Planning

Growth & Development

Delegated officer report for planning application

Application no.	142508/FO/2025
Date registered valid:	24 April 2025
Proposal:	Proposed installation of extraction equipment to roof.
Address:	Unit 33 Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Ward(s):	Cheetham Ward
Applicant:	SMR MCR Ltd
Agent (if any):	Haris Kasuji RR Planning Ltd
Case officer:	Lea Joseph Tel: 0161 227 3644 Email: lea.joseph@manchester.gov.uk
Recommendation:	**Approve**
Date of recommendation:	**12 June 2025**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 16 May 2025

Standard consultations:
Printed: 8 May 2025 Expired: 30 May 2025

Neighbour notifications
Printed: 8 May 2025 Expired: 30 May 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: Not applicable

Tree Preservation Order: Not applicable

Description of area
Manchester Fort is a large, out of centre shopping park located in the Cheetham Hill area. The shopping park is bounded by Cheetham Hill, the A6010, North St and Rayburn Way. The park consists of multiple commercial, and restaurant uses, with dozens of retailers using the site. As such the site is a major local retail feature, a leisure destination for its multiple restaurants. The specific development is to be located on the West side of the retail park on a bank of smaller shops, a Dunkin Doughnuts was previously the occupant. The building is modern with elements of brick, steel, and cladding throughout.

Residential uses (Class C3) and two secondary schools (Class F.1) are within 500m of the site, just beyond the retail park boundary

Description of development

The proposal is for the installation of ventilation and extraction equipment to the roof of the site. This includes air supply, kitchen extractor, back of house extractor and restroom extractor. The air supply is to be painted a matte black and positioned behind the elevated signage. The kitchen extraction is the largest external element of the proposal and will be set back on the roof and sprayed with a matte grey powder coating.

Planning History

128000/FO/2020 - Replacement of existing cladding on retail units façade. (Approved November 2020)

Consultations & Notification Responses

Publicity
Letters have also been sent out to neighbouring businesses. No representations have been received.

Policy

The policies relevant to the consideration of this application are:

Manchester Core Strategy 2012-2017
- Policy C8 Local Centre

Saved Unitary Development Plan Policy
- DC10 Food and Drink Uses
- DC26 Development and Noise

Issues

Principle of the development

The proposal is considered to be acceptable in principle. The development would facilitate the re-occupation of the unit for a use which requires fume extraction.

Amenity considerations

The extraction and associated equipment that would constitute the proposed development would generate additional noise in the retail park. The size of the retail park means there are no residential uses within the site. But the site is within 300m of multiple noise sensitive uses including secondary schools, housing and a health care facility. Noise mitigation measures have been implemented to ensure the 'typical background noise level' (9db) is not exceeded. Multiple silencers are proposed for both the air supply and extraction equipment. In addition, a condition for the submission of a kitchen fume extract strategy would be attached to this decision. It is considered that the proposal would effectively minimise the impact of noise on the surrounding area pursuant to policies DC26, DC10 and C8.

Three stages of odour control measures are proposed to mitigate potential impacts of odour on amenity of the surrounding area. A condition regarding a maintenance plan for the proposed filters, canopy, ductwork, fans, ESP and carbon filters is attached to ensure these mitigation measures are maintained. As such it is considered that the proposal would effectively minimise the impact of noise on the surrounding area pursuant to policies DC26, DC10 and C8.

Appearance

It is not considered that the proposal would given rise to any unduly harmful impact on the visual amenity of the premises or the character and appearance of the local areas.

The structures would be sited behind the elevated signage and therefore shielded from view. The smaller extract equipment for the front of house and restrooms is set at the middle of the roof so as not to be visible from the front or back of the site. The large back of house extraction equipment will be powder coated with a colour to match the existing roof colour. This would minimise the overall impact of the structures. The roof can be reinstated in the event the current tenant vacates the premises.

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
In assessing the merits of a planning application, officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. All such issues have been resolved due to the discussions within the applicant and the conditions.

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:

Document: GDK Manchester Specification SG23 -010(2) (Received 24 March 2025)
Document: Design and Access Statement *(Received 24 March 2025)
Drawing (Proposed Ventilation Detail p.2): M100 Revision B (Received 24 March 2025)
Drawing (Proposed Ventilation Plan View): M100 (Received 24 March 2025)
Drawing (GA Proposed Plan Layout): M100 Revision D
Drawing (Simplified Extraction Plan): M100 Revision E (Received 6 June 2025)
Drawing (Side Elevations Air Supply & Extraction): M100 Revision E (Received 12 June 2025)
Drawing (Flat Roof Air Supply & Extraction): M100 Revision E (Received 12 June 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 installation of the equipment hereby approved, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to the first use of the equipment hereby approved and thereafter shall remain operational in accordance with the details.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10; of the Unitary Development Plan for the City of Manchester and policies SP1, C8 and DM1 of the Core Strategy.

4) Prior to the installation of the equipment hereby approved, a maintenance plan submitting which identifies the daily, weekly, monthly and annual cleaning, maintenance and replacement requirements / frequencies of all the filters, canopy, ductwork, fans, ESP and carbon filters shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the proposed use.

Reason -In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policy SP1, C8 and DM1 of the Core Strategy.

5) a) Any plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to the installation of the equipment hereby approved, a scheme shall submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The scheme shall be implemented in full before the use of the plant and equipment.

b) Prior to the use of the plant, 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 report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

6) Prior to the installation of the air supply and kitchen extractor hereby approved, details of the colour to powder coat the equipment shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the proposal and thereafter retained and maintained.

Reason - To safeguard visual amenity pursuant to policy DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Unit 25, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 24, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 22, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 23, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 21, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Sakura Japanese Restaurant, 175 Cheetham Hill Road, Manchester, M8 8LG
Unit 35, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 34, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Ladbrokes, Unit 32, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
O2, Unit 31, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 30, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 29, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 28, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 26, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Claire's, Unit 20, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 50m Buffer -
Area Team Boundary - Name: CENTRAL