



Appeal Decision

Site visit made on 13 November 2025

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 December 2025

Appeal Ref: APP/B4215/W/25/3373946

54-56 Wilmslow Road, Manchester M14 5AL

- 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 Gailan Aziz Khidri against the decision of Manchester City Council.
 - The application Ref is 142864/FO/2025.
 - The development proposed is retention of single storey front canopy extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development given in the application form contained superfluous information. In the interests of clarity and conciseness, I have used the description of development as found on the decision notice.
3. The evidence before me notes that planning permission was previously granted for modifications to the front forecourt. Specifically, it permitted an increase in the height of the balustrade to the front and the installation of a grey timber barrier. The Council noted that this design was consistent with similar structures within the Rusholme District Centre, and it allowed for an open atmosphere to be maintained. It follows that the development which is the subject of this appeal has been erected and not that which was previously granted permission. During my site visit, it was noted that the erected development appears to conform with the proposed plans in this appeal. Therefore, this appeal is retrospective, and I have determined the appeal as such.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site is situated within the Rusholme District Centre and comprises part of a three-storey terraced row. This row is characterised by commercial premises at ground level with residential accommodation above. During my site visit, I observed that several restaurant frontages, also referenced by the appellant, have incorporated seating areas to the front. However, these installations were different in their design, which preserved clear visibility of their ground floor façades.
6. The constructed development results in a substantial, enclosed structure at ground level, characterised by dark timber cladding. This visual impact arises from the combined elements of its elevated walls, prominent pillars positioned beyond glazed panels, the roof configuration, and the choice of materials and colour palette. Even

though the front entrance of the appeal structure is physically open to provide access, when combined, these elements present an overall design which is a visually intrusive feature within the street scene, significantly obstructing views of the main restaurant frontage. This impact is further accentuated by the site's prominent corner location.

7. The appellant has proposed the use of planning conditions to address aspects of the development's design and ongoing maintenance. However, the development has already been constructed, and its plans are before me. In this context, the imposition of conditions would not mitigate the adverse impact the development has on the character and appearance of the surrounding area.
8. It is contended that the glazing can be fully retracted and that this would reduce the appearance of the development. However, as the appellant has noted, the appeal site is in an area where rainfall is frequent. It is therefore reasonable to conclude that it would be employed for significant periods. As such, the harm would persist during the regular periods when this glazing is not retracted.
9. The appellant further contends that forecourt seating is essential to the viability of restaurants in Rusholme, as the absence of weather protection would render the space unusable. It is noted that the appellant has provided images of surrounding forecourts during wet weather, further suggesting that these designs offer no protection during adverse weather conditions. However, from the images provided, I cannot be certain that the canopies to the premises discussed were fully employed prior to any rainfall.
10. Examples of restaurant frontage developments have been submitted for consideration. The case at 609 Wilbraham Road was determined at appeal. It was found to incorporate lightweight materials, primarily through the use of glazing. By comparison, the development subject to this appeal adopts a markedly heavier timber construction, enclosing the restaurant frontage in a more visually dominant and enclosed appearance. The examples at 72 and 82 Wilmslow Road and 478 Wilbraham Road are discussed by both parties. However, as the information on these examples are limited, I am unable to come to a view on these decisions and their similarity to this appeal.
11. The absence of objections from consultees on technical matters is an absence of harm. Moreover, there is no substantive evidence before me to demonstrate that the development delivers any identifiable economic benefits of such weight that would alleviate the harm identified.
12. To conclude, the development conflicts with Policies SP1, EN1 and DM1 of the Manchester Core Strategy Development Plan Document 2012 and the guidance found within the Guide to Development in Manchester Supplementary Planning Document. These policies and guidance seek for development to strengthen local identity through its design, form, materials and detail, which is in keeping with the character of the building and adjoining buildings.

Conclusion

13. For the reasons given above, the appeal should be dismissed.

J Smith

INSPECTOR