

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 141197/FO/2024

**Date registered valid:** 30 October 2024

**Proposal:** Retrospective change of use of from storage and distribution (Class B8) to retail (Class E)

**Address:** 28 Allison Street, Manchester, M8 8AR

**Ward(s):** Cheetham Ward

**Applicant:** MR Gheorghe Botnarenco, Family Shop LTD

**Agent (if any):**

**Case officer:** Steven McCoombe  
Tel: 0161 234 4607  
Email: [steven.mccoombe@manchester.gov.uk](mailto:steven.mccoombe@manchester.gov.uk)

**Recommendation:** Refuse

**Date of recommendation:** 25 November 2024

## Application details

**Type of application:** Full Application Consent

**Development type:** Change of use

**Date of site visit:** 15 November 2024

### Standard consultations:

Printed: 1 November 2024 Expired: 22 November 2024

### Neighbour notifications

Printed: 1 November 2024 Expired: 22 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 application site relates to a recently renovated development of two storey, Class B8 (storage and distribution) industrial units situated to the southern side of Allison Street.



View of application property

The host development which is encased in metal cladding incorporates a series of shopfront with associated roller shutters at ground floor level with a band of window to the first floor.

Immediately to the front of the building is a narrow forecourt area, enclosed by a low brick wall topped with metal railings.

The current application relates to 1 of the ground floor units and is occupied by a retail convenience door specialising in Moldovian products. Above the shopfront is a fascia sign.

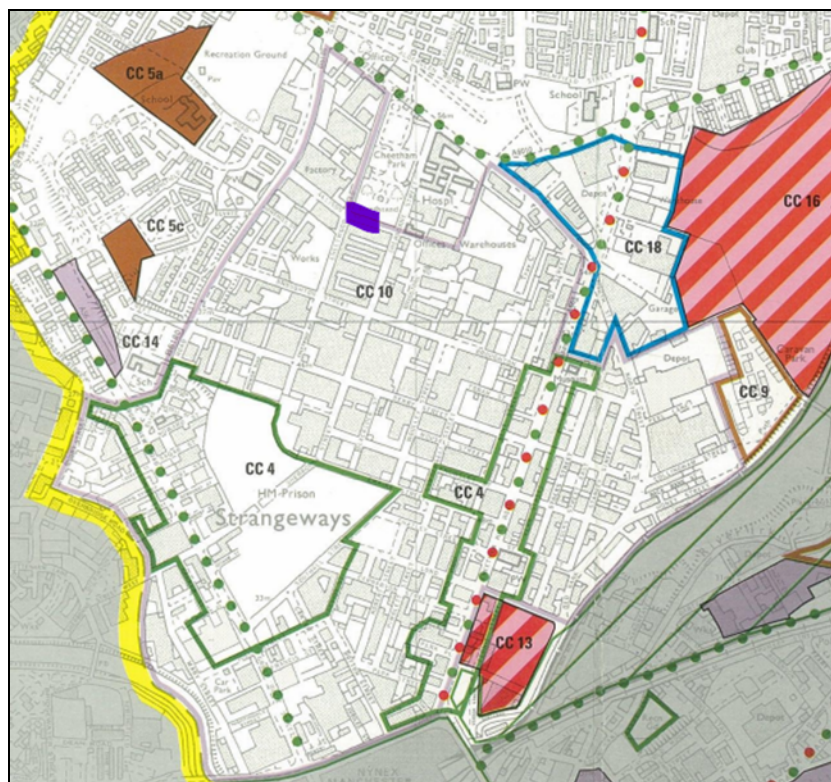
**Listed building:** Not applicable

**Conservation area:** No

**Tree Preservation Order:** No

### **Description of area**

The site is situated within the warehouse district of Cheetham as identified by the Strangeways Local Plan and saved policy CC10 of the Unitary Development Plan. The immediate area is dominated by various wholesale uses and general industrial buildings comprising low-rise buildings with large floor plates.



Site location indicated by purple rectangle. The boundaries of area subject to allocated saved policy CC10 of the UDP, demarcated by the pink line

In terms of the immediate surroundings, the area comprises similar uses, including a large, double height, metal clad warehouse/showroom with associated car parking area on the opposite side of Allison Street and a two-storey warehouse development to the opposite side of Cheetwood Road. Other nearby uses are of a comparable scale containing a host of light industrial and wholesaling uses.

Diagonally opposite the site to the north-east and on other side of Allison Street is Cheetham Park. Beyond this, the area becomes more residential in character.

### **Description of development**

Retrospective planning permission is sought for the change of use of the existing ground floor unit from Class B8 to retail (Class E).

## **Consultations & Notification Responses**

Local Residents/Occupiers – No representations received.

Highway Services - In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highways concerns are expected.

The application forms suggest that there are 2 car parking spaces to be allocated to the development. It is requested that details of the parking space location are provided.

Secure and sheltered cycle parking provision should be made, within the curtilage of the site, for the accommodation of staff/ visitor cycles. Given the proposed use class of the building, this should accommodate a minimum of 2 cycles.

A refuse storage area is noted within the site. Occupants of the retail units would be responsible for taking bins to/from the bin store to the collection point on Cheetwood Road. It is requested that the empty bins are removed from the footway as soon as possible after collection, to ensure pedestrian movements are not impinged.

Environmental Health – Conditions are advised in relation to waste management and opening hours should the application be approved.

## **Relevant Planning History**

134408/FO/2022

Erection of single storey side extension over existing loading bay to form an additional unit (Class B2). *Approved 4 January 2023.*

131824/FO/2021

Elevational alterations to existing building, including new shopfronts. *Approved 6 January 2022.*

099776/FO/2012/N1

Erection of single storey rear extension to provide weatherproof loading bay following demolition of existing loading bay. *Approved 27 September 2012*

## **Policy**

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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.'

The following policies contained within the Core Strategy are considered relevant:

Policy SP1 refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EC1 looks to ensure priorities for economic growth. The Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy EC2 states that the Council will seek to retain and enhance existing employment space and sites. Alternative uses will only be supported on sites allocated accordingly, or if it can be demonstrated that:

- The existing use is un-viable in terms of business operations, building age and format;
- The existing use is incompatible with adjacent uses;
- The existing use is unsuitable for employment having had regard to the Manchester-Salford - Trafford SFRA; or
- On balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

Policy EC4 states that North Manchester is expected to provide approximately 14ha of employment land. The key development opportunity in the area is:

1. City Centre Fringe suitable for office (B1a) led mixed use development:

- Strangeways;
- Collyhurst.

2. Significant existing employment and economic development is found in:

- Strangeways Employment Area north of the City Centre fringe, suitable for retention and growth of general industry, warehousing and distribution;
- Collyhurst;
- North of City Centre Fringe, an area with a number of major employers;
- Cheetham offering cultural facilities, such as museums;
- Manchester Fort Retail Park;
- North Manchester Business Park.

The Council will promote development which has had regard to:

- The key transport infrastructure such as the arterial roads Bury New Road, Cheetham Hill, Rochdale Road and other public transport networks such as bus routes;
- Metrolink and proposed extension and new stops;

- Connecting major employment opportunities to residential neighbourhoods within North Manchester and Lower Broughton and Salford;
- The importance of waterways and particularly the Irwell River in creating a sense of place and attracting investment.

Policy CC10 encourages the continued high level of economic activity in Strangeways and lower Cheetham Hill Rd areas, recognising particularly the needs of the wholesale trades which dominate these areas. The Council recognises the regional role played by this locality and will pursue policies designed to improve the efficiency of existing businesses by environmental improvements and better parking and servicing.

Permission will only be granted where proposals incorporate sufficient parking and servicing for their own needs, subject to a proper balance of other planning requirements.

#### Places for Everyone Greater Manchester Joint Development Plan (March 2024)

Places for Everyone Joint Development Plan was published in March 2024 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts.

The Plan forms part of the Development 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 significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. The following policies are considered relevant

JP-J2 – (Employment Sites and Premises) - Existing employment areas that are important to maintaining a strong and diverse supply of sites and premises in our boroughs will be protected from redevelopment to other uses, nurtured to ensure they remain competitive and their accessibility improved where necessary. This will include local employment areas as well as key growth locations.

JP-J4 (Industry and Warehousing Development) – 'The need to provide the level of industrial and warehousing land within the Plan reflects the need for Greater Manchester to compete internationally for investment and provide sufficient choice and flexibility to respond to the varied needs of different businesses. This will help Greater Manchester to maximise its ability to attract and retain businesses and hence support its long-term economic growth prospects and the availability of local jobs.'

The policy goes on to state:

'The existing supply of potential industrial and warehousing sites identified in the districts' strategic employment land availability assessments are insufficient to meet the overall identified need'.

Strangeways Local Plan – The City Council document outlines aspirations for the Strangeways area and recognises the economic importance that the area plays in the wholesale trades and an important provider of employment in Manchester.

The Local Plan identifies the site as being within the 'warehouse district' and acknowledges the need to retain and improve the neighbourhood as a vibrant business location. The Plan also

encourages a programme of public realm improvements and improvements to accessibility and the physical environment.

National Planning Policy Framework - The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

## **Issues**

### **Principle**

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions are to be made in accordance with the development plan, unless material considerations indicate otherwise.

The NPPF at paragraphs 2 and 47 reinforces this requirement and at paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

In the case of this application, the principle of the proposed development is not considered acceptable and is in conflict with the aforementioned development plan policy which seeks to protect the character and function of the area for uses involving a high level of economic activity.

The proposed retail use is not considered acceptable in this location and adversely affects the character and function of the area, whilst undermining policy which seeks to retain the employment function of the area, and the high degree of economic activity generated by the wholesale, warehousing and distributive trades. The proposal is therefore contrary to saved policy CC10 of the UDP, policies SP1, EC1, EC2, EC4, DM1 and SP1 of the Manchester Core Strategy, policies JP-J2 and JP-J4 of Places for Everyone Joint Development Plan, The Strangeways Local Plan and the NPPF.

Policy and in particular, the Strangeways Local Plan, recognises the site as being within the warehouse district and therefore further businesses which support economic growth in the area are generally welcomed.

Saved Policy CC10 of the UDP also encourages the continued high level of economic activity in Strangeways and lower Cheetham Hill Rd areas, recognising particularly the needs of the wholesale trades which dominate these areas.

Given the overarching policy context, it is considered that the general principle of the proposed uses would not be acceptable in this location

In this case, there is one primary issue of concern which have led to the refusal of the application. This are outlined further below.

## Loss of Employment Space

The application site is situated within an area subject to a site-specific policy.

Saved policy CC10 of the UDP specifically recognises the need to encourage high levels of economic activity in the area and particularly the wholesale trades which dominate the area.

This is supported by policies EC1, EC2 and EC4 of the UDP which highlights the importance that the area makes towards economic activity and employment within the regional centre.

JP-J2 of Places for Everyone notes that existing employment areas are important to maintaining a strong and diverse supply of sites and premises in Greater Manchester boroughs and will be protected from redevelopment to other uses.

Policy JP-J4 of the same plan, goes on to highlight the need to provide a level of industrial and warehousing land to compete internationally for investment and provide sufficient choice and flexibility to respond to the varied needs of different businesses in order to support long-term economic growth prospects and the availability of local jobs.'

The Strangeways Local Plan – a City Council document produced in 2008 outlines a strategy to be delivered over the next 10-15 years for Strangeways to maximise its potential to contribute to the economy of the city, building upon and diversifying its current employment base, exploiting its location on the edge of the city centre.

The site is situated within an area defined as 'The Warehouse District' and it is noted that whilst large-scale de-industrialisation has occurred elsewhere in many of the city's traditional employment areas, Strangeways has remained an important provider of employment in Manchester and has the highest concentration of businesses outside the city centre. As manufacturing has declined, the area has continued to focus on fashion and textiles, with more emphasis on distribution and warehousing.

The above policy context underlines the importance of retaining and enhancing established economic sectors including warehousing, manufacturing and distribution activities within the core of Strangeways so to protect and enhance the employment function of Strangeways by resisting, in general, the encroachment of non-commercial activities.

The City Council is concerned that there has been a recent creep of incompatible uses into the immediate area, and this is beginning to change the character of the area and would ultimately undermine the role and function of the area as a realm of important economic activity that fulfils an essential employment purpose.

Whilst the proposed retail use in this case is modest in scale and does not in itself dilute the function of the area, it could set a precedent for other similar developments, making it more difficult to resist similar proposals in the future. In this regard, any cumulative impact would exacerbate the harm to the employment function of the area.

The proposed use is considered to be in contravention of City Council planning policy and is not considered acceptable in this location.

## **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:** Refuse

### **Article 35 Declaration**

Officers have attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The proposed retail use would lead to the loss of employment space, contrary to saved policy CC10 of Unitary Development Plan for the City of Manchester, policies, DM1, CC1, EC1, EC2 and EC4 of the Manchester Core Strategy, policies JP-J2, JP-J4 of Places for Everyone Joint Development Plan, The Strangeways Local Plan and the National Planning Policy Framework. The aims of these policies is to protect this part of the city for employment generating uses which are associated with the warehouse district and the warehouses and wholesale uses that dominate the area. The provision of a retail use would not be compatible with the policy aspirations for this area, which seek to encourage the high levels of economic activity in the area. The proposed use would therefore undermine the objectives of the aforementioned policies.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health

14 Allison Street, Manchester, M8 8AR  
16 Allison Street, Manchester, M8 8AR  
18 Allison Street, Manchester, M8 8AR  
20 Allison Street, Manchester, M8 8AR  
22 Allison Street, Manchester, M8 8AR  
24 Allison Street, Manchester, M8 8AR  
26 Allison Street, Manchester, M8 8AR  
30 Allison Street, Manchester, M8 8AR  
12 Allison Street, Manchester, M8 8AR  
6 Cheetwood Road, Manchester, M8 8AQ  
6A Cheetwood Road, Manchester, M8 8AQ  
Unit 5, 8 Allison Street, Manchester, M8 8AR  
Unit 4, 8 Allison Street, Manchester, M8 8AR  
Unit 3, 8 Allison Street, Manchester, M8 8AR  
Unit 2, 8 Allison Street, Manchester, M8 8AR  
Unit 1, 8 Allison Street, Manchester, M8 8AR  
8C Allison Street, Manchester, M8 8AR  
8B Allison Street, Manchester, M8 8AR  
Unit 6, 8 Allison Street, Manchester, M8 8AR  
8 Allison Street, Manchester, M8 8AR  
Westerdale House, Harthill Street, Manchester, M8 8AG

## **Appendix 2 – Planning constraints**

Article 4 Direction - City Centre 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  
Historic Landfill Site 250m Buffer -  
Area Team Boundary - Name: NORTH AREA