fronts I observed in the local centre set a precedent for the development that has taken place at the appeal site.
15. The appellant has drawn my attention to alterations they have made to the façade of the property in order to create a more harmonious building, including replacing

the previously rotten shop front, removal of the external roller shutters, replacement windows at upper floor level and re-gilding of the date stone. The appellant has also stated that the removal of the recessed door provides additional internal space for the premise.

16. In respect of these alterations, I have limited evidence before me that the previous shop front was rotten or that the previous amount of internal space within the property made it impractical for commercial use.
17. I appreciate that the removal of the roller shutters, the replacement windows at upper floor level and re-gilding of the date stone are all positive alterations to the building. However, some of these alterations do not form part of the appeal proposal before me which seeks consent for a new shop front. Additionally, there is limited evidence to suggest that these alterations could not have been made to the property whilst retaining the traditional attractive features of the previous shop front. As such, this limits the weight I can attribute to these other alterations in favour of the replacement shop front.
18. In view of all the above, I conclude that the development has resulted in a loss of attractive traditional features within the previous shop front and the loss of these features, along with the design of the replacement shop front, detracts from the appearance of the building as a whole. The development therefore results in visual harm to the character and appearance of both the host property and the surrounding area.
19. Consequently, the development is contrary to Policies DM1 and P3 of the Rochdale Adopted Core Strategy (2017), as well as Policy JP-P1 of the PfE Plan. These policies together require, among other things, that development proposals are of high-quality design and take the opportunity to enhance the quality of the area; enhance the borough's identity and sense of place by respecting context where it is positive; and respect and acknowledge the character and identity of the locality in terms of design.
20. The development also fails to accord with the provisions of the Framework where it seeks to achieve well-designed and beautiful places.

Other Matters

21. I have had regard to the appellant's comments that the new shop front allows them to display the workmanship of the business. However, I am not persuaded that the development is the only means to achieve this and therefore this limits the weight I can attribute to this argument in my determination of this appeal.

Conclusion

22. The proposal conflicts with the development plan when taken as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

R Major

INSPECTOR