MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141276/FO/2024
Date registered valid:	17 December 2024
Proposal:	Creation of restaurant (Class E) to first floor, erection of a single storey side extension, elevational alterations and creation of roof terrace with associated balustrade.
Address:	273 Clayton Lane, Manchester, M11 4SS
Ward(s):	Clayton & Openshaw Ward
Applicant:	Mr O Adetola The Bridge Manchester Ltd
Agent (if any):	Mr V Alyas Architek
Case officer:	Michael Pearson Tel: 0161 219 2735 Email: michael.pearson@manchester.gov.uk
Recommendation:	Approve

Date of recommendation: 02/05/2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:
Printed: 18 December 2024 Expired: 11 January 2025

Neighbour notifications
Printed: 18 December 2024 Expired: 11 January 2025

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

The application relates to the detached two storey building present at 273 Clayton Lane, the former Bridge Inn public house (Use Class Sui Generis). The property is modest in appearance being completed in a pale green render. Its front façade features attractive window surrounds and a detailed door surround. Unauthorised works have seen the removal of the property's former timber windows, as well as the removal of its slate roof, with the inside of the property being left exposed to the elements. The site features a single storey flat roof side extension, as well as a flat roof single storey rear extension. The rear of the site is a grassed area providing access to the Ashton Canal Tow Path.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies on the periphery of Manchester City Centre, with the district of Clayton lying to the north of the site, Manchester City's Training Academy Complex lies to the west. A vacant site then lies to the east, with an unpopulated section of Clayton Lane then running to the south of the site. The Ashton Canal lies to the north of the site, providing direct access to the City Centre. Neighbouring uses are largely comprised of commercial office or industrial uses, with the closest neighbouring residential development lying 140m to south-east along Emily Beavan Close.

Description of development

The application seeks consent for the change of use of the application site from a drinking establishment (Use Class Sui Generis) to a restaurant (Class E(b)), with associated external alterations, including the enlargement of the existing single storey side extension and installation of extract flue.

The proposed restaurant use would be situated over both the ground and first floor, totalling 148sqm of commercial restaurant space. An external terrace would feature to the rear, atop the existing single storey rear extension.

Externally, the proposal would see the insertion of new windows, front door and replacement roof tiles. All proposed windows would be slim profile aluminium frames, and all replacement roof tiles would be reclaimed slate tiles replaced on a like for like basis. The existing side extension would be enlarged, taking its depth from 4.4m to 6.4m, the enlarged portion of the extension would then be rendered to match the finish of the host property.

To the rear of the site a set of bi-folding doors and a Juliet balcony would be inserted in the rear of the site's single storey extension that would then face onto the site's rear yard and the Ashton Canal. A set second set of doors, and the aforementioned roof terrace, which would be lined by a glad balustrade, would then be situated above it. An air intake and extract flue, that would be concealed by a shroud, would then be situated on the site's rear elevation, with the flue terminating above the property's eaves.

Planning History

023591 - Single storey extension at side of public house to form a food preparation room – Approved March 1985.

Consultations & Notification Responses

Canal & Rivers Trust – No objection subject to a condition relating to the submitted canal risk assessment.

Environmental Health – No objection subject to conditions relating to hours of opening, servicing, use of external areas, external plant, fume extraction and waste management.

Grater Manchester Police – No objection subject to all alterations being in accordance with Secured by Design standards.

Highways – No objection subject to conditions relating to parking spaces being demarcated, cycle storage provision, a waste management strategy, servicing details and a construction management plan.

Publicity – None received.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy SP1 – Spatial Principles

- Policy CC2 – Retail
- Policy CC9 – Design and Heritage
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy EN14 – Flood Risk
- Policy EN15 – Biodiversity and Geological Conservation
- Policy EN19 – Waste
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester – The following saved UDP Policies are of relevance to this application:
- Policy DC10 – Food and Drink Uses
- Policy DC26 – Development and Noise

The Places for Everyone Plan – Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:
- Policy JP-G8 – A Net Enhancement of Biodiversity and Geodiversity
- Policy JP-P2 – Heritage

National Planning Policy Framework (NPPF)
- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 15 – Conserving and enchanting the Natural Environment
- Chapter 16 – Conserving and enhancing the Historic Environment

Other Legislative Considerations
National Planning Policy for Waste

Issues

Principle of the development

The proposal relates to an unoccupied property, formerly in use as a public house/drinking establishment. The development would see the reoccupation of the property and its external refurbishment. If implemented the proposal would provide a new commercial use in a high trafficked area helping to contribute to the ongoing regeneration of Manchester. In line with this, the proposal is considered to accord with Core Strategy Policies SP1, CC2 and DM1, and Places for Everyone Plan Policy JP-Strat2 in principle, subject to the matters discussed below.

Visual Amenity

The application property, as existing, whilst a building of historical note that, overall, contributes positively to the street scene, particularly that of the Ashton Canal, shows signs of wear, has two unsympathetic brick extensions and has been unoccupied for a number of years. The proposed development would see the rejuvenation of the application site, installing new slim profile windows, new doors, a rear roof terrace, new roof and enlarged side extension. The proposed flue would be screened from view by a shroud, whose material finish would be conditioned in the event of an approval to ensure its appropriateness. It is also considered necessary in the event of an approval to use planning condition to require the submission of samples and specifications for the proposed door, windows, roof tiles, and rendered finish, in order to ensure their appropriateness and quality. Subject to such conditions, the development is acceptable in this regard and accords with Core Strategy Policies EN1 and DM1, and the National Planning Policy Framework.

Heritage

The application site, as a Victorian era public house, is considered to be of local historical significance and is thus considered to be a non-designated heritage asset. It is appreciated that the proposal would involve the external alteration of the property, with modern windows and doors being inserted, as well as an extract flue being cited to the rear. Notwithstanding this, all alterations would be of high quality, and the proposed flue would be covered by a shroud. In light of this, the proposal would assist in securing the long term use of the building and would have a neutral impact on its significance, all in accordance with Core Strategy Policies EN3, CC9 and DM1, Places for Everyone Plan Policy JP-P2, and the National Planning Policy Framework.

Residential Amenity

Clayton Lane is primarily a road dominated by commercial properties, with only its southern end featuring residential properties. As previously mentioned within this report, the closest neighbouring residential development, is that of the dwellings that line Emily Beavan Close, 140m to the south-east of the site, that are also separated from Layton Lane by multiple lines of mature trees. Environmental Health do not object to the development subject to conditions that would confirm the hours of use, hours of use of external areas, acoustic insulation of external plant, and fume extraction specifications. Subject to such conditions, it is considered the development would not have an unacceptable impact on neighbouring amenity in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policies DC10 and DC26, and the National Planning Policy Framework.

Crime and Public Disorder

The proposal would see the external alteration and change of use of a property, previously in use as a drinking establishment. Greater Manchester Police do not object to the proposal subject to all alterations being in accordance with secured by design standards. Subject to such a condition, it is considered that the development is acceptable in this regard, all in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

Impact upon Ashton Canal & Ecology

As stated previously within this report, the application site neighbours the Ashton Canal, an area of green and blue infrastructure that is still in active use as a canal. The Canal and Rivers Trust do not object to the development subject to the proposal being conditioned in line with the submitted canal safeguarding statement. In order to achieve a biodiversity net gain on site, it is also considered necessary to condition the proposal so that a scheme of bat and bird boxes and any other biodiversity net gain measures be submitted to the City Council as Local Planning Authority for approval. Subject to the aforementioned conditions, the proposal is acceptable in this regard and therefore accords with Core Strategy Policies EN15 and DM1, Places for Everyone Plan Policy JP-G8 and the National Planning Policy Framework.

Highway Safety

The application site fronts onto Clayton Lane and features an area of hard paving to its front, previously used as an informal car park. The proposed site plan notes that this area is to form a car park for customers and has potential to accommodate 3no off-street car parking spaces. The site lies within a sustainable location within walking distance of bus stops along Clayton Lane and Clayton Hall metrolink stop. Highways do not object to the proposal subject to conditions relating to parking spaces being demarcated, cycle storage provision, a waste management strategy, servicing details and a construction management plan. Given the accessible location of the site, it is considered that the delivery of cycle provision on site is unnecessary and unreasonable.

Additionally, the attachment of a condition requiring the submission of a construction management plan is considered to be unreasonable given its scope, scale and location, and as such will not be attached in the event of an approval. Subject to the remaining conditions it is considered that the development is acceptable in this regard and accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Waste Management

The proposed floor plans for the development, as well as supporting information, show that the property's bins would be stored adjacent to its side extension, still located within the confines of the site, and would then be presented for collection along Clayton Lane. Environmental Health do not object to this arrangement subject to the development being conditioned in line with the aforementioned plans and supporting information. Subject to such a condition, the development is acceptable in this regard and accords with Core Strategy Policies DM1 and EN19, and the National Planning Policy for Waste.

Conclusion

In light of the above and subject to appropriate planning condition, it has been found that the development is acceptable and is therefore in accordance with Core Strategy Policies SP1, CC2, CC9, EN1, EN3, EN14, EN15, EN19 and DM1, Saved Unitary Development Plan Policies DC10 and DC26, Places for Everyone Plan Policies, JP-G8 and JP-P2, National Planning Policy for Waste, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis the application is recommended for approval.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 polices 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/agent in a positive and proactive manner in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

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 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:

- Location Plan (Planning Portal Reference PP-13488605v1; 18/10/2024)
- 1266 A101 Rev P4: Location and Site Plan (Received 25/02/2025)
- 1266 A104 Rev P1: Proposed Basement Plan (Received 22/11/2024)
- 1266 A105 Rev P3: Proposed Ground and First Floor Plans (Received 07/02/2025)
- 1266 A109 Rev P5: Proposed Elevations 1 (Received 06/03/2025)
- 1266 A110 Rev P5: Proposed Elevations 2 (Received 06/03/2025)
- 1266 A115 Rev P3: Existing & Proposed Section (Received 01/05/2025)
- 1266 A116 Rev P1: Canopy Extraction Duct Plan (Received 23/01/2025)
- Batimet - Window Specification TA35 SL (Received 06/03/2025)
- Design and Access Statement (Prepared by Architek; Dated 12/10/2024; Received 18/10/2024)
- Extraction. Odours and Noise Statement Rev B (Prepared by Architek; Dated 22/02/2025; Received 25/02/2025)
- Noise Impact Assessment (Prepared by Acoustic Solutions; Reference number AS24-63.V1; Dated 10/11/2024; Received 22/11/2024)
- Planning Statement (Prepared by Architek; Dated 12/10/2024; Received 18/10/2024)
- Risk Assessment: Protection of the Canal During Proposed Works (Prepared by Architek UK; Dated & Received 23/01/2025)
- Transport Statement (Prepared by i-Transport; Dated 07/11/2024; Received 22/11/2024)
- Waste Management Plan (Received 21/02/2025)
- Waste Management Strategy Proforma (Received 23/01/2025)

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) Prior to the commencement of any of the following works hereby approved, exact details regarding the following aspects of the development, including material samples where applicable, shall be submitted to and approved in writing by the City Council as Local Planning Authority:

a. Insertion of new door and any proposed door surround works
b. Installation of new windows
c. Installation of new roof structure with reclaimed tiles
d. Installation of flue shroud

e. New rendered finish

The development shall then proceed in accordance with the approved details.

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 policies SP1 and DM1 of the Core Strategy.

4) Prior to the first occupation of the use hereby approved, a scheme confirming the proposed hours of operation shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved hours shall then be implemented and be the approved hours for the duration of the proposed use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

5) Prior to the first occupation of the use hereby approved, a scheme confirming the proposed hours of operation of the site's external areas shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved hours shall then be implemented and be the approved hours for the duration of the proposed use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

6) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the submitted Noise Impact Assessment (Prepared by Acoustic Solutions; Reference number AS24-63.V1; Dated 10/11/2024; Received 22/11/2024) and then be implemented as part of the development.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the verification report shall be detailed along with any measures required to be undertaken prior to operation of the scheme to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

7) a) Fumes and odours shall be extracted from the premises in accordance with the submitted Extraction, Odours and Noise Statement Rev B (Prepared by Architek; Dated 22/02/2025; Received 25/02/2025).

b) Prior to commencement of the use hereby approved, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Manchester Core Strategy, and Saved Unitary Development Plan Policy DC26.

8) Prior to the completion of the development, exact details of the car parking arrangements on site shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall then proceed in accordance with the approved details and all car parking spaces shall be demarcated prior to first use.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

9) Prior to the completion of the development, a scheme for the provision of bird and bat boxes on site, and any other biodiversity net gain measures, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved measures shall be implemented prior to the completion of the development and shall thereafter be retained and maintained for the lifetime of the development.

Reason - In the interest of securing a biodiversity net gain on site in accordance with Core Strategy Policies DM1 and EN15, and the National Planning Policy Framework.

10) a) Before the use hereby approved commences, external lighting shall be designed and installed in accordance with a scheme approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties and the adjacent canal.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall be submitted to and approved in writing by the City Council as Local Planning Authority. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - In the interests of amenity, crime reduction, the personal safety of those using the proposed development and minimising ecological harm, in order to comply with the requirements of policies SP1, EN15 and DM1 of the Core Strategy.

11) The development shall proceed in accordance with the submitted Risk Assessment for the protection of the adjacent Ashton Canal (Prepared by Architek UK; Dated & Received 23/01/2025) which shall then be adhered to at all times during the construction phase of the development.

Reason - To protect the structural stability of the canal infrastructure which could be adversely affected by the development pursuant to Core Strategy Policy EN18.

12) The restaurant hereby approved shall be used for Class E (b), excluding convenience retail and gym use, and for no other purpose (including any other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 No.757) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - The use of the premises other than in accordance with the approved use would require further consideration by the Local Planning Authority and may not be appropriate in this locality in accordance with Core Strategy Policies SP1, EC2 and DM1, and the National Planning Policy Framework.

13) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

14) All alterations to the property hereby approved shall be completed to secured by design standards.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

15) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

16) The development hereby approved shall include level access off of Clayton Lane which shall be made available prior to the first use of the development and thereafter be maintained and retained for its lifetime.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

17) The use hereby approved shall dispose and store its waste and recycling in accordance with the following documents:

- Waste Management Strategy Proforma (Received 23/01/2025)
- Waste Management Plan (Received 21/02/2025)

The approved details shall be adhered to for the lifetime of the development.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Canal & River Trust

Ardwick Lads Amateur Boxing Club, 308 Clayton Lane, Manchester, M11 2AG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Site of Biological Interest - Name: Ashton Canal (West)
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL