MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140523/FO/2024
Date registered valid:	15 July 2024
Proposal:	Elevational alterations including installation of access door
Address:	McDonalds Restaurant, 21 Wall Way, Manchester, M18 7WY
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	McDonalds Restaurants Limited
Agent (if any):	Mrs Sarah Carpenter, Planware Limited
Case officer:	Jake Walther Tel: 0161 234 1632 Email: jake.walther@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**05/09/2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 19/08/2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 25 July 2024 Expired: 15 August 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 relates to a single storey purpose-built drive-through restaurant adjacent to Wall Way in the Gorton and Abbey Hey Ward of Manchester.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
Wall Way is a small offshoot of the arterial Hyde Road, made up of commercial buildings, parking, hotels and the entrance to Gorton reservoir and Debdale Park.

Description of development
The applicant is seeking permission to undertake elevation alterations including recladding and repainting of window frames, fascias to be repainted, new delivery door to be installed adjacent to existing entrance door.

Consultations & Notification Responses
Local residents, as per appendix 1 - no comments or objections received.

Policy
The Manchester Core Strategy Development Plan Document 2012-2027 –
The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles

The National Planning Policy Framework (December 2023)
The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective
- a social objective and
- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Principle
The principle of the proposal is acceptable in that the applicant proposes to improve and enhance the premises and the way it functions. It is considered that the creation of a separate area to meet the demands of deliveries is considered to be acceptable especially as this would not impede on the general users of the premises. Notwithstanding this, consideration must be given to the proposed developments impact upon existing levels of visual and residential amenity.

Residential Amenity
The applicant is proposing alterations to the front/side of the premises by forming a separate entrance for delivery of online orders. Car parking arrangements would be relined throughout

with the new ‘click and serve’ bays numbered in white. The entrance to the front would remain unchanged for customers.

It is not anticipated that the proposed development, will impact upon the existing levels of residential amenity currently being enjoyed by occupants and visitors of adjoining and surrounding properties.

Visual Amenity
The design and appearance of the external area is considered acceptable and is detailed as what is normally expected of such improvements and would enhance the outlook of the external areas to the whole site.

The design and appearance of the proposed developments therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as their impact upon visual amenity is considered to be minor.

Accessibility
There are no accessibility issues associated with the elevational alterations proposed.

Conclusion
Given the above issues, it is considered that the proposal is acceptable in terms of its principle, appearance, and impact upon existing levels of visual and residential amenity as it broadly complies with policies DM1, and SP1 of the Core Strategy and chapter 12 of the NPPF.

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
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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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

1. 3-year time limit:
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. Specified plans:
The development hereby approved shall be carried out in accordance with the following drawings and documents:

a. Drawing – Location Plan – 15 July 2024
b. Drawing – Proposed Elevations 15 July 2024
c. Drawing – Proposed Site Plan 15 July 2024

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

3. Specified materials:
The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Debdale Outdoor Centre, Debdale Park, 1073 Hyde Road, Manchester, M18 7LJ
Debdale Park, 1073 Hyde Road, Manchester, M18 7LJ
Trafalger Sea Cadets, Debdale Park, 1073 Hyde Road, Manchester, M18 7LJ

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 250m Buffer -
Area Team Boundary - Name: NORTH AREA