

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139845/FO/2024

Date registered valid: 30 May 2024

Proposal: Extension to existing mezzanine, provision of ancillary cafe of up to 150sqm and installation of external fire escape door.

Address: Unit 2, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP

Ward(s): Cheetham Ward

Applicant: Adam Stone Nuveen Real Estate

Agent (if any): Steven Healey Turley

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 July 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 6 June 2024

Standard consultations:

Printed: 6 June 2024 Expired: 27 June 2024

Neighbour notifications

Printed: 6 June 2024 Expired: 27 June 2024

Site notice

Posted: 6 June 2024 Expired: 27 June 2024

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site relates to Unit 2 of the Manchester Fort Shopping Park, which was formerly occupied by Mothercare. The unit site at the northern tip of the central parade of the shopping centre. The design of the building in which the units is utilitarian comprising glazed curtain walling to the ground floor with aluminium panelling above. As with other units, there is a large entranceway flanked by two pillars and a canopy separating the ground and first floors.

Listed building: Not applicable

Conservation area: N/a

Tree Preservation Order: N/a

Description of area

The area relates to the Manchester Fort Shopping Park, a large out of centre non-food retail park located approximately 1 mile to the north of Victoria station and a similar distance south from the edge of Cheetham Hill district centre. It lies on a key radial route and is considered to be a successful retail park with low levels of vacant units, which consist of comparison goods retailers, DIY retailer, and associated restaurant and hot and cold food takeaway uses. Vehicular access to the Shopping Park is gained via Cheetham Hill Road with internal roads servicing the retail units via a central mini-roundabout.

Description of development

The development relates to the installation of a new fire escape door to the primary elevation of the unit, to the south of the main entrance, the extension of an existing internal mezzanine by 200sqm to provide extra floorspace and the inclusion of an ancillary cafe space to the retail unit.

Consultations & Notification Responses

Publicity - a notice was displayed adjacent to the site informing passers-by of the development. Letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Environmental Health - no objections, plant noise condition requested in relation to cafe use.

Highways Services – no objections in principle, accessible location with adequate parking provision. No recourse for EV charging points at site. Require dedicated cycle store, to be secured by condition.

GMP - no comments

Issues

Principle

The proposal seeks the installation of a new fire escape door to the primary elevation, the extension of the internal mezzanine floor space by 551sqm and the provision of an internal cafe area. The principle of a new fire escape is supported as it would facilitate an improvement to public safety, pursuant to policy DM1 of the Manchester Core Strategy (2012). The additional mezzanine floorspace is acceptable in principle as it will increase the provision of retail space in Cheetham Hill, which is earmarked for such uses under policy C3 of the Manchester Core Strategy (2012). The same policy also identifies that uses that promote daytime vitality would be supported in this locale. The provision of a cafe would allow the unit to incorporate an ancillary food and drink use that would add an additional element to attract customers to the shopping centre.

Visual amenity

The new doorway would be of a utilitarian design, comprising an aluminium door in powder coated dove grey to match the existing window frames. The proposal would offer a simple design in keeping with the rest of the shop frontage.

Noise

The application seeks permission for the inclusion of a cafe space within the curtilage of the unit. The applicant has confirmed that there would be no on-site cooking associated with this cafe element. In the event that any new plant would be installed in relation to the cafe element of the proposal, a condition is attached to this approval requiring an assessment of the noise impacts that any new plant may have in future. Hence, it is considered that the proposed development is acceptable pursuant to policy DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for Manchester (1995).

Highways impacts

Construction activity associated with the development would be relatively limited, with works contained within the unit. Access to the site would be managed through the rear service area, with vehicles able to use the parking here. The applicant has confirmed a number of bays around the compound will be left clear to allow other vehicles associated with the fort to have an adequate turning circle.

The site is in a reasonably accessible location at a well-established retail park, with bus stops within walking distance along Cheetham Hill Road and Elizabeth Street. Its location in the park means that there are well established vehicular access routes. It is not expected that the development would lead to a significant increase in trip generation that would have a detrimental impact on parking provision at the shopping centre or the highways network. Owing to power supply issues, it is not possible to provide EV charging points across the Manchester Fort.

Given the above, the proposal is considered acceptable pursuant to policy DM1 and T1 of the Manchester Core Strategy (2012).

Cycling

The applicant has stated that they would make 2no. cycle storage spaces inside the curtilage of the unit for staff use. This level of provision is considered consistent with MCC requirements. A condition would require the applicant to provide a plan indicating these dedicated cycle storage spaces and require their retention long term. Given the above, the proposal is considered acceptable pursuant to policy T1 of the Manchester Core Strategy (2012).

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, some negotiations were necessary and the scheme is considered acceptable and appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC26 of the Manchester Unitary Development Plan, policies T1, C3, SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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:

-Drawing - Proposed LAYOUT received by the City Council, as Local Planning Authority, on 22/04/2024

-Drawing - Proposed LAYOUT

-Drawing - Proposed ELEVATIONS

-Drawing - Proposed LAYOUT

-Drawing - Proposed SITE PLAN

All received by the City Council, as Local Planning Authority, on 30/05/2024

-Drawing - Proposed 2414-0024 PROPOSED SITE COMPOUND

-Drawing - Proposed 2414-0027 REV B SECTION THROUGH FIRE DOOR

-Drawing - Proposed 2414-0028 REV B DOOR JAMB DETAIL

-Drawing - Proposed RHA2414-0025 REV C ELEVATIONS

All received by the City Council, as Local Planning Authority, on 11/07/2024

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) a) Externally mounted ancillary 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 commencement of the use hereby approved the scheme shall be 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 site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

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 minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan (1995)

4) Prior to first occupation, a drawing indicating an area for the storage of bicycles shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The cycle store shall be made available for use prior to the building hereby approved being occupied.

The cycle parking shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

5) The new entrance to the shopfront shall be installed according to the approved details (Drawing - Proposed 2414-0024 PROPOSED SITE COMPOUND; Drawing - Proposed 2414-0027 REV B SECTION THROUGH FIRE DOOR; Drawing - Proposed 2414-0028 REV B DOOR JAMB DETAIL; Drawing - Proposed RHA2414-0025 REV C ELEVATIONS all received by the City Council, as Local Planning Authority, on 11/07/2024)

The approved details shall be implemented as part of the development and completed prior to the first occupation of the development.

Reason - To ensure that the development is acceptable in the interests visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012)

Informatives

1) This permission does not hereby give or imply consent for any advertisements or signage that may require advertisement consent.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Country Kitchen, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 3, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
B&Q, Unit 1, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Management Suite, 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
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
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 (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL