

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139433/JO/2024

Date registered valid: 4 March 2024

Proposal: Variation of conditions 2 (approved dwgs), 3 (Hours) and 18 (A3/A5 noise management) and removal of conditions 13 (Box Junction), 14 (Cycle Link), 16 (Signage) and 32 (Link Road Delivery) attached to application ref no 111260/JO/2016/N1.

Address: McDonalds, 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: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 01/05/2024

Application details

Type of application: Variation or Removal of Condition

Development type: Major Retail

Date of site visit:

Standard consultations:

Printed: 11 March 2024 Expired: 3 April 2024

Neighbour notifications

Printed: 11 March 2024 Expired: 3 April 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 the two storey commercial unit (Class A3/A5 unit) present at no10 Queens Road, occupied by McDonalds, and a plot within the adjacent Manchester Fort Shopping Park Car Park to the south. The application site is accessed off of Queens Road and the aforementioned commercial unit features a drive-thru. The site is subject to an extant planning permission that saw the approval of a two storey Class A3/A5 unit (This now being McDonalds) and a single storey Class A3 unit within the aforementioned car park (Originally approved under permission 104616/FO/2014/N1, superseded by 111260/JO/2016/N1). The development was approved to feature a slip road to connect the two units but this has not been implemented. The site was subject to an application that sought to vary permission 104616/FO/2014/N1 to allow for 24 hour trading on the McDonalds site which was allowed on appeal in February 2023 (App 132796/JO/2022).

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site sits on the periphery of Manchester City Centre to the south of the local centre present at Cheetham Hill Road and to the north of the Manchester Fort Shopping Park. Neighbouring built development is characterised by a mix of commercial Class E units to the south, west and north, and a high number of residential units to the west along and off of Queens Road.

Description of development

The application seeks consent to vary conditions 2 (Approved drawings), 3 (hours) and 18 (A3/A5 noise management) of planning permission 111260/JO/2016/N1, as well as omit conditions 13 (Box Junction), 14 (Cycle Link), 16 (Signage) and 32 (Link Road Delivery), in order to regularise the development on site and to allow for 24 hour trading.

The variation of conditions 3 and 18 relates to allowing the commercial unit on site to operate 24/7. The variation of condition 2 and removal of conditions 13, 14, 16 and 32 is to regularise the site and to allow for the omission of a link road that was never implemented as part of the development.

Planning History

132796/JO/2022 - Variation of planning condition 3 of planning permission 104616/FO/2014/N1 to allow 24 hour trading – Allowed on appeal February 2023.

131454/JO/2021 - Variation of planning condition 3 of planning permission 104616/FO/2014/N1 to allow 24 hour trading – Refused November 2021.

111260/JO/2016/N1 - Variation of planning condition 20 of planning permission 108486/JO/2015/N1 to change specification of acoustic fence – Approved July 2017.

108486/JO/2015/N1 - Variation of condition 28 'BREEAM' of planning permission 105679/JO/2014/N1 to allow submission of review certificate to be submitted within 3 months of first occupation – Approved July 2015.

104616/FO/2014/N1 - Erection of two-storey (Use Classes A3/A5) drive-through restaurant facing Queens Road and erection of single-storey (Use Class A3) restaurant, together with formation of link road to connect the proposed development sites, and associated car parking, landscaping, boundary treatment and other associated works, following demolition of former Irish World Heritage Centre – Approved March 2014.

Consultations & Notification Responses

Environmental Health – No objection.

Highways – No objection subject to the agreement of servicing arrangements.

Publicity – Two letters of objection have been received in relation to the proposed development. The reasons cited for the objection can be summarised as follows:

- Unacceptable impact on local air quality.
- Unacceptable impact on neighbouring amenity via loss of privacy, increased noise generation and anti-social behaviour.
- Unacceptable impact from litter.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC4 – North Manchester
- Policy CC1 – Primary Economic Development Focus: City Centre and Fringe
- Policy C3 – North Manchester District Centres – Cheetham Hill and Harpurhey
- Policy C10 – Leisure and Evening Economy
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester – The following saved UDP Policies are of relevance to this application:

- Policy DC10 – Food and Drink Uses
- Policy DC19 – Listed Buildings
- Policy DC26 – Development and Noise

The Places for Everyone Plan – Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:

- Policy JP-Strat2 – City Centre

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed and beautiful places

Issues

Principle of the Development

The creation of two commercial units on site was considered to be acceptable under permission 104616/FO/2014/N1. As the proposal does not seek to alter the heart of this permission but more so its operation, it is considered that the development is acceptable in principle and accords with Core Strategy Policies SP1, EC4, CC1, C3, C10 and DM1, and Places for Everyone Plan Policy JP-Strat2 subject to the matters discussed below.

Residential Amenity

The original planning permission issued on site (104616/FO/2014/N1) and the subsequent variation of conditions permissions (Applications 108486/JO/2015/N1 & 111260/JO/2016/N1) saw the approved hours of the two storey A3/A5 unit at no10 Queens Road be from 6:00 to 23:00 daily. Applications were then submitted to vary the opening hours to allow the unit in question to operate 24/7 (Applications 131454/JO/2021 and 132796/JO/2022), with both being refused, however application 132796/JO/2022 was then allowed on appeal in February 2023. The inspector within the decision notice for this appeal found that a comprehensive Noise Impact Assessment had been submitted which concluded that the unit operating 24/7 would not lead to an unacceptable loss of amenity, and that due to how the site sits on an A road that trade within the early hours of the morning is likely to be from passing trade and thus there would be no wider impact stemming from an increase in dedicated trips to the application site.

The current application seeks to regularise these hours, along with the proposed omission of the link road. Two objections have been received which have cited loss of amenity from increased noise generation, overlooking, anti-social behaviour, impacts on air quality and increased litter as cause for their objection. As the application only seeks to alter the approved link road and hours, reasons relating to overlooking will not be taken into consideration in the determination of this application due to how this part of the development has already been completed. Environmental Health do not object to the proposed variation of hours in light of the inspector's findings for the appeal associated with application 132796/JO/2022. In relation to objections citing concerns over local air quality and increased noise generation, in line with the Planning Inspectorate's findings,

it is not considered that the increased opening hours will lead to an unacceptable level of noise generation on site and local air quality is unlikely to worsen when taking into account that passing trade will most likely be the majority of trade within the early morning hours and thus potential customers would already be in the local area.

In relation to concerns cited over the increase in litter generation and anti-social behaviour. As this concern lies on an assumption not supported by evidence as to the characteristics of the would be occupiers, employees and clientele of the development during the early morning hours, it cannot be taken into consideration in the determination of this application.

In light of the above it is considered that the application is acceptable in this regard and therefore accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Highway Safety

The original planning permission subject to this appeal saw consent granted for the erection of a two storey A3/A5 commercial unit, now McDonalds, a single storey commercial unit within the Manchester Fort Shopping Park and a link road that would connect the two sites that would also function as a servicing route for HGVs. The development that was completed saw the erection of the aforementioned two storey commercial unit but not the link road nor the second commercial unit. The delivery of the link road now appears to be unlikely, with the two storey commercial unit having been completed in 2016 and the area in which the link road would sit in now functioning as the vehicular access for the commercial unit present to the south of the site at no36 Cheetham Hill Road. The removal of this link road from the development and conditions relating to its operation (This being conditions 14, 16, and 32 of permission 111260/JO/2016/N1) is acceptable in principle. Highways do not object to this proposal subject to the provision of servicing information that demonstrates how HGVs enter and leave no10 Queens Road (The McDonalds site) in forward gear. Subject to a condition that would require the submission of such information it is considered the development is acceptable in this regard and therefore accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Other Issues

The decision notice for application 111260/JO/2016/N1 contained conditions relating to ground contamination and BREEAM that were required to be discharged prior to the occupation of the development that were never discharged. Taking into account how the commercial unit at no10 Queens Road is now occupied, it is considered necessary that these conditions be reworded so that they are required to be submitted for approval within one month of the date of this decision notice.

Conclusion

In light of the above, and subject to appropriate planning condition, the development is acceptable and is therefore in accordance with Core Strategy Policies SP1, EC4, CC1, C3, C10 and DM1, Saved Unitary Development Plan Policies DC10, DC19 and DC26, Places for Everyone Plan Policy JP-Strat2 and the National Planning Policy Framework. The application is therefore recommended for approval.

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 in order to guide the Application through all stages of the Planning process, and have resolved issues that have arisen whilst dealing with the Application.

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

1) The development must be begun not later than 06/07/2020.

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:

- o Planning Application form, received 9/1/14
- o Planning Statement, received 9/1/14, and as amended
- o Design and Access Statement, received 9/1/14
- o Transport Assessment, received 9/1/14, and as amended.
- o Geoenvironmental Report, received 13/1/14
- o BREEAM Pre-Assessment, received 9/1/14
- o Energy Statement, received 9/1/14
- o Tree Survey and Report, received 9/1/14
- o Demolition Scope of Works, received 9/1/14
- o Crime Impact Statement, received 9/1/14

- o Bat Survey and Report, received 9/1/14
- o Crime Impact Statement, received 9/1/14
- o Environoise Survey and Report, received 18/3/14 and 24/2/16
- o Hales Sawmills Reflective Noise Stop Acoustic fencing specification, received 24/2/16
- o McDonalds Noise Data, received 19/3/14
- o Noise Impact Assessment (Ref no. 14-0167-82 R01; Prepared by Sustainable Acoustics; Dated 17/11/2021; Received 24/04/2024)
- o Acoustic fencing indicative location plan, received 20/3/14
- o Retail Sequential and Impact Assessment, received 25/2/14
- o Refuse Storage and Recycling Statement for McDonalds, received 25/2/14
- o Extract MCD/SCH/1001, received 25/2/14
- o C.3047.01, received 25/2/14
- o Frankie and Benny's Mechanical Services Installation Statement, received 25/2/14
- o McDonalds Kitchen Extract Odour Control Statement, received 25/2/14

Drawings with the pre-fix 10545-

- o 105-B, received 12/2/14
- o 200-D, received 25/2/14
- o 201-E, received 25/2/14
- o 202-B, received 9/1/14
- o 203-E, received 25/2/14
- o 400-A, received 9/1/14
- o 401-A, received 9/1/14
- o 402-A, received 9/1/14
- o 403-A, received 9/1/14
- o 404-C, received 11/2/14

- o 24122-6001 Revision P-00: Proposed Site Plan (Dated November 2013; Received 04/03/2024)
- o 24122-6005 Rev 00: Vehicle Tracking Plan (Dated December 2013; Received 04/03/2024)

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policies of the Unitary Development Plan for the City of Manchester, including E3.3, CC4, DC10 and DC26, and Manchester's Core Strategy, including policies SP1, DM1, T2, EC1, EN18, EN4, EN9, EN15, and C9.

3) The premises shall not be open outside the following unit specific hours:

- o A3/A5 McDonalds Unit accessed off of Queens Road - 24 hours, seven days a week
- o A3 Frankie and Benny's Unit within the Manchest Fork Shopping Park Car Park - 9:00 to 23:00 daily

Reason - In interests of the amenities of the occupiers of neighbouring residential properties, in order to reduce noise and general disturbance, in accordance with policy DM1 of Manchester's Core Strategy, and policies DC26 and DC10 of the saved Unitary Development Plan for the City of Manchester.

4) Deliveries, servicing and collections, including waste collections, shall not be carried out other than during the following hours:

7:30 to 20:00 Monday to Saturday.

No deliveries/waste collections on Sundays/Bank Holidays.

Reason - In interests of the amenities of the occupiers of neighbouring residential properties, in order to reduce noise and general disturbance, in accordance with policy DM1 of Manchester's Core Strategy, and policies DC26 and DC10 of the saved Unitary Development Plan for the City of Manchester.

5) External areas designated for the consumption of products purchased from the premises shall only be available/open during the following hours of operation:

Mondays to Fridays 07:00 to 21:00

Saturdays 07:00 to 21:00

Sundays and Bank Holidays 10:00 to 21:00

No amplified sound or any music shall be played in these external areas at any time.

Reason - In interests of the amenities of the occupiers of neighbouring residential properties, in order to reduce noise and general disturbance, in accordance with policy DM1 of Manchester's Core Strategy, and policies DC26 and DC10 of the saved Unitary Development Plan for the City of Manchester.

6) The approved scheme for the storage (including segregated waste recycling) and disposal of refuse for the A3 Frankie and Benny's Unit, reference Waste Management Strategy revB, dated 6/7/14, shall be implemented as part of the development, and shall remain in situ whilst the use is in operation.

Reason - In the interests of amenity, pursuant to saved policies of the Unitary Development Plan for the City of Manchester, including E3.3 and DC10, and Manchester's Core Strategy, including policy DM1.

7) The approved scheme for the extraction and discharge of fumes, vapours and odours from the A3 Frankie and Benny's Unit, reference revA, dated 6/7/14, shall be implemented prior to the commencement of the operation of the use, and shall be so maintained whilst the use is in operation.

Reason - In the interests of amenity, in accordance with policies DC26 and DC10 of the adopted Unitary Development Plan for the City of Manchester, and policies SP1, C10 and DM1 of Manchester's Core Strategy.

8) The approved scheme for the extraction and discharge of fumes, vapours and odours from the A3/A5 premises, reference 120206 kitchen extract schematic and D160R-04 plant deck, shall be implemented prior to the commencement of the operation of the use, and shall be so maintained whilst the use is in operation.

Reason - In the interests of amenity, in accordance with policies DC26 and DC10 of the adopted Unitary Development Plan for the City of Manchester, and policies SP1, C10 and DM1 of Manchester's Core Strategy.

9) Prior to the commencement of the operation of the A3 Frankie and Benny's Unit, the approved scheme for externally mounted ancillary plant, equipment and servicing, reference the Miller and Godall Noise Assessment, dated 4/6/14, shall be implemented, in order to secure a reduction in the level of noise emanating from the site.

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 noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.

Reason - To minimise the impact of the development, and to prevent a general increase in pre-existing background noise levels around the site, in the interests of the amenities of the occupiers of nearby accommodation, in accordance with policies DC26 and DC10 of the adopted Unitary Development Plan for the City of Manchester, and policies SP1, C10 and DM1 of Manchester's Core Strategy.

10) Prior to the commencement of the operation of the A3/A5 use, the approved scheme for externally mounted ancillary plant, equipment and servicing, reference the Loven Acoustic report, dated 30/5/14, shall be implemented, in order to secure a reduction in the level of noise emanating from the site.

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 noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.

Reason - To minimise the impact of the development, and to prevent a general increase in pre-existing background noise levels around the site, in the interests of the amenities of the occupiers of nearby accommodation, in accordance with policies DC26 and DC10 of the adopted Unitary Development Plan for the City of Manchester, and policies SP1, C10 and DM1 of Manchester's Core Strategy.

11) Prior to the opening of the A3 Frankie and Benny's Unit, a local labour agreement addressing initiatives to employ at the development, people residing in the vicinity of the development, shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to occupation of the development, and shall be kept in place thereafter, or such minor variation to that agreement as may be agreed between the Developer and the Council.

Reason - To safeguard local employment opportunities, pursuant to policies EC1 and DM1 of Manchester's Core Strategy.

12) The approved local labour agreement addressing initiatives to employ at the A3/A5 development, people residing in the vicinity of the development, received 17/7/15, shall be in place prior to occupation of the development, and shall be kept in place thereafter, or such minor variation to that agreement as may be agreed between the Developer and the Council.

Reason - To safeguard local employment opportunities, pursuant to policies EC1 and DM1 of Manchester's Core Strategy.

13) Condition Deleted

14) Condition Deleted

15) The approved off-site highways works shall be implemented prior to the first operation of the A3/A5 McDonalds Unit, and shall be so maintained. Off-site highway works include the following measures, as shown upon the following approved drawings:

60308812-D-0200-001 Rev. A, 60308812-D-0700-001 Rev. A, 60308812-D-1200-001 Rev. A, 60308812-D-0000-002 Rev. B, 60308812-D-1100-001 Rev. A, 60308812-D-0000-001 Rev. C, and 60308812-D-0100-001 Rev. A.

New vehicle access onto Queens Road; the reinstatement of the Queens Road footway across the existing vehicle access; pedestrian crossing facilities across the proposed vehicle access,

comprising of dropped kerbs, tactile pavers and a central pedestrian refuge; and confirmation of the boundary between the adopted and unadopted highway and how this boundary will be demarcated.

Reason - In the interests of traffic and pedestrian safety, pursuant to policy DM1 of Manchester's Core Strategy.

16) Condition Deleted

17) The approved locations for cash in transit vans to park whilst servicing the units, reference drawing L(2)901revC, received 16/7/14, and drawing 4593_8604_0103, received 31/7/14, shall be made available prior to the first operation of the units, and shall be so maintained.

Reason - In the interests of traffic safety and security, pursuant to policy DM1 of Manchester's Core Strategy.

18) The A3/A5 McDonalds use shall be operated in accordance with the measures and recommendations put forward within the submitted Noise Impact Assessment (Ref no. 14-0167-82 R01; Prepared by Sustainable Acoustics; Dated 17/11/2021; Received 24/04/2024) for the lifetime of the development.

Reason - In interests of the amenities of the occupiers of neighbouring residential properties, in order to reduce noise and general disturbance, in accordance with policy DM1 of Manchester's Core Strategy, and policies DC26 and DC10 of the saved Unitary Development Plan for the City of Manchester.

19) The approved measures to direct patrons driving to the A3/A5 unit, between the hours of 06:00-07:00 hours daily, to utilise the parking bays to the south of the unit, reference drawing 4593_8604_0104 Rev. B, received 25/2/15, and details of posts received 25/2/15, shall be implemented at all times whilst the use is in operation on this site.

Reason - In interests of the amenities of the occupiers of neighbouring residential properties, in order to reduce noise and general disturbance, in accordance with policy DM1 of Manchester's Core Strategy, and policies DC26 and DC10 of the saved Unitary Development Plan for the City of Manchester.

20) The approved Hales Sawmills Reflective Noise Stop Acoustic 2.4 metre high acoustic close-boarded timber boundary treatment, including gates, to be installed between Signet Walk and the A3/A5 site, reference drawing 06 J7/01043, in the location shown in drawing 115/010(B), as supported by the Environoise report ref. 20391R02cPKrmw, shall be implemented in full prior to the first use of the A3/A5 unit , and shall be so maintained whilst the unit is in operation.

Reason - In the interests of the amenities of the occupiers of neighbouring residential properties, the character and appearance of the site and street scene, and the security and management of the site, pursuant to policy DM1 of Manchester's Core Strategy, and saved policies E3.3, DC10, CC4 and DC26 of the Unitary Development Plan for the City of Manchester.

21) The approved hard and soft landscaping treatment schemes, as shown for A3/A5 unit upon drawing references 115/010(B) and 400/PW/001, and soft works development and maintenance specification, shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective,

another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure a satisfactory landscaping scheme for the development is carried out, in the interests of the amenities of the occupiers of neighbouring residential properties, and the appearance of the site within the wider streetscape, pursuant to policies EN9 and DM1 of Manchester's Core Strategy and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

22) a) Development shall be carried out in accordance with the approved Preliminary Risk Assessment, site investigations, final risk assessment, and remediation strategy, as documented in the City Council as local planning authority's letter to Agent GVA dated 27/8/15.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy, and a Completion/Verification Report shall be submitted to and approved in writing by the City for the following:

i) The Completion/Verification Report for the Class A3/A5 unit shall be submitted within 1 month of the date of this consent.

ii) The Completion/Verification Report for the A3 unit shall be submitted prior to the first occupation of the A3 Frankie and Benny's Unit.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Manchester's Core Strategy, including policies DM1 and EN18.

23) a) The A3 unit shall only be occupied once accreditation confirming the achievement of the Secured by Design standards has been issued by Greater Manchester Police for the respective unit.

b) The A3/A5 unit shall be built in accordance with and shall operate to incorporate and maintain the package of approved measures, received 27/10/14.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of Manchester's Core Strategy.

24) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing

shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and DM1 of Manchester's Core Strategy.

25) No demolition or vegetation clearance shall occur between the 31st March and 31st August unless a survey, by a suitably experienced ecologist, which declares the building/vegetation free of bird nests immediately prior to clearance, is submitted to the City Council as local Planning authority, and is approved in writing by the City Council as local planning authority prior to clearance.

Reason - In the interests of reducing the impact of the scheme upon the environment, and to maintain ecology and habitats, pursuant to policies EN15 and DM1 of Manchester's Core Strategy.

26) The approved measures of the scheme to achieve a 50% surface water flow reduction, reference drawing 3195-104 Rev. B4 and Micro Drainage Summary of Results, shall be fully implemented prior to the occupation of the A3/A5 use, and shall be so maintained.

Reason - In the interests of reducing flood risk, in accordance with the SFRA User Guide, and policies EN8, EN14 and EN17 of Manchester's Core Strategy.

27) No surface water from this development shall be discharged either directly or indirectly to the combined sewer network. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water shall discharge to a Sustainable Drainage System. Food outlets shall have grease traps installed and maintained.

Reason - In the interests of sustainable urban drainage, pursuant to policies EN8, EN14 and EN17 of Manchester's Core Strategy, and the National Planning Policy Framework.

28) a) Within one month of the date of this permission, a post construction review certificate for the A3/A5 unit, demonstrating that the development has achieved a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating, shall be submitted to and approved in writing by the Local Planning Authority.

b) The A3 unit hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating. Within three months of the first occupation of the completed unit, a post construction review certificate demonstrating this shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

29) The approved servicing scheme for the A3 Frankie and Benny's Unit, including location for servicing, and the procedure for managing deliveries, reference drawing L (2)901revC, received 16/7/14, shall be implemented and shall be so maintained whilst the use is in operation.

Reason - In the interests of traffic and pedestrian safety, pursuant to policy DM1 of Manchester's Core Strategy.

30) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with the approved management schemes, received 16/5/14 and 30/1/15.

Reason - In the interests of pedestrian and highway safety, and residential amenity, pursuant to policy DM1 of Manchester's Core Strategy.

31) The development shall be constructed using the materials annotated upon the plans hereby approved, specifically drawing numbers as follows.

10545-201 E, received 25/2/14

10545-402 A, received 9/1/14

10545-403 A, received 9/1/14

Reason - In the interests of the visual appearance of the buildings, and the character and appearance of the area within which the development is located, pursuant to saved policies DC19, E3.3 and CC4 of the Unitary Development Plan, and policies SP1, DM1, and EN4 of Manchester's Core Strategy.

32) Condition Deleted

33) Within one month of the date of this permission, a Servicing Management Strategy for the A3/A5 unit , shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved strategy shall then be adhered to for the lifetime of the development.

Reason - In the interest of securing proper servicing arrangement and highway and pedestrian safety, pursuant to Manchester Core Strategy Policy DM1 and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Prayer Room First Floor, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Second Floor Suite 6, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
B&Q, Unit 1, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Nandos, Unit 38, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Showroom 8, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 2B, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 1, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 5, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Unit A1 Evans Cycles, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
1G Queens Road, Manchester, M8 8UQ
6 Holborn Drive, Manchester, M8 8US
22 Queens Road, Manchester, M8 8UF
Flat 1, 291 Cheetham Hill Road, Manchester, M8 0SN
Flat 3, 291 Cheetham Hill Road, Manchester, M8 0SN
6 Lytton Avenue, Manchester, M8 0SQ
5 Falfield Drive, Manchester, M8 8UD
78 Boyle Street, Manchester, M8 8UW
12 Temple Square, Manchester, M8 8UP
3 Temple Square, Manchester, M8 8UP
7 Queens Road, Manchester, M8 8UQ
19 Faraday Avenue, Manchester, M8 0SS
1 Faraday Avenue, Manchester, M8 0SS
20 Galsworthy Avenue, Manchester, M8 0ST
16 Galsworthy Avenue, Manchester, M8 0ST
24 Temple Square, Manchester, M8 8UP
22 Temple Square, Manchester, M8 8UP
74 Boyle Street, Manchester, M8 8UW
17A Temple Square, Manchester, M8 8UP
299 Cheetham Hill Road, Manchester, M8 0SN
Bauer And Stocktons, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Country Kitchen, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 2, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
NEW LOOK, Unit 8, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
H.SAMUEL, Unit 19, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 21, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 25, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 29, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Ladbrokes, Unit 32, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
First Floor Suite 10, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 3, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 1, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 6 Office A, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
1K Queens Road, Manchester, M8 8UQ
1J Queens Road, Manchester, M8 8UQ
B&m, Unit B2 To B3, Elizabeth Street, Manchester, M8 8BB
1C Queens Road, Manchester, M8 8UQ
14 Queens Road, Manchester, M8 8UF

3 Redwood Drive, Manchester, M8 8UR
17 Holborn Drive, Manchester, M8 8US
1 Signet Walk, Manchester, M8 8UH
16 Holborn Drive, Manchester, M8 8US
3 Signet Walk, Manchester, M8 8UH
18 Holborn Drive, Manchester, M8 8US
12 Redwood Drive, Manchester, M8 8UR
10 Holborn Drive, Manchester, M8 8US
24 Queens Road, Manchester, M8 8UF
295 Cheetham Hill Road, Manchester, M8 0SN
12 Lytton Avenue, Manchester, M8 0SQ
3 Queens Road, Manchester, M8 8UQ
8 Falfield Drive, Manchester, M8 8UD
12 Falfield Drive, Manchester, M8 8UD
7 Holborn Drive, Manchester, M8 8US
13 Temple Square, Manchester, M8 8UP
11 Temple Square, Manchester, M8 8UP
7 Temple Square, Manchester, M8 8UP
29 Queens Road, Manchester, M8 8UQ
9 Queens Road, Manchester, M8 8UQ
5 Faraday Avenue, Manchester, M8 0SS
7 Faraday Avenue, Manchester, M8 0SS
2 Galsworthy Avenue, Manchester, M8 0ST
13 Lytton Avenue, Manchester, M8 0SQ
18 Faraday Avenue, Manchester, M8 0SR
12 Faraday Avenue, Manchester, M8 0SR
12 Penrose Close, Manchester, M8 8AY
73 Boyle Street, Manchester, M8 8UW
76 Boyle Street, Manchester, M8 8UW
18 Lytton Avenue, Manchester, M8 0SQ
ASDA, Unit 4, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 17A, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Jagged Edge Barbers Pod, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
First Floor Suite 7, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 4A, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
1P Queens Road, Manchester, M8 8UQ
1 Redwood Drive, Manchester, M8 8UR
15 Holborn Drive, Manchester, M8 8US
18 Queens Road, Manchester, M8 8UF
14 Lytton Avenue, Manchester, M8 0SQ
8 Lytton Avenue, Manchester, M8 0SQ
3 Falfield Drive, Manchester, M8 8UD
6 Falfield Drive, Manchester, M8 8UD
5 Holborn Drive, Manchester, M8 8US
9 Holborn Drive, Manchester, M8 8US
1 Temple Square, Manchester, M8 8UP
6 Galsworthy Avenue, Manchester, M8 0ST
9 Lytton Avenue, Manchester, M8 0SQ
20 Faraday Avenue, Manchester, M8 0SR
16 Faraday Avenue, Manchester, M8 0SR
10 Penrose Close, Manchester, M8 8AY
Elizabeth House, Elizabeth Street, Manchester, M8 8JJ
Unit 37, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP

Argos, Unit 7, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Specsavers, Unit 9A, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 16, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 34, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Showroom 4B, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 2A, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Currys, Unit C, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
Unit A1 Pure Gym, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
1A Signet Walk, Manchester, M8 8UH
7 Redwood Drive, Manchester, M8 8UR
8 Redwood Drive, Manchester, M8 8UR
16 Queens Road, Manchester, M8 8UF
4 Lytton Avenue, Manchester, M8 0SQ
283 - 285 Cheetham Hill Road, Manchester, M8 0SN
21 Queens Road, Manchester, M8 8UQ
7 Falfield Drive, Manchester, M8 8UD
3 Holborn Drive, Manchester, M8 8US
10 Temple Square, Manchester, M8 8UP
9 Temple Square, Manchester, M8 8UP
15 Queens Road, Manchester, M8 8UQ
11 Queens Road, Manchester, M8 8UQ
21 Faraday Avenue, Manchester, M8 0SS
12 Galsworthy Avenue, Manchester, M8 0ST
10 Faraday Avenue, Manchester, M8 0SR
8 Faraday Avenue, Manchester, M8 0SR
25 Temple Square, Manchester, M8 8UP
26 Temple Square, Manchester, M8 8UP
23 Temple Square, Manchester, M8 8UP
19 Temple Square, Manchester, M8 8UP
18A Temple Square, Manchester, M8 8UP
75 Boyle Street, Manchester, M8 8UW
301 Cheetham Hill Road, Manchester, M8 0SN
First Floor Suite 6 Office B, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Unit 18, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Starbucks Coffee, Unit 14, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 11, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 22, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Dutch Fish And Chips, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 26, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 35, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
O2, Unit 31, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 30, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Elliotts Car And Van Hire, 210 - 216 Cheetham Hill Road, Manchester, M8 8LW
Showroom 6, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Showroom 7, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 4, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 9, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
1D Queens Road, Manchester, M8 8UQ
1B Queens Road, Manchester, M8 8UQ
1A Queens Road, Manchester, M8 8UQ

13 Holborn Drive, Manchester, M8 8US
6 Redwood Drive, Manchester, M8 8UR
7 Signet Walk, Manchester, M8 8UH
9 Signet Walk, Manchester, M8 8UH
1 Holborn Drive, Manchester, M8 8US
20 Queens Road, Manchester, M8 8UF
69 Boyle Street, Manchester, M8 8UW
2 Lytton Avenue, Manchester, M8 0SQ
19 Queens Road, Manchester, M8 8UQ
1 Falfield Drive, Manchester, M8 8UD
14 Falfield Drive, Manchester, M8 8UD
11 Holborn Drive, Manchester, M8 8US
6 Temple Square, Manchester, M8 8UP
27 Queens Road, Manchester, M8 8UQ
5 Galsworthy Avenue, Manchester, M8 0SU
15 Faraday Avenue, Manchester, M8 0SS
13 Faraday Avenue, Manchester, M8 0SS
6 Balmfield Street, Manchester, M8 0SP
18 Galsworthy Avenue, Manchester, M8 0ST
17 Lytton Avenue, Manchester, M8 0SQ
15 Lytton Avenue, Manchester, M8 0SQ
24 Faraday Avenue, Manchester, M8 0SR
6 Faraday Avenue, Manchester, M8 0SR
4 Faraday Avenue, Manchester, M8 0SR
17 Temple Square, Manchester, M8 8UP
Flat 2, 297 Cheetham Hill Road, Manchester, M8 0SN
First Floor Suite 6 Office C, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
47 Bent Street, Manchester, M8 8NW
Unit 3, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Urban Kitchen, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Trespass, Unit 9B, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 15, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 12 And Unit 13, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
We Buy Any Car, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 24, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 28, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 33, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
HABIB BANK A.G. ZURICH, Showroom 5, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 8, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 3, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
First Floor Suite 2, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
1H Queens Road, Manchester, M8 8UQ
1F Queens Road, Manchester, M8 8UQ
4 Redwood Drive, Manchester, M8 8UR
5 Signet Walk, Manchester, M8 8UH
14 Redwood Drive, Manchester, M8 8UR
8 Holborn Drive, Manchester, M8 8US
4 Holborn Drive, Manchester, M8 8US
2 Holborn Drive, Manchester, M8 8US
70 Boyle Street, Manchester, M8 8UW
287A Cheetham Hill Road, Manchester, M8 0SN
Flat 2, 285 Cheetham Hill Road, Manchester, M8 0SN

Cheetham Hill Medical Centre, 244 Cheetham Hill Road, Manchester, M8 8AU
1 Queens Road, Manchester, M8 8UQ
2 Falfield Drive, Manchester, M8 8UD
4 Falfield Drive, Manchester, M8 8UD
10 Falfield Drive, Manchester, M8 8UD
16 Temple Square, Manchester, M8 8UP
13 Queens Road, Manchester, M8 8UQ
25 Queens Road, Manchester, M8 8UQ
1 Galsworthy Avenue, Manchester, M8 0SU
14 Galsworthy Avenue, Manchester, M8 0ST
8 Galsworthy Avenue, Manchester, M8 0ST
19 Lytton Avenue, Manchester, M8 0SQ
21 Lytton Avenue, Manchester, M8 0SQ
5 Lytton Avenue, Manchester, M8 0SQ
3 Lytton Avenue, Manchester, M8 0SQ
1 Lytton Avenue, Manchester, M8 0SQ
22 Faraday Avenue, Manchester, M8 0SR
15 Temple Square, Manchester, M8 8UP
246 Cheetham Hill Road, Manchester, M8 8UG
Second Floor Suite 3, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Management Suite, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Claire's, Unit 20, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
T.K.maxx, Unit 9 To 10, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 17, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 23, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Sakura Japanese Restaurant, 175 Cheetham Hill Road, Manchester, M8 8LG
St Chads RC Primary School, Balmfield Street, Manchester, M8 0SP
1N Queens Road, Manchester, M8 8UQ
1M Queens Road, Manchester, M8 8UQ
Unit 36, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
12 Holborn Drive, Manchester, M8 8US
5 Redwood Drive, Manchester, M8 8UR
10 Redwood Drive, Manchester, M8 8UR
11 Signet Walk, Manchester, M8 8UH
Bus Depot, Queens Road, Manchester, M8 8UT
293 Cheetham Hill Road, Manchester, M8 0SN
289 Cheetham Hill Road, Manchester, M8 0SN
5 Queens Road, Manchester, M8 8UQ
17 Queens Road, Manchester, M8 8UQ
77 Boyle Street, Manchester, M8 8UW
14 Temple Square, Manchester, M8 8UP
8 Temple Square, Manchester, M8 8UP
4 Temple Square, Manchester, M8 8UP
2 Temple Square, Manchester, M8 8UP
17 Faraday Avenue, Manchester, M8 0SS
11 Faraday Avenue, Manchester, M8 0SS
11 Lytton Avenue, Manchester, M8 0SQ
7 Lytton Avenue, Manchester, M8 0SQ
72 Boyle Street, Manchester, M8 8UW
71 Boyle Street, Manchester, M8 8UW
18 Temple Square, Manchester, M8 8UP
250 Cheetham Hill Road, Manchester, M8 8UG
20 Lytton Avenue, Manchester, M8 0SQ

248 Cheetham Hill Road, Manchester, M8 8UG
16 Lytton Avenue, Manchester, M8 0SQ
Flat 1, 297 Cheetham Hill Road, Manchester, M8 0SN
Second Floor Suite 2, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Second Floor Suite 7, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
Unit 6, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Argos, Unit 7A, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Showroom 2, The Point, 173 Cheetham Hill Road, Manchester, M8 8LG
1E Queens Road, Manchester, M8 8UQ
Unit B1, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
LiDL, Unit A2, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
14 Holborn Drive, Manchester, M8 8US
2 Redwood Drive, Manchester, M8 8UR
9 Redwood Drive, Manchester, M8 8UR
Flat 2, 291 Cheetham Hill Road, Manchester, M8 0SN
10 Lytton Avenue, Manchester, M8 0SQ
287 Cheetham Hill Road, Manchester, M8 0SN
Flat 1, 285 Cheetham Hill Road, Manchester, M8 0SN
Cohens Chemist, 244 Cheetham Hill Road, Manchester, M8 8AU
5 Temple Square, Manchester, M8 8UP
31 Queens Road, Manchester, M8 8UQ
23 Queens Road, Manchester, M8 8UQ
3 Galsworthy Avenue, Manchester, M8 0SU
9 Faraday Avenue, Manchester, M8 0SS
3 Faraday Avenue, Manchester, M8 0SS
10 Galsworthy Avenue, Manchester, M8 0ST
4 Galsworthy Avenue, Manchester, M8 0ST
14 Faraday Avenue, Manchester, M8 0SR
2 Faraday Avenue, Manchester, M8 0SR
21 Temple Square, Manchester, M8 8UP
20 Temple Square, Manchester, M8 8UP

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 -
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