

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142666/FO/2025

Date registered valid: 24 April 2025

Proposal: Installation of new shop front together with installation of fume extraction flue to the rear in association with the use as a restaurant (use class E (b))

Address: 58A Bury Old Road, Manchester, M8 5BN

Ward(s): Crumpsall Ward

Applicant: Mr Ahmed

Agent (if any): Subhan Saleem, Saleem Architects

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 June 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 10 June 2025

Standard consultations:

Printed: 2 May 2025 Expired: 24 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: No

Tree Preservation Order: No

Description of area

The application property is located on the eastern side of Cheetham Hill Road. The opposite (western) side of Cheetham Hill Road is administered by Salford City Council. The site lies within Cheetham Hill District Centre and is located close to the junction of Thomas Street (which serves a large public car park). The application property forms part of a parade of Class E units and benefits from a gated side access that provides separation from a more substantial parade to the north.

The application property is predominantly two storeys with a flat roof that is screened from Cheetham Hill Road by a parapet. The existing shopfront has a metal frame with glazing in three sections with a single leaf door. Two of the glazed panels incorporate vinyl signage. To the rear the building incorporates a single storey flat roof extension with steps to a lower yard area. The rear of the application property is in a context of relatively dense built form to the north and south with a service yard to the east. Views of the rear (of the application property) are substantially screened by tree planting and landscaping.



Fig.1 – Views of the frontage to 58A Bury Old Road



Fig. 2 - Showing extent of screening of the rear of the site from the adjacent district centre car park.

Description of development

The proposed development involves:

- i. The installation of a new shopfront comprising a pair of full height windows and a central single leaf door. The shopfront would be predominantly glazed with the related frames formed in grey aluminium. The existing fascia would be maintained as existing and roller shutters have not been indicated as part of the submission.

- ii. To the rear an extraction flue would be attached to the rear elevation of the single storey extension. The flue would have a diameter of 310 mm and projection of 1 metre above the flat roof.
- iii. An area for bin storage has been identified with the gated passageway adjacent to the northern elevation of the building.
- iv. The proposed development relates to a permitted change of use to a restaurant Class E(b). The first floor of the application property would be used for storage.

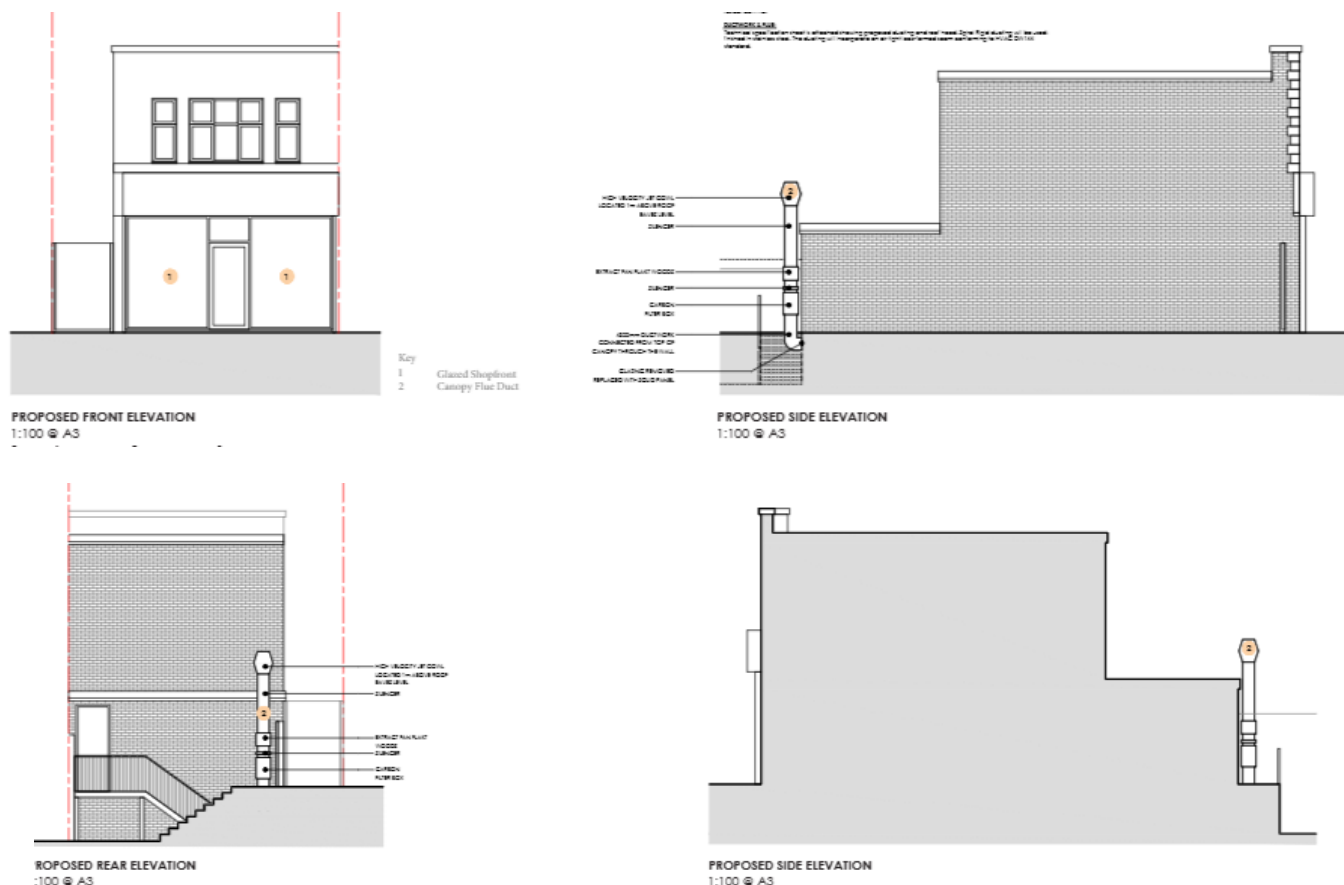


Fig.3 – Proposed elevations

Site history

- i. F14056: Approved - 19.08.1980
Alterations and new shop front to form a branch building society office.
- ii. F12847: Approved - 20.03.1980
Change of use from a shop to an office.
- iii. F/AD02910: Approved - 11.12.1980
Illuminated individual letter name sign, projecting over- highway on front elevation of Building Society.
- iv. 033252: Approved - 06.02.1989
Installation of a cash dispensing machine into existing shopfront window
- v. 033253: Approved - 06.02.1989
A) Illuminated panel on A.T.M B) Illuminated Projecting Sign
- vi. F/AD02923: Approved - 11.12.1980
Illuminated double sided box sign, projecting over highway on front elevation of building society.

Consultations & Notification Responses

Local residents and businesses – No comments received.

Environmental Health – The following comments have been received:

- i) The development should be related to a comprehensive scheme to ensure that the proposed flue operates in accordance with an appropriate fume extract strategy.
- ii) A condition is requested requiring that the property be insulated to prevent noise outbreak.
- iii) A separate condition has been requested to ensure acoustic attenuation of any externally mounted equipment.
- iv) A condition is requested to ensure that the development is supported with a comprehensive scheme for the storage and collection of waste and recycling.

Salford City Council – No objection.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended most recently in December 2024. It represents key up to date national policy and is an important material consideration in determining the current application. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'. The purpose of the planning system is to achieve sustainable development. The NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are relevant.

- i. Section 5 Delivering a sufficient supply of homes
- ii. Section 8: Promoting healthy and safe communities
- iii. Section 11: Making effective use of land
- iv. Section 12: Achieving well-designed places.

Whilst the development relates to the formation of a new shopfront, its composition would not represent a significant departure from the existing arrangement. The proposed shopfront design would be appropriate. The proposed flue, by virtue of its siting and context, would have a limited impact of the surrounding area. The above sections of the NPPF wide thereby be accorded with.

Places for Everyone (2022-2039) - Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth and took effect and became part of the statutory development plan on 21 March 2024. The plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant and would be appropriately responded to:

- i. JP- P1 - Sustainable places – Advises that development should, amongst other things, respect and acknowledge the character of a locality. It should be socially inclusive, respond to need and promote a sense of community. The development would positively respond to these objectives.
- ii. JP-P6 (Health) – Would be accorded with as the development would not adversely affect the amenities of the area.
- iii. JP-S1 (Sustainable development) - In this case, the development would utilise an existing building. The siting of the flue would have a minimal environmental impact, and the proposed shopfront would improve the relationship of the property. The development would secure an active and viable use for the application property. Policy JP-S1 would thereby be accorded with.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

The development would positively contribute to the sustained occupation of the building. It would contribute to the commercial offer and the vitality of the district centre. Policy SP1 would thereby be positively responded to.

Policy C 2 District centres - States that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. The development would accord with these objectives.

Policy C 3 North Manchester District Centres - Cheetham Hill and Harpurhey – States that development should promote vitality during the daytime will be supported. Policy C3 would thereby be accorded with.

Policy EN19 Waste - Requires consideration how the sustainable waste management needs of the end user will be met. The applicant has identified that an area for waste and recycling storage has been provided giving confidence that policy EN19 could be accorded with subject to compliance with the attached.

Policy EN 14 (Flood Risk) - Requires consideration of potential additional flood risk related to proposed development. The site is partially located in Flood Zone 1 and the development does not appear to present any additional flooding risks or requirements for drainage.

Policy DM1 (Development Management) - 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. Relevant considerations in this case are:

- 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;
- Effects on amenity;
- Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- Community safety and crime prevention;
- Design for health.

The installation of a new shopfront would improve the appearance of the Class E unit and its relationship to the streetscene. Given the position of the proposed flue, it is not apparent that its installation would impact upon any upper floor residential uses (above neighbouring units). The existing circumstance regarding inclusive access would be maintained. The development would not present any new issues regarding increased risk of crime. The development would thereby encourage sustained occupation of the building and thereby be positively related to policy DM1.

Unitary Development Plan (Saved UDP) Policies -The following saved Unitary Development Plan policies are relevant:

Policy E3.3 (Environmental Improvement and Protection) - States that all development in Manchester should meet high standards of urban design and opportunities for good design, which enhance the overall image of the city should be fully realised, particularly along major radial roads, including the adjacent section of Bury Old Road. A satisfactory quality of elevational design would be achieved and policy E3.3 would therefore be positively responded to.

Policy DC10 (Food and Drink uses)

Whilst the development relates to a permitted change of use, the requirement to consider refuse storage (DC10.1) and fume extraction (DC10.4) are relevant. Conditions have been included to secure the delivery of appropriate arrangements.

Policy DC14 (Shopfronts and related signs)

Policy DC14.1 – States that in determining applications relating to shopfronts, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts. It is considered that the new shopfront would achieve a

satisfactory quality of design and relationship to the adjoining parade. The existing fascia area would be maintained, and it is likely that and new signage would require separate advertisement consent. Similarly, as new roller shutters have not been indicated as part of the development, their future installation would require planning permission.

Shopfront and signage design guide – Sets out the best practice for shopfront design across the city and seeks to promote positive changes in the context of its urban environment. In this case, the proposed design has been informed by the characteristics of the existing shopfront. It would simply the arrangement of glazing and thereby represents a more coherent design response. The existing arrangement off fascia signage would be maintained and the submission does not indicate the installation of new roller shutters. On balance, the proposed would improve the existing circumstances.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is acceptable and therefore determined within a timely manner.

Principle of the development – The development would facilitate a permitted change of use to a restaurant, which would be appropriate in a district centre location. The proposed flue would have a limited visual impact and, subject to conditions, has the potential to operate without harm to the amenities of the area. The principle the development is therefore acceptable.

Design – The design of the shopfront has been informed by the existing arrangements. A more coherent arrangement of glazing would be achieved, and the associated frame details would be appropriate. The proposed design would, therefore, be acceptable. The installation of roller shutters would require separate planning permission.

Opening and servicing hours – The permitted Class E use appears to originate from planning permission ref: F12847, which was not related to an opening hours condition. In these circumstances it would be unreasonable to introduce opening or servicing hours conditions to the proposed permitted change of use within Class E.

Accessibility – The shopfront would retain a slightly raised threshold. The configuration of the property in relation to internal and external levels would prevent changes to the existing circumstances.

Conclusion – The proposed development would be acceptable for the reason set out above.

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 policies 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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is acceptable and therefore determined within a timely manner.

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 received by the City Council as local planning authority on 20 March 2025 and 24 April 2025:

Planning application forms
Proposed [floor] Plans Ref: Sheet 4
Proposed Elevations Ref: Sheet 5
Proposed site plan Ref: Sheet 6.

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 for the City of Manchester.

3) The development shall be implemented in accordance with the materials specified on drawing Proposed Elevations Ref: Sheet 5 and email from Saleem Architects confirming the use of grey aluminium frames to the shopfront. The implemented details shall be maintained in situ thereafter.

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 for City of Manchester.

4) Before the occupation of the development, 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 as part of the development and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties and to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

5) a) Before its installation, any externally mounted ancillary equipment required in association with the Class E (b) use of the property, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority to secure a reduction in the level of noise emanating from the equipment.

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 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 for the City of Manchester, saved policies DC10 and DC26 of the Unitary Development Plan and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

6) Before the occupation of the development, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented in accordance with an agreed timescale and maintained in situ thereafter.

Reason – To safeguard the amenities of the area and to secure appropriate arrangements for the storage of bins, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester, policy DC10 of the Unitary Development Plan and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

Informatives

1) The development hereby approved does not confer consent for the display of advertisements in relation to the Class E ground floor unit at 58A Bury Old Road Manchester M8 5BN.

2) Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

3) Licensing - Please be aware that you may require a premises licence if you intend to offer any of the following at your premises: sale of alcohol, sale of hot food or drink (between 2300 and 0500), music, dancing, plays, films, indoor sporting events and boxing or wrestling entertainment. For further information or guidance please visit the Premises Licensing

webpage on the Council website.

4) Fume extraction - The applicant will need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated May 2022. Details should also be provided in relation to replacement air.

5) Waste and recycling management - The proforma / waste management strategy must include the following information:

- Estimated volumes and types of waste produced by the development;
- Details of internal and external stores for both waste and recycling, including any plans and designs;
- Location of the proposed collection point and details of the route the collection vehicle will take;
- Details of how waste will be transferred between stores and to the collection location; and
- Details of number and capacity of bins proposed and collection frequency.
- Please refer to guidance at:

http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Salford City Council

First Floor, 58A Bury Old Road, Manchester, M8 5BL

58A Bury Old Road, Manchester, M8 5BL

2 Sandy Bank Road, Manchester, M8 5EN

56 Bury Old Road, Manchester, M8 5BN

60A Bury Old Road, Manchester, M8 5BN

62 Bury Old Road, Manchester, M8 5BN

60 Bury Old Road, Manchester, M8 5BN

7 Bury Old Road, Manchester, M7 4QJ

8 Bury Old Road Manchester , M7 4QJ

Jolly Roger, 4 King Edward Buildings, Bury Old Road, Salford, M7 4QJ

T B S Store, 5 King Edward Buildings, Bury Old Road, Salford, M7 4QJ

Robert Glass Opticians, 3 King Edward Buildings, Bury Old Road, Salford, M7 4QJ

Post Office, 6 King Edward Buildings, Bury Old Road, Salford, M7 4QJ

Wisla Market, 7 King Edward Buildings, Bury Old Road, Salford, M7 4QJ

58 Bury Old Road, Manchester, M8 5BN

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(a) To C3

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

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA