MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	142656/FO/2025
Date registered valid:	27 May 2025
Proposal:	Siting of hot food huts (catering trailer, food truck, container and/or gazebo hut) within existing car parking area
Address:	Polish And Glow, Redgate Lane, Manchester, M12 4RY
Ward(s):	Ardwick Ward
Applicant:	Mr Bilal Khan
Agent (if any):	
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	29 July 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:
Printed: 4 June 2025 Expired: 25 June 2025

Neighbour notifications
Printed: 4 June 2025 Expired: 25 June 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

This application relates to a large site, on Redgate Lane, in a mostly industrial area. The site is bounded to the north by the car park/open storage area, for British Car Auctions. with Hyde Road and residential properties beyond. The site is currently used for various car related uses, including repairs, storage and a car wash with a large area of hardstanding, to the north where cars are parked. The site lies approximately one mile to the west of the Gorton District Centre boundary.

Close to the northern boundary of the site, it is proposed to site a number of hot food huts (catering trailer, food truck, container and/or gazebo huts) largely in a row along this boundary. The original indication, from the applicant, was that up to 30 units would be sited, with the number probably being around 20, although it is now suggested that the number would be 13.

All the existing uses, on site, would remain, and it was originally indicated that the proposed use was ancillary to the existing car wash on site. The applicant has now clarified that whilst customers, of the existing car related uses, could utilise the proposed units, they are primarily intended to be an independent facility for take-away sales only for visiting members of the public.

It is proposed that the units would be open between 10.00am and 11.00pm 7 days a week.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received

A ward member has indicated support for the proposal, for the following reasons:

- It would Provide employment opportunities for young people in the Ardwick Ward, focusing on accessible, entry-level roles across both site operations and food units.
- The applicants would fund two school trips annually for two local schools, supporting educational engagement with the site in a safe and structured setting.
- The applicant has indicated that they would donate to local charities and community organisations operating within the Ardwick Ward annually.

(The members response is based on information provided directly to them, and not on information contained within the application submission).

Highway Services - Made the following comments based on the applicants original submission, as a use that was ancillary to the existing car wash:

Submitted documents confirm that the proposed food huts will be the units will operate as an ancillary element to the existing car-wash/dealership. In this instance, it is unlikely that the proposals would generate a significant increase in vehicle trips or additional parking demand.

However, Highways request that the applicant confirms/assesses the impact on existing parking operations and internal circulation. The applicant should also provide further details on how both existing and proposed deliveries/serving will be accommodated within the site.

The applicant will need to demonstrate that there will be no overspill parking/impact on the adjacent adopted highway.

When the applicant revised their proposal, the following comments were received:

The proposed food huts will not operate as an ancillary element to the existing carwash/dealership. As such, the proposals would likely generate a significant increase in pedestrian/vehicle trips and parking demand.

Associated details on trip generation (including take-away deliveries/operations) have not been provided.

Whilst plans showing car parking within the site have been submitted, no evidence has been provided to demonstrate sufficient provision/management to cater for all on-site uses. Details regarding bay/aisle dimensions have not been included or confirmation that such bays would be demarcated.

Submitted plans do not demonstrate provision of safe pedestrian routes from Redgate Lane.

It is also unclear whether the site layout (including the hot food hubs or associated parking layout) would affect existing and proposed deliveries/serving will be accommodated within the site.

Based on the above, Highways are unable to support the current proposals.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached, to any permission, in relation to hours as applied for, servicing hours, any external plant and seating areas and refuse.

United Utilities - Recommend that a condition is attached, to any permission, in relation to the development of a sustainable surface water drainage scheme.

Issues

National Planning Policy Framework (December 2024) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 7 'Ensuring the vitality of town centres' references that there should be a hierarchy of town centres and primary shopping uses, and, where town centre sites are not available for town centre uses, edge of centre sites can be identified and edge of centre, or out of centre sites, should only be considered if main town centre sites are not available.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to

communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So to is effective engagement between applicants. Communities, local planning authorities and other interests throughout the process (paragraph 131).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Objective 4 relates to Centres with the aim being to set out a proactive strategy for its centres, focused on directing new retail development to deliver the Council's Vision of thriving accessible centres. A balanced provision of retail and local services will be provided improving existing retail facilities, addressing deficiencies in the retail hierarchy and planning for future growth. The aim is to
promote the vitality and viability of the City's centres, encouraging a wide range of services which allow genuine choice in a good quality environment which is accessible to all, helping to reduce car dependency whilst also ensuring centres are a focus for community and civic activity.

Relevant policies are:

C1 - This sets the hierarchy of Manchester City Centre, District Centres, and local centres, with Gorton District Centre indicated.

Policy C2 relates specifically to district centres and states that development in district centres should prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. The Council will ensure that retail remains the principal use in Primary Shopping Areas, but also ensure that provision is made in District Centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. Subject to impact on overall character and local amenity, the Council will support development which extends the time during which District Centres are active;

Policy C4 relates specifically to Gorton District Centre and states that the Council will support schemes which improve the District Centre
environments, particularly in terms of access and movement within the centre and in creating a more diverse range of uses. Recent development in these centres responded to local retail needs, but there is potential for other commercial and public uses.

Policy C9 relates to out of centre development and states that development of town centre uses in locations which are outside a centre identified in policy C1 will be inappropriate unless it can meet the following criteria:
- There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable
- The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and,
- The proposal is appropriate in terms of its scale and function to its location.

It states that proposals of a scale which is likely to have a significant impact beyond the immediate locality could have implications for the vitality and viability of existing centres within the City and in neighbouring areas, and on the accessibility of communities to shopping facilities. These implications should be considered through the planning process. In Manchester's circumstances, the impacts of out-of-centre development will vary across the City and will need to be considered on a case-by-case basis, although the Council considers that development of less than 650 square metres gross will generally be of local significance only. Proposals of more than local significance should be accompanied by a statement which describes the nature and role of the proposals, evidence of the area the development is likely to serve, an assessment of the likely turnover of the development, an assessment of trade diversions from designed centres and an
appraisal of the effects of the proposal on the vitality and viability of affected centres having regard to the factors set out in Policy EC16.1 of PPS4.

Policy C9 also establishes a basis to support out-of-centre development provided it is intended to improve the experience of visitors or neighbours, rather than increase the role of the location.

Policy C10 relates to leisure and the evening economy, noting that District and local centres play a vital role, not only as places to shop but because they provide the opportunity for a wide range for leisure services to be delivered locally. The City needs to achieve a better balance of evening and night-time activities and a better distribution throughout the City. In some areas concentrations of uses associated with the evening economy have led to problems with anti social behaviour, while other parts of the City suffer from lack of
activity during the evening. It is important that the uses within centres are carefully balanced so that evening/night-time uses are complementary to neighbouring uses.

The policy states that when considering the impact of a proposed restaurant/take away regard will be had to this policy and also factors including the character of the centre and its frontage and the nature of the use proposed and the potential impacts of the proposal on the wider community.

This policy aims to encourage evening and nighttime economy uses that contribute to the vitality of the Manchester's centres and that support the creation of a safe, balanced and socially inclusive evening economy. Centres, in particular the City Centre and District Centres, have an important role as the focus for the City's evening economy. The Council recognises that a

vibrant evening economy is important, both to the well-being of its residents and as a source of economic activity.

Policy EN1 relates to Design Principles and Strategic Character Areas. It states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. 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.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed
guidance may be given within a supplementary planning document:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Policy DC10 relates to food and drink uses

DC10.1 In determining planning applications for developments involving the sale of food or drink for consumption on the premises, or for hot food to be consumed off the premises (whether or not other activities, such as a nightclub, are included), the Council will have regard to:
a. the general location of the proposed development, including any reference to the area in other policies in the Plan;
b. the effect on the amenity of neighbouring residents;
c. the availability of safe and convenient arrangements for car parking and servicing;
d. ease of access for all, including disabled people; and
e. the storage and collection of refuse and litter.

DC10.2 The Council will normally accept the principle of developments of this kind in the City Centre, industrial and commercial areas, in shopping centres and, at ground level, in local shopping parades of more than 8 shops or offices.

DC10.3 Development will not normally be permitted where:
a. it is proposed outside the general locations mentioned above, or
b. there is a house or flat on the ground floor next to the proposed business, or only separated from it by a narrow street or alleyway.

DC10.4 Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents. These conditions may, amongst other things, include limitations on the hours of opening, and the need to deal satisfactorily with noise, fumes, smells, the storage of
refuse and the collection of litter.

DC10.5 The Council will consider on their individual merits proposals for larger, free-standing restaurants, public houses, clubs etc. which require a main road location and do not clearly meet the locational criteria set out in policy.

Policy DC26 relates to development and noise

Policy DC26.1 - Relates to the proposals contribution to the local noise environment and the impact of existing noise sources on the development has been assessed, particularly in relation to the proposed residential units.

Policy DC26.4 - Requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily.

Policy DC26.5 - Relates to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

The 'Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039' was adopted on 21 March 2024.

Policy JP-P6 relates to health, stating that:
To help tackle health inequality new development will be required, as far as practicable, to:
A. Maximise its positive contribution to health and wellbeing, whilst avoiding any potential negative impacts of new development;
B. Support healthy lifestyles, including through the use of active design principles making physical activity an easy, practical and attractive choice;
and
C. Be supported by a Health Impact Assessment for all developments which require to be screened for an Environmental Impact Assessment, and other proposals which, due to their location, nature or proximity to sensitive receptors, are likely to have a notable impact on health and wellbeing.

Other relevant policies of PfE in this instance are:
JP-S1: Sustainable development
JP-C8: Transport Requirements of New Development
JP-P1: Sustainable Places

Hot Food Takeaway Supplementary Planning Document - On 8th March 2017, Manchester City Council's Executive Committee adopted the Hot Food Takeaway Supplementary Planning Document as Supplementary Planning Guidance. The document has 3 key policies:

Policy 1 - Vitality and Viability.

This states that a proposal will be considered to be harmful to the vitality and viability of a District or local centre if it:
-Increases the concentration of hot food takeaway ground floor frontages in a centre to more than 10% of all non-residential ground floor frontages. In centres where the proportion of hot food takeaway ground floor frontages is approaching 10%, consideration will also be given to the impact of the proposal on the character of the area surrounding the application site. Applications will not normally be permitted if the proposal would lead to the proportion of hot food takeaway frontages being more than 10% of non-residential ground floor frontages in a particular part of the centre concerned.
- Creates a cluster of more than two hot food takeaways together
- Reduces the number of units between hot food takeaway clusters to less than two non-A5 uses.
- Where there is no evidence of demand for a preferable use, hot food takeaways will be considered favourably even if this would increase the threshold of takeaways to above 10% of ground floor frontages.
- The area, in which the site is located, is not a local centre identified in the Core Strategy as described by Policy C1 which lists all district centres and many of Manchester's local centres and also states that any locations not identified but which perform the same function in terms of scale and meeting local needs which will also be considered to be local centres.

Policy 2 - Amenity.

This states that hot food takeaways must consider their impact on noise sensitive developments and any proposal that has the potential to cause noise disturbance to existing residential development or noise sensitive properties should be accompanied by a noise survey and assessment and only approved if the impact is shown to be acceptable.

In relation to highway safety the policy states that planning permission for hot food takeaways will only be granted where there would not be an adverse impact on highway safety and the amenity of the surrounding area. Proposals should take account of the likely needs of both customers and the operator's delivery requirements. Regard will be given to:
1. Existing traffic conditions;
2. The availability of public parking provision in close proximity to the premises, including suitable on-street parking;
3. The availability of an adequate loading and unloading area.

Nature of use - The site consists of a number of car related uses, including a car wash, storage and repairs. The applicant originally indicated that the use was ancillary to the operation of the car wash to serve refreshments for waiting customers, and there could be some merit if the application was for a single unit, aimed at serving existing visitors to the site, and operating during the daytime only. The average number of cars cleaned per hour though was just 12, and it was questioned why anything beyond a single hut would be needed, let alone 13-30. The applicant therefore acknowledged that the units were to provide take away sales to the general public, and the application has therefore been assessed on this basis.

Character of site - The operation of the site is of a commercial nature, generally operating throughout the day and there would be the potential for customers, to the car related activities,

to purchase refreshments from these huts. Given the number of huts proposed though, the proposed operation clearly went beyond that, and the applicant has acknowledged that the units would all operate as take-away facilities, for the general public. There was also a suggestion that the units could potentially be used as commercial kitchens with deliveries, but this has not been formally confirmed as an aspect of the operation. Either way, the proposal would lead to a significant change in how this site operates, with many more visitors to the site, beyond those visiting for car related activities. People would be attending the site purely for the food huts and the overall operation of the site would change with a greater level of nightime activity being introduced, than currently exists changing it from a purely working environment to a part work/part leisure and social operation, and the proposed use is not therefore considered to be compatible, with the existing uses on site, due to the significant different nature, of the proposed use.

Level of operation - The number of units, identified by the applicant, has varied during the application process, with numbers ranging between 13 and 30 units. The units would be typical food huts, so the combined total floorspace, of all the units, would be unlikely to breach the threshold of 650 square metres, for which a sequential test would be required, as indicated in policy C9 of the Core Strategy. However the proposal is effectively creating up to 20/30 individual take-away units, and if these were shops this would be well over that threshold. It is therefore considered that the cumulative effect, of this development, is of greater than local significance and the impact on the character of the site/area and upon the nearby Gorton District Centre, needs to be considered.

Location - Whilst saved policy DC10.2, of the Unitary Development Plan for the City of Manchester, references industrial and commercial areas, as being a suitable location for uses of this type, it would be a totally different type of use to the predominantly daytime commercial/industrial nature of this area, and there are no other facilities of this type, in this area, and, in assessing this application on its individual merits, the proposed use is not considered to be compatible with other uses, on the site on which it is located, or uses in the surrounding industrial/commercial area.

Impact on Gorton District Centre - The western boundary, of Gorton District Centre, is located approximately one mile from the site, and therefore falls within the catchment area of the centre. It is considered that a single food hut, on this site, to serve customers of the car related use, would not necessarily attract anyone who was not already visiting the site. Where 13-30 units are proposed though, it turns the site into a destination venue. It is likely that this number of units would be offering a variety of food choices and could become a gathering place for individuals, potential attracting users from both nearby and further afield. Whilst creating competition is not a reason to resist the application, the scale of the proposed use is such that it is likely to attract people from the catchment area, of Gorton District Centre.

The proposal is not considered to be appropriate, to this location, in terms of both its scale and function, due to the cumulative effect, of a significant number of food huts, which would act as magnet for customers thereby drawing people to the site and away from the district centre, and it is considered that this would have a significantly adverse impact upon the vitality and viability of the district centre. The area, in which the site is located, is not a district or local centre, as identified in the Manchester Core Strategy, as described by Policy C1. The proposal is therefore considered to be contrary to Policy C9, of the Core Strategy and policy 1 of the Hot Food Takeaway Supplementary Planning Document.

Leisure and the evening economy - This site currently operates as a daytime commercial operation. Whilst there are some nearby late night operations, such as a bingo hall, evening activity, in this area, predominantly takes place in the nearby Gorton District Centre. Policy C10, of the Manchester Core Strategy, recognises the vital role that District and local centres play in

providing for a wide range for leisure services to be delivered locally and that they have an important role as the focus for the City's evening economy. It is considered that the proposes use would have an adverse impact on this function, drawing people away from the District Centre, creating a new 'destination venue' that is not related to the District Centre and having the potential to harm the existing evening economy in the centre.

Highways - Initially, highways did not raise any significant concerns about an ancillary use, for the car wash, but as the scale of development and nature of the use became clear, highways services have identified several concerns, about the proposal, including that the proposals would likely generate a significant increase in pedestrian/vehicle trips and parking demand. Accordingly they cannot support the proposal on highways grounds.

Applicant comments - The applicant has sought to re-frame the proposal, during the application process. Originally it was indicated that the hot food huts were ancillary, to the car wash use, but it was later indicated that they would be operating independently for take-away sales. The applicant wished to amend the application to constitute a site-wide permission, for all uses on the site, but it was considered that this went beyond the scope of the original application. The application has therefore been considered as the introduction of the food huts onto the site, which would be for take-away sales, and if permission were granted, this would allow the units to operate in conjunction with other uses on site, thereby creating a mixture of uses on the site.

The applicant considers that there are other night time uses nearby, and this has been addressed above. The applicant also considered that there are other night time uses in the vicinity of the site. There is a bingo club, approximately 0.5 miles away, but otherwise the nearest significant night time uses are located in Gorton District Centre. The applicant also compared the use to the Co-op arena and Manchester City FC, but this is a case where food huts are present, on occasion, to facilitate customers visiting those 'destination' leisure venues. This proposal would constitute the 'destination' venue itself, operating into the evening 7 days a week on what is a commercial site and not a leisure site, and it is not considered that these situations are comparable.

Employment - This is an existing commercial site and further employment generating uses are considered to be acceptable here, in principle. However, the nature of the proposed use is such that it is not considered to be compatible, with the remaining uses of the site, for the above reasons. This needs to be balanced against the employment opportunities it would bring and also the impact it would have on existing nearby uses, and employment, particularly in Gorton District Centre. Also, the rejection of this application would not prevent more suitable employment generating uses being established on the site. On this basis it is not consider that the employment opportunities, that this proposal would bring, outweighs the fundamental issue that this is not a use that is compatible with the operation of the site, or the daytime commercial nature of the surrounding area.

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: Refuse

Article 35 Declaration

The proposal is considered to be contrary to policy and the applicant was advised of concerns, related to the proposed works, and invited to withdraw the application, but this was not actioned.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed use is located close to, but outside, the nearby Gorton District Centre and therefore outside of an established and defined shopping parade/centre where hot food take away uses are usually considered to be appropriately located, to avoid any adverse impacts on the vitality and viability of that centre. The proposed use is therefore contrary to the provisions of Policies C1, C9, C10 and SP1, of the Manchester Core Strategy, saved policy DC10 of the Unitary Development Plan for the City of Manchester and policy 1 of the Hot Food Take Away Supplementary Planning Document.

2) The proposed site is part of a larger commercial site, which largely operates during daytime hours, and the proposal would change the nature of this site, introducing an incompatible late night leisure activity, into a commercial/industrial location which would lead to a significant increase in people visiting the site, in the evenings, creating a 'destination' evening venue that would draw people away from the nearby Gorton District Centre. The proposed use is therefore contrary to the provisions of Policies C1, C9, C10 and SP1, of the Manchester Core Strategy, saved policy DC10 of the Unitary Development Plan for the City of Manchester and policy 1 of the Hot Food Take Away Supplementary Planning Document.

3) The proposed development would lead to a significant intensification in the number of people visiting the site and it has not been supported with satisfactory details to demonstrate that adequate car parking has been provided and that the siting of the proposed food huts would not harm or compromise pedestrian and highway safety, within and in the vicinity of the site. The development would thereby be contrary to policies DM1 and SP1 of the Manchester Core Strategy for the City of Manchester, and guidance contained in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

384 Hyde Road, Manchester, M12 4SA
Vehicle Repair Workshop, Redgate Lane, Manchester, M12 4RY
51 Lawnswood Road, Manchester, M12 5UA
49 Lawnswood Road, Manchester, M12 5UA
47 Lawnswood Road, Manchester, M12 5UA
45 Lawnswood Road, Manchester, M12 5UA
43 Lawnswood Road, Manchester, M12 5UA
41 Lawnswood Road, Manchester, M12 5UA
39 Lawnswood Road, Manchester, M12 5UA
61 Lawnswood Road, Manchester, M12 5UB
2 Deepdene Street, Manchester, M12 5TT
53 Lawnswood Road, Manchester, M12 5UB
55 Lawnswood Road, Manchester, M12 5UB
59 Lawnswood Road, Manchester, M12 5UB
57 Lawnswood Road, Manchester, M12 5UB
British Car Auction Manchester, 390 Hyde Road, Manchester, M12 4BD
17 Donnison Street, Manchester, M12 5FR
15 Donnison Street, Manchester, M12 5FR
Flat 203, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 202, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 304, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 303, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 302, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 301, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 204, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 201, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 104, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 103, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 102, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 101, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 4, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 3, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 2, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 1, Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Jenson Court, 1 Deepdene Street, Manchester, M12 5FT
Flat 304, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 303, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 302, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 301, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 204, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 203, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 202, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 201, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 1, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 2, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 3, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 104, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 103, West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 102, West Side View, 20 Donnison Street, Manchester, M12 5FR

Flat 101, West Side View, 20 Donnison Street, Manchester, M12 5FR
West Side View, 20 Donnison Street, Manchester, M12 5FR
Flat 4, West Side View, 20 Donnison Street, Manchester, M12 5FR
23 Donnison Street, Manchester, M12 5FR
21 Donnison Street, Manchester, M12 5FR
19 Donnison Street, Manchester, M12 5FR
Redgate Holdings Limited, Redgate Lane, Manchester, M12 4RY

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Multiple