

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141020/FO/2024
Date registered valid:	21 October 2024
Proposal:	Retention of 2.4m palisade fence, razor wire to roof of existing building, together with the siting of two storage containers for a temporary period of 24 months.
Address:	102 - 104 Waterloo Road, Manchester, M8 8AF
Ward(s):	Cheetham Ward
Applicant:	Mr Naeem Patel, NN Holdings NW Ltd
Agent (if any):	Mr Ian Malyan, FOB D UK Ltd
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	09/12/2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 07/10/2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 October 2024 Expired: 19 November 2024

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 proposal relates to a single storey warehouse building which is operating as cash and carry wholesale retail warehouse opened in early Summer 2024. The site features hardstanding for vehicle parking and sits on the corner of Waterloo Road and Hodgson Street.

Listed building: Not applicable

Conservation area: Not applicable

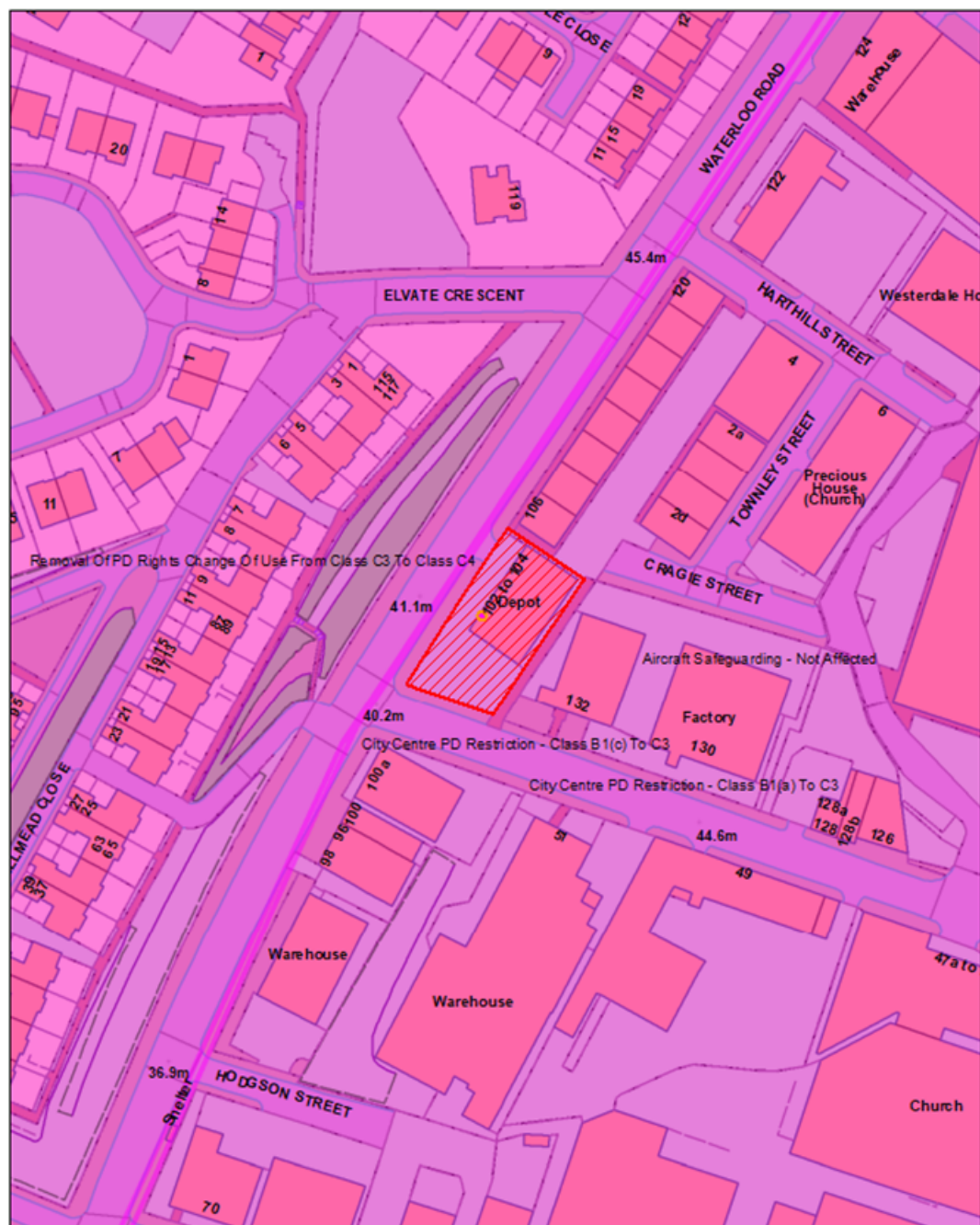
Tree Preservation Order: Not applicable



Figure 1. Street scene

Description of area

The property is located in a mixed industrial/commercial and residential area of the Cheetham ward of Manchester sitting on the boundary of the main industrial commercial area and opposite residential. The site is located in the buffer zone for the historic Fairy Lane landfill site.



© Crown copyright and database rights 2024. Ordnance Survey 100019568



Figure 2. Location map

Description of development

The applicant is proposing the retention of 2.4m palisade fence, razor wire to roof of existing building, together with the siting of two storage containers for a period of 24 months.

The 2.4m palisade fence follows the entire boundary of the site with 1 no. gate to the Broughton Street elevation.

The razor wire follows the entire roof edge.

The two storage containers are 40ft shipping containers (12159mm L x 2438mm W x 2591mm H). They are placed along the side boundary with Waterloo Road.

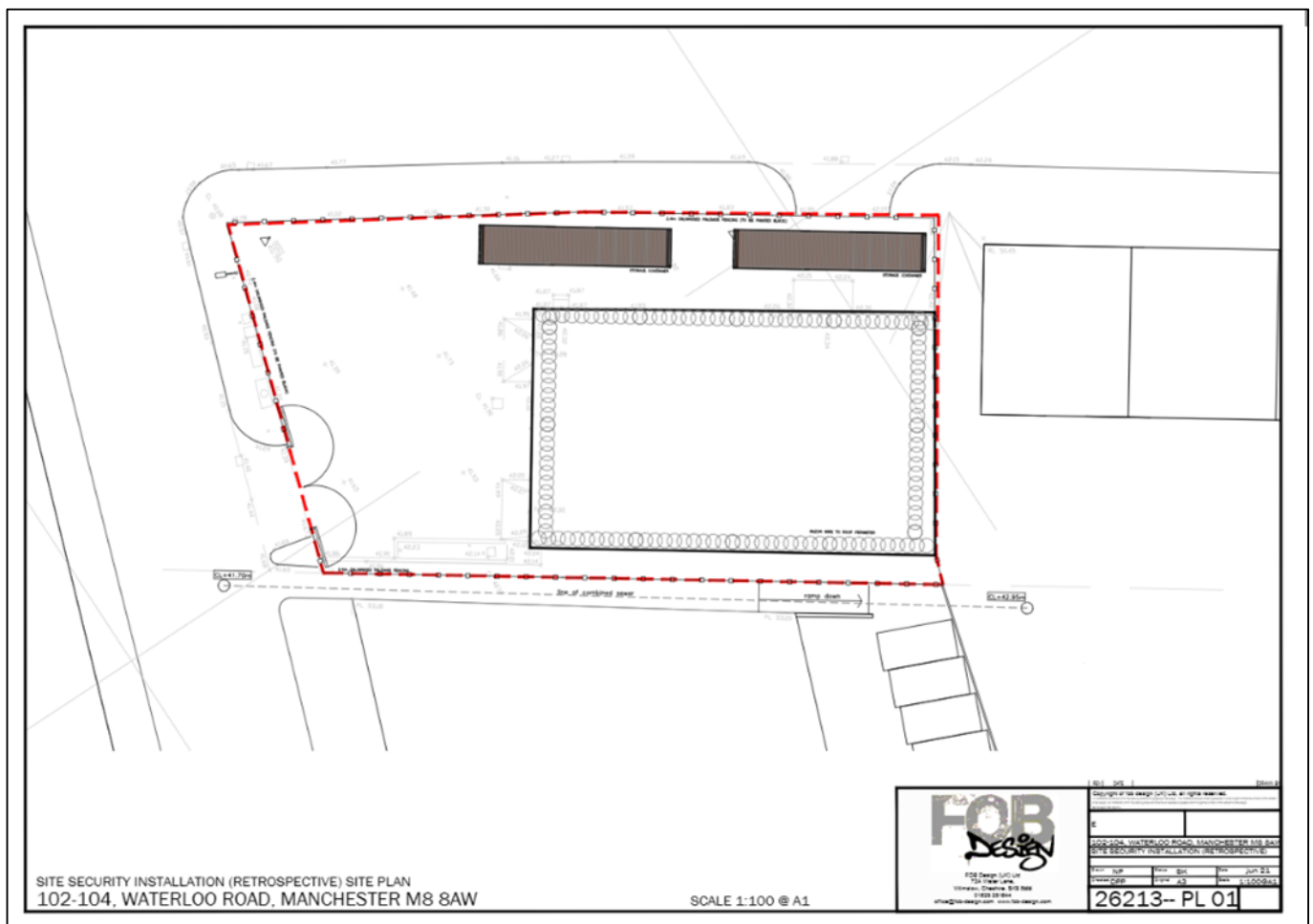


Figure 3. Retained site plan

Planning History

141021/AO/2024

Description: Display of 2 no. non illuminated fascia signs

Decision: Approved 24/10/2024

It is noted that this is the linked advertisement consent which has already gain approval.

ENF/15827/24

Description: Enforcement Enquiry - Unauthorised erection of boundary fence.

Decision: Notice issued 10/07/2024

134426/FO/2022

Description: Erection of 3 storey building to form wholesale warehouse (sui generis) following demolition of existing building and creation of new vehicular access

Decision: Approved 16/10/2023

091597/FO/2009/N1

Description: Change of use to a restaurant with external alterations

Decision: Approved 10/02/2010

Consultation, notification & publicity responses

Consultations

Manchester City Council Environmental Health

Environmental Health were consulted as the site is located in the buffer zone for the historic Fairy Lane landfill site. They had no objections to the proposal.

Greater Manchester Police

Greater Manchester Police were consulted on this application due to the security implications of the proposed scheme. GMP had no comments to make.

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

Relevant policies & the principle of development

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

After careful consideration, it is concluded that the proposal is unacceptable and opposes the following local, regional and national policies.

- [The Manchester Core Strategy Development Plan Document 2012-2027](#)
 - Development Management and Planning Obligations
 - DM 1 - Development Management
 - Objective 1 - Spatial Principles
 - SP 1 - Spatial Principles (Partially replaced by PfE Policy JP-S 1)
 - Objective 2 - Economy and the City Centre
 - EC 1 - Employment and Economic Growth in Manchester
 - EC 2 – Existing Employment Space
 - EC 3 – Regional Centre
 - EC 4 – North Manchester
 - Objective 6 Environment

- EN 1 - Design Principles and Strategic Character Areas
- EN 18 - Contaminated Land and Ground Stability
- [Extant Unitary Development Plan \(UDP\)](#) –
 - Area 2 – Cheetham and Crumpsall
 - CC4 - Cheetham Hill Road, Bury New Road/Great Ducie Street, and the Metrolink line
 - CC10 - Economic Improvement Area - Strangeways and lower Cheetham Hill Road area
- [Places for Everyone Plan Joint Development Plan Document 2022-2039-](#)
 - Strategy
 - JP-Strat5: Inner Areas
 - Sustainable and Resilient Places
 - JP-S1: Sustainable Development
 - Places for Jobs
 - JP-J1: Supporting Long-Term Economic Growth
 - JP-J2: Employment Sites and Premises
 - JP-J4: Industry and Warehousing Development
 - Places for People
 - JP-P1 Sustainable Places
- [The National Planning Policy Framework \(The NPPF\)](#) –
 - Section 2 - Achieving sustainable development
 - Section 6 – Building a strong, competitive economy
 - Section 12 – Achieving well-designed places

The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

Development Management and Planning Obligations

DM 1 – Development Management

New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

Appropriate siting, layout, scale, form, massing, materials, and detail

The new addition is temporary for 24 months pending the development of a previously approved scheme.

The fencing is a significant visual addition to the location enclosing the corner of Waterloo Road and Broughton Street. The corner plot is historically open, will minimal boundary treatment. The new fence encloses the corner and creates a visual disamenity to the area.

The two number shipping containers are of a standard size and are acceptable as a temporary structure for storage adding minimal massing to the curtilage compared to the main building.

On balance, officers consider the new development to be unacceptable in its 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.

The erected fencing is of a scale, design and massing which encloses the corner and creates a detrimental visual impact to the area. The corner of Waterloo Road and Broughton Street is historically open, and the fencing creates a visual harm to the area by creating a built-up massing or an inappropriate design.



Figure 4. Previous boundary treatment (April 2021)

Furthermore, the addition of barbed wire to the roof creates further visual harm with the overall effect, combined with the fencing, damaging to the local area and creating an aggressive and hostile feature within the street scene.

It is noted that there is similar fencing in wider industrial/commercial location however these are historic and have minimal effect to the street scene, usually along existing walls.

In general, the proposed development has a negative impact on the surrounding areas.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

The effect on local privacy is minimal.

The proposal is expected to have a negligible effect on local light.

The proposal in of itself has a negligible effect on local noise levels or vibration.

The proposal is expected to have a negligible effect on air quality or odours.

The proposal is expected to have a negligible effect on litter, vermin, or birds.

The proposal is expected to have a negligible effect on road safety and traffic generation.

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal does not change how people can get in and out of the building.

The proposal is therefore in accordance with this development management principle.

Community safety and crime prevention.

Greater Manchester Police were consulted on the proposal and had no comment.

Refuse storage and collection.

The proposal itself has little impact on waste from the site. It uses the current storage and collection methods on site. We recognize that demolition and/or construction works often generate commercial waste. We expect contractors to follow best practices in waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking

Some vehicle parking would be removed with the siting of the storage containers however the retained hardstanding has sufficient parking.

The proposal is in accordance with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

The applicant and consultees did not find any contamination or stability issues at the site.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

The proposal is exempt from biodiversity net gain due to the de minimis exemption.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The proposal has no impact on green infrastructure.

Flood risk and drainage.

The site is not located in a flood risk area and therefore does not require a flood statement or assessment.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

Objective 1 - Spatial Principles

SP 1 - Spatial Principles

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

The fencing and barbed wire is visually harmful to the local area and creates an aggressive and hostile feature within the street scene failing to make a positive contribution to the neighbourhood.

We consider this proposal to oppose with the principles of this policy.

Objective 2 - Economy and the City Centre

EC 1 - Employment and Economic Growth in Manchester

This policy outlines the overall strategy for employment and economic growth in Manchester.

Although the development adds security to the premises, on balance the addition of the features creates a harmful visual impact and hostile environment which negatively effects the local area.

We consider this proposal to oppose with the principles of this policy.

EC 2 – Existing Employment Space

This policy explains how to improve and protect current places where people work.

Although the development adds security to the premises, on balance the addition of the features creates a harmful visual impact and hostile environment which negatively effects the local area.

We consider this proposal to oppose with the principles of this policy.

EC 3 – Regional Centre

This policy outlines the key principles of development within the Manchester Regional centre and priorities for employment, large scale leisure and higher density residential development.

Although the development adds security to the premises, on balance the addition of the features creates a harmful visual impact and hostile environment which negatively effects the local area.

We consider this proposal to oppose with the principles of this policy.

EC 4 – North Manchester

This policy outlines the principles for employment opportunities in North Manchester including the significant employment location of Strangeways Employment Area.

Although the development adds security to the premises, on balance the addition of the features creates a harmful visual impact and hostile environment which negatively effects the local area.

We consider this proposal to accord with the principles of this policy.

Objective 6 Environment

EN 1 – Design Principles and Strategic Character Areas

This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the ‘Central Arc Character Area’.

The fencing and barbed wire is visually harmful to the local area and creates an aggressive and hostile feature within the street scene failing to make a positive contribution to the neighbourhood.

We consider this proposal to oppose with the principles of this policy.

EN 18 - Contaminated Land and Ground Stability

This policy sets out the principle of development on contaminated land or unstable land.

Ground contamination has not been identified.

We consider this proposal to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

Area 2 - Cheetham and Crumpsall

CC4 - Cheetham Hill Road, Bury New Road/Great Ducie Street, and the Metrolink line

This policy outlines how the Council intends to enhance the character of Cheetham Hill Road, Bury New Road/Great Ducie Street, and the Metrolink line.

The fencing and barbed wire is visually harmful to the local area and creates an aggressive and hostile feature within the street scene failing to make a positive contribution to the neighbourhood.

We consider this proposal to oppose with the principles of this policy.

CC10 - Economic Improvement Area - Strangeways and lower Cheetham Hill Road area

This policy outlines how the Council will encourage the continued high level of economic activity in Strangeways and lower Cheetham Hill Road areas, recognising particularly the needs of the wholesale trades which dominate these areas.

The fencing and barbed wire is visually harmful to the local area and creates an aggressive and hostile feature within the street scene failing to make a positive contribution to the neighbourhood.

We consider this proposal to oppose with the principles of this policy.

Places for Everyone Plan (2022 – 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.

Strategy

JP-Strat5: Inner Areas

This policy outlines the spatial strategy for the Inner Areas of the City Region which includes the urban fringe around the City Centre.

We consider this proposal to oppose with the principles of this policy.

Sustainable and Resilient Places

JP-S1: Sustainable Development

This policy outlines how, to help tackle climate change, development should aim to maximise its economic, social, and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.

We consider this proposal to oppose with the principles of this policy.

Places for Jobs

JP-J1: Supporting Long-Term Economic Growth

The policy outlines the ambition to have a thriving, inclusive and productive economy in all our boroughs.

We consider this proposal to oppose with the principles of this policy.

JP-J2: Employment Sites and Premises

This policy outlines the strategy for a diverse range of employment sites and accessible premises, both new and second-hand, to offer opportunities for all kinds and sizes of businesses.

We consider this proposal to oppose with the principles of this policy.

JP-J4: Industry and Warehousing Development

This policy outlines the ambition to deliver at least 3,513,000 sqm of new, accessible, industrial, and warehousing floorspace.

We consider this proposal to oppose with the principles of this policy.

Places for People

JP-P1 Sustainable Places

This policy outlines how we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places.

We consider this proposal to oppose with the principles of this policy.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

Section 2 - Achieving sustainable development

Section 2 of the NPPF outlines how the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 6 - Building a strong, competitive economy

Section 6. of the NPPF outlines the development management principles to help create the conditions in which businesses can invest, expand, and adapt.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

We consider this proposal to oppose with the principles of the NPPF.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- [Guide to Development in Manchester Supplementary Planning Document and Planning Guidance \(April 2007\)](#)
- [Manchester Residential Quality Guide \(July 2016\) \(MRQG\)](#)
- [Manchester, Salford, and Trafford Strategic Flood Risk Assessment](#)
- [Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems](#)
- [Manchester City Council Planning and Noise Technical Guidance \(2022\)](#)
- [Air Quality & Planning Technical Guidance \(2022\)](#)
- [Planning and Contaminated Land Technical Guidance \(2021\)](#)
- [Greater Manchester Joint Waste Development Plan Document \(GMJWDPD\)](#)
- [Waste Storage and Collection Guidance for New Developments \(2017\)](#)
- [Hot Food Takeaway Supplementary Planning Document \(2017\)](#)
- [Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards \(2020\)](#)
- [Manchester Tree and Woodland Action Plan 2024-2034](#)
- [Manual for Streets \(2007\)](#)
- [National design guide & National Model Design Code \(2021\)](#)
- [Outdoor advertisements and signs: a guide for advertisers \(2007\)](#)

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.

Conclusion

Based on the detailed analysis and assessment of the planning application for 102-104 Waterloo Road, the proposal to retain the 2.4m palisade fence, razor wire, and two storage containers for 24 months is recommended for refusal. The primary reasons for this decision include the detrimental visual impact on the local area, creating an aggressive and hostile feature within the street scene, which is contrary to several local and national planning policies. Despite the proposal's minimal impact on privacy, light, noise, and other environmental factors, the overall negative visual amenity and character impact outweigh these considerations. Therefore, the application does not align with the principles of sustainable and positive development for the neighbourhood.

Recommendation: Refuse

Article 35 Declaration

The proposal is considered to be unacceptable, and no negotiations could create an acceptable scheme. The applicant was contacted advising of the refusal however no response was received.

Reasons for refusal

1. Visual amenity harm

The proposed development would be detrimental to the visual amenity and character of the area. It would create a visually intrusive feature in the street scene by reason of its location and design creating an aggressive and hostile feature and would be detrimental to the visual amenities of the local area and would in consequence be out of character with the area generally. As such the proposal is contrary to the City Council's Planning Policies SP1, DM1 and EN1.

Appendix 1 – List of consultees & neighbours notified

Unit B, 102 - 104 Waterloo Road, Cheetham, Manchester, M8 8AF

Unit A, 102 - 104 Waterloo Road, Cheetham, Manchester, M8 8AF

8 Wellmead Close, Manchester, M8 8BS

106 Waterloo Road, Cheetham, Manchester, M8 8AF

113 Waterloo Road, Cheetham, Manchester, M8 8BY

109 Waterloo Road, Cheetham, Manchester, M8 8BY

91 Waterloo Road, Cheetham, Manchester, M8 8BY

85 Waterloo Road, Cheetham, Manchester, M8 8BY

81 Waterloo Road, Cheetham, Manchester, M8 8BY

6 Wellmead Close, Manchester, M8 8BS

1 Cragie Street, Manchester, M8 8GA

15 Wellmead Close, Manchester, M8 8BS

1 Wellmead Close, Manchester, M8 8BS

103 Waterloo Road, Cheetham, Manchester, M8 8BY

107 Waterloo Road, Cheetham, Manchester, M8 8BY

105 Waterloo Road, Cheetham, Manchester, M8 8BY

101 Waterloo Road, Cheetham, Manchester, M8 8BY

99 Waterloo Road, Cheetham, Manchester, M8 8BY

97 Waterloo Road, Cheetham, Manchester, M8 8BY

95 Waterloo Road, Cheetham, Manchester, M8 8BY

93 Waterloo Road, Cheetham, Manchester, M8 8BY

89 Waterloo Road, Cheetham, Manchester, M8 8BY

87 Waterloo Road, Cheetham, Manchester, M8 8BY

Gurdev House, 132 Broughton Street, Manchester, M8 8AN

117 Waterloo Road, Cheetham, Manchester, M8 8BY

115 Waterloo Road, Cheetham, Manchester, M8 8BY

111 Waterloo Road, Cheetham, Manchester, M8 8BY

83 Waterloo Road, Cheetham, Manchester, M8 8BY

79 Waterloo Road, Cheetham, Manchester, M8 8BY

100A Waterloo Road, Cheetham, Manchester, M8 8AW

9 Wellmead Close, Manchester, M8 8BS

7 Wellmead Close, Manchester, M8 8BS

5 Wellmead Close, Manchester, M8 8BS

3 Wellmead Close, Manchester, M8 8BS

19 Wellmead Close, Manchester, M8 8BS

17 Wellmead Close, Manchester, M8 8BS

13 Wellmead Close, Manchester, M8 8BS

11 Wellmead Close, Manchester, M8 8BS

51 Broughton Street, Manchester, M8 8AN

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) 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

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA