

Our Ref: 2023-48

Planning – Development Management Team
Planning Department
Manchester City Council
PO Box 532
Manchester
M60 2LA

11th September 2023

VIA PLANNING PORTAL

To Whom It May Concern,

Re: Opening Hours Extension @ 5 Meldon Road, Manchester, M13 OTZ

Adams Planning + Development Ltd have been instructed by our clients, Fast Food Operations Ltd, to submit a planning application to make minor alterations to the opening hours of the existing hot food take away.

We have enclosed the following information in support of this planning application:

- 1) This covering letter
- 2) Planning Application Form & Certificate A
- 3) A Site Location Plan
- 4) Appendix 1 – Street views of the Meldon Road shopping parade
- 5) Appendix 2 – A copy of the Certificate of Lawfulness (Ref: 061585/EUC/NORTH2/01) dated 12th March 2001
- 6) Appendix 3 – A copy of the Decision Notice for No. 2 Meldon Road.

We have provided a rationalisation of the proposed extension in opening hours and assessed this against the Council's relevant planning policy in order to demonstrate the appropriateness of the increased opening hours that are being applied for in this instance.

Relevant Background

No. 5 Meldon Court is a semi-detached 2-storey property that has an adjoining laundry business on its eastern side and a gated entrance to the rear of the property on its western side.

No. 5 Meldon Court is located centrally within a local shopping parade that includes a supermarket, hairdressers, Post Office, plumbing suppliers, IT and computer sales, repair and maintenance shop, two grocery stores, a hot food takeaway and a single two-storey residence. We have enclosed some Google Maps Street View extracts in **Appendix 1** which demonstrate the mix of retail and commercial uses within the Meldon Road shopping parade.

No. 5 Meldon Road was previously occupied by the 'Orient Express' that operated as both a Fish & Chips shop and Chinese Food Hot Food Take Away. The Certificate of Lawfulness enclosed in **Appendix 2** allows the Hot Foot Takeaway to operate at the following permitted hours:



- 12.00pm to 11pm Monday to Thursdays,
- 12.00pm to 11.30 pm Fridays, and
- 5.00pm to 11.00pm Saturdays and
- 5.00pm to 10.00pm on Sundays

The Applicants operate a number of established hot food takeaway and cafes throughout Manchester and the wider North-West area. This planning application is seeking to extend the opening hours to enable the Applicants to open the Hot Food Take Away slightly earlier, to increase the lunchtime offer throughout the week, and extends the Saturday evening opening hours so that they are consistent with the existing permitted Friday opening hours, given that both Fridays and Saturdays have a consistently high demand.

As such, this planning application intends on extending the current opening hours to the following opening hours:

- 11am to 11pm Sunday to Thursday; and
- 11am to 11.30pm on Friday and Saturday.

The above-identified opening hours enable the applicants to cover lunch time periods, when the local shopping parade is usually busy given the complimentary retail offer in the vicinity, and also proposes extending opening hours in the evening by half an hour on Saturdays and an hour on Sundays.

We have conducted a review of the other hot foot takeaway at No. 2 Meldon Road, which lies opposite (i.e. on the southern side of Meldon Road) the application site. The enclosed Decision Notice in **Appendix 3** (Ref: 065499/FU/NORTH2/02, 19th August 2002) identifies the following permitted opening hours:

- Sunday to Thursday, 8.00 a.m. to 11.30 p.m. Fridays and Saturdays, 8.00 a.m. to midnight.

As such, this planning application is seeking to open No. 5 Meldon Close 3 hours later and close half an hour earlier than the permitted opening hours at No. 2 Meldon Road, with these reasonable hours being proposed so that there will be no discernible impact upon the amenities of the area.

The Applicants will be utilising No. 5 Meldon Road's existing hot food extraction system. Although the minor extension in opening hours is unlikely to result in a material difference to the amenities of the area given the urban context and surrounding retail context, the Applicants will ensure that the extraction system operates in a manner that ensures there will be no adverse noise and / or smells from neighbouring properties. We note that No. 2 Meldon also incorporates the following planning conditions that the Applicants have confirmed they are agreeable to in this instance, namely:

- 1) Any new externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council; and
- 2) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved by the City Council.

Planning Policy Considerations

Paragraph 2 of the latest iteration of the National Planning Policy Framework (NPPF, July 2021) identifies that decisions on planning applications *"must be made in accordance with the [development] plan unless material considerations indicate otherwise."*

The 'Development Plan' for Manchester City Council's consists of the Core Strategy (2012), and saved policies from the Unitary Development Plan (UDP).



The subject property is not located in a defined District Centre, but is located within the South Manchester District Centre, covered by Policy C6 of the Core Strategy, which includes Chorlton, Didsbury, Fallowfield, Levenshulme and Withington.

The centres are recognised as providing the higher level of the South Manchester centre hierarchy with a wide range of local and community facilities. South Manchester's centres are all located in highly accessible locations, adjacent to key transport corridors. The wider area includes some of the more affluent neighbourhoods in Manchester, and this can be seen in the centres through the range of uses supported and the popularity of the independent retail sector.

The Unitary Development Plan Policy DC10.1 identifies that:

"In determining planning applications for developments involving the sale of food or drink for consumption on the premises, or for hot food to be consumed off the premises (whether or not other activities, such as a nightclub, are included), the Council will have regard to:

- a. the general location of the proposed development, including any reference to the area in other policies in the Plan;*
- b. the effect on the amenity of neighbouring residents;*
- c. the availability of safe and convenient arrangements for car parking and servicing;*
- d. ease of access for all, including disabled people; and*
- e. the storage and collection of refuse and litter."*

Paragraph DC10.2 identifies that:

"The Council will normally accept the principle of developments of this kind in the City Centre, industrial and commercial areas, in shopping centres and, at ground level, in local shopping parades of more than 8 shops or offices".

Review of Proposals

The proposed opening hours extension relate to an existing premises at the centre of a long-established shopping parade where retail and commercial uses are prevalent. Our above analysis of the other hot food premises within the parade demonstrates that the proposed opening hours extension will operate well within the permitted opening hours at No. 2 Meldon Road.

The premises has an existing bin storage area and external area and the re-use of the premises for the existing hot food takeaway will comply with the advice contained within Paragraph 86 of the NPPF which clarifies that decisions should support the role that retail centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

The premises is located in a highly accessible location with good public transport links and there is existing on-street and off-street parking to the front of the premises. Approving the minor extension in opening hours will increase the offer of the premises to the local community and add vitality and vibrancy to the local centre as well as increase employment opportunities for the local community.

Accordingly, we urge the Council to approve the proposals in accordance with the presumption in favour of sustainable development and the recommended planning controls that will ensure an appropriate standard of development.

The planning application has been submitted and paid for via the Planning Portal. We will contact Manchester City Council's validation team within 5 working days to confirm validation of the planning application. We would be grateful if the appointed planning officer could please liaise with the undersigned in the first instance if they wish to understand an accompanied site visit.



Yours sincerely,



Russell Adams
For and on behalf of Adams Planning + Development Ltd

Encl. See items 1) to 6) listed above.

Cc: Tayyab Akhlaq

