

Planning Statement

Full Planning application:

**Change of Use of existing warehouse to mixed use
warehouse, retail, and ancillary offices and café**

Kay Street

Openshaw

Manchester

M11 2DU

For Kabinet Ltd.

John Scott BA (Hons) MCD MRTPI



Introduction

1. This Planning Statement has been prepared by John Scott MRTPI, in support of an application for the change of use of a building to furniture retail sales and ancillary uses at Kay Street, Openshaw, Manchester, M11 2DU. The application has been submitted by John Scott, Planning Consultant, on behalf of Kabinet Limited.
2. This statement sets out the Development Plan policies which are relevant to the proposed development and demonstrates how the proposal would comply with these policies and with national planning policy, as set out in the National Planning Policy Framework (NPPF). It also includes a section on Crime Impact.

Site and Surroundings

3. The application relates to a site that occupies a prominent position immediately to the south of Ashton Old Road (A635). Ashton Old Road is a main arterial route from Manchester Town Centre through the eastern side of the city. Kay Street runs to the south of the site and provides the main access into it. Stainforth Street runs to the west and is a short one way street, with a traffic-light controlled junction with Ashton Old Road.
4. The building has a relatively narrow two storey section fronting onto Kay Street, with this incorporating the offices for the site. This two storey section wraps around onto the east elevation, overlooking the car park. The north-elevation facing onto Ashton Old Road is a long relatively high single storey building with a brick elevation. Between the two frontage elevations there is a single span warehouse building. There is parking at both the east and west ends of the building, both of which take access off Kay Street (there is no access to Ashton Old Road).
5. The site is otherwise free from constraints / designations such as listed building status, important open space, Conservation Area or other heritage designations, or tree preservation orders. As the existing building is a relatively modern brick-faced building with a larger single span structure on the Ashton Old Road elevation, it is not considered to be a non-designated heritage asset.
6. The surrounding uses are mixed, with the Kingdom Mandate International Church on the adjoining site immediately to the east and other business uses, many car-related, along Kay Street. The site immediately to the west of Stainforth Street has planning permission for a Cash and Carry business in a new building (ref. no 123120/FO/2019, approved June 2019). The area on the northern side of the A635 is predominantly residential.
7. In terms of planning history, there are no relevant planning applications relating to the application site.

8. Application site from Kay Street:



Application site from Ashton Old Road:



Proposal

9. The proposal subject of this application is for the change of use of an existing warehouse to a retail use selling furniture, with display areas, ancillary warehousing, offices and a small café for customers. Kabinet Limited seek permission for a change in use to vary from the current Class B2/B8 use to Classes E (a) (individual non-food superstore) and E (b) (Sale of food and drink for consumption on premises). It is proposed that the development will be used for a retail unit comprising showroom, small retail area, café and ancillary offices.
10. The proposal is to use the eastern car park for customers, with access into the building from the eastern end, and staff parking and deliveries from the westernmost access, with 48 car parking spaces in total, of which 7 would meet disability requirements.
11. Opening hours will be Monday to Friday 9:00am - 6:00pm, Saturday and Sunday 9:00am - 6:00pm.
12. The scheme also includes replacing the existing fencing with Palladin fencing. The proposal is shown on drawing numbers L689 /01, /03, /04, /05, and 12 (Scheme B) and 14, prepared by Lee Architects.
13. There will be no overall loss or increase of floor space. The existing and proposed floor areas are as follows:

Ground Floor Existing:

Warehousing 1,825sqm

Ancillary (toilets, reception) 110sqm

First Floor Existing:

Offices 353sqm

TOTAL 2,288sqm

Ground Floor Proposed:

Warehousing 306sqm

Retail shelving 556sqm

Cafe 163sqm

Ancillary (toilets, staff rooms) 150sqm

Display 760sqm

First Floor Proposed:

Offices 353sqm

TOTAL 2,288sqm

Planning Policies

14. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Courts have held that the Government's statements of planning policy are such "material considerations" which must be taken into account, where relevant, in decisions on planning applications.

National Planning Policy Framework (NPPF)

15. The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated a number of times since, most recently in July 2021. It sets out the government's planning policies for England and how these are expected to be applied. Relevant points of the NPPF which positively relate to the proposed development are considered to be as follows.
16. Paragraph 7 outlines the purpose of the planning system is to contribute to the achievement of sustainable development.
17. Paragraph 8 specifies that there are three objectives to sustainable development: economic, social and environmental.
18. Paragraph 11 specifies that at the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking this means:
 - i) Approving development proposals that accord with the development plan without delay; and
 - ii) Where the development plan absent, silent or relevant policies are out-of-date, granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - Specific policies in the Framework indicate development should be restricted.
19. Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and proactive way.
20. Paragraph 81 says that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 83 adds that planning policies and decisions should recognise and address the specific locational requirements of different sectors.

Development Plan:

21. For the purposes of this application the Development Plan comprises the following documents as identified in Manchester City Councils Local Development Scheme 2017-2019 (January 2017):

- Manchester Core Strategy: The long term spatial vision and planning strategy to 2027, which includes topic and area policies relating to, the economy, housing, environment, retail and transport. It also includes a key diagram covering the plan area, and general policies for the control of development (adopted July 2012);
- Manchester Proposals Map: This accompanies the Local Plan, identifies key areas for growth, employment and housing development, areas of protection and sites to which particular designations and policies apply;
- Extant UDP (adopted 1995 and alterations on various dates): City-wide and local area policies not replaced by the Core Strategy.
- Greater Manchester Joint Waste Development Plan Document - sets out a waste planning strategy to 2027 (adopted April 2012): Not relevant to this application.
- Greater Manchester Joint Minerals Plan - sets out a planning policy framework to inform minerals developments and associated infrastructure up to 2028 (adopted April 2013. Not relevant to this application.
- There is no Neighbourhood Plan in this locality.

22. The Development Plan is also supported by several supplementary planning guidance documents which are a material consideration for decision taking purposes for local planning authorities.

23. Manchester Core Strategy (MCS) The MCS was adopted in 2012 and is the key and most up to date development plan document. The MCS proposals map shows that the application site lies within an area allocated as East Manchester. The MCS sets out a vision for Manchester for the plan period up until 2027. In respect of East Manchester, a number of key challenges are set including:

- Further develop East Manchester as a major commercial, leisure and residential investment location, with a key role in the development of a competitive City Region
- Strengthen role of Eastlands and create opportunity for employment
- Increase employment, the quality of employment and the proportion of local people taking up local jobs.

24. The MCS sets out the planning policies which seek to achieve the above challenges. In respect of this proposal the relevant policy references are as follows:

- SP1 Spatial Principles
- EC1 Employment and Economic Growth in Manchester
- EC2 Existing Employment Space
- EC5 East Manchester
- T1 Sustainable Transport
- T2 Accessible areas of opportunity and need
- EN14 Flood Risk
- EN16 Air Quality
- EN17 Water Quality
- EN18 Contaminated Land and Ground Stability
- DM1 Development Management

25. Manchester Proposals Map (MPM): The site is within the East Manchester sub area on the MPM.

26. Extant UDP Policies: The UDP was originally adopted in 1995 however still contains some policies which are “saved” by way of direction under paragraph 1(3) of Schedule 8 to the Planning and compulsory Purchase Act 2004 for decision making purposes. The relevant policies are:

- EM17 East Manchester Sub Areas: Ardwick Yards and Kay Street.
- DC26.1, 26.2, 26.4 and 26.5 Development and Noise.

Planning Assessment

27. This application is made on the basis that the proposed development accords with National Planning Policy Framework and with the Council's adopted Development Plan policies. Approval of the application would therefore be consistent with Section 38 of the Act.

Principle of the Development

28. The site is allocated in the City Council's Local Development Framework as being within the wider East Manchester Area. Saved UDP allocation EM17 "Ardwick Yards and Kay Street" also relates specifically to the location. The MCS identifies East Manchester as one of its key Regeneration Areas and in particular identifies it as an area where inter alia the Council seeks to:

- Further develop East Manchester as a major commercial, leisure and residential investment location, with a key role in the development of a competitive City Region.
- Strengthen role of Eastlands and create opportunity for employment.
- Increase employment, the quality of employment and the proportion of local people taking up local jobs.

29. Policy EC2 Existing Employment Space states:

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 regard to the ManchesterSalford - 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.*

30. The proposed use is for furniture retail outlet with associated warehousing, display space, ancillary offices and a café for customers. Car parking would be provided on site. It is important to note that furniture retail units require extensive warehousing and display space. The business is based on customers ordering their furniture and this being delivered by Kabinet from their various warehouses. The only items

purchasable from the premises are small items which do not need loading such as cushions etc as detailed in SCP's report. Consequently, such businesses require large open plan floor areas and are, as a result, often located within areas which have other employment/business uses, rather than shop units. The building on the application site is therefore well suited to this extensive use. The building is a warehouse and was also used as a retail shop for pet foods under the name of R and B Pet Supplies which ran from 2000 to 2015. R and B subsequently vacated the site and the current occupiers have operated from the site from 2016 to the present. However, they wish to diversify their trade by selling their furniture from the premises, as well as continuing with their on-line sales. To this extent the proposal is for a diversification of an existing business rather than a new business. The proposed use will provide employment for the locality, with the use being compatible with the existing neighbouring uses. Its location is one which is readily accessible and is appropriate for a roadside location on a main arterial road into the city.

31. Saved policy EM17 identifies that the Ashton Old Road frontage is a prominent corridor and therefore that high quality frontages are encouraged. The current vacant nature of the building and site means that it also does not contribute to the visual amenity of the immediate location. The proposal offers the opportunity to improve the appearance of the site, bringing it back into effective use.
32. The proposal is therefore in broad compliance with the site's allocation in the development plan. In strategic land use terms, we consider that the use is acceptable in principle and it does not conflict with any local or national planning policy. The applicant is prepared to accept a restriction on the use of the site to the specific proposed use in order to a wider retail use which could harm the vitality or viability of existing retail centres.
33. Employment/Labour Statement: MCS Policy EC1 seeks to assist in boosting employment and economic growth in Manchester. The policy outlines a number of priorities including:
 - Improving access to jobs for all via public transport, walking and cycling.
 - Demonstrating that employment-generating development has fully considered opportunities to provide jobs for local people through construction or use.
 - Improving the portfolio of business premises, by providing a range of employment sites and premises for small, medium and large business.
34. MCS Policy EC5 relates specifically to East Manchester. It outlines where employment generating development will be supported in existing employment and economic development areas along key radial routes including Ardwick Goods Yards. The policy also says that the Council will promote development which takes advantage of key transport infrastructure such as arterial roads (e.g. Ashton Old Road) and public

transport networks. The application site is very well suited to meet this objective, having a frontage on the Ashton Old Road and being close to local transport hubs.

35. The supporting text to policy EC5 outlines that East Manchester has a number of key advantages as a business location although challenges in respect of lower than small business numbers and higher than average levels of unemployment and worklessness remain. The proposal includes a number of elements that will generate employment alongside the ancillary office employment required by the business. The proposed change of use will therefore deliver important employment generating credentials and will generate at least 19 jobs, whereas the existing warehousing employs 5 people. This is an important factor in support of the proposed development.
36. The NPPF seeks to boost economic growth and states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The proposal will achieve both these aims and will assist in the wider regeneration of the East Manchester area.

Design and visual appearance of the development

37. MCS policy DM1 and extant UDP policy DC7.1 seek to ensure good quality design with regard to appropriate siting, layout, scale, form, massing, materials and details. The above policies seek to ensure development should have regard to the character of the surrounding area and be safe and accessible for everybody including disabled persons. The Guide to Development in Manchester SPD sets out seven key areas for consideration consisting of Character and Context; Continuity and Enclosure; Legibility; Ease of Movement; Quality of the Public Realm; Diversity; Adaptability.
38. The plans prepared by Lee Architects set out the proposed alterations to the building and the site. As it is a proposal for a change of use, there are no significant new elements or building proposals. The application aims to provide the existing building a beneficial use which is sympathetic to the building and its setting and which avoids the need for significant alterations or extensions. Consequently, the proposal is considered to comply with relevant design related policies (MCS policy DM1 and extant UDP policy DC7.1) and the SPD guidance of the City Council. If necessary, the applicant is willing to accept planning conditions to secure the final approval of any external works, such as fencing details and lighting.

Amenity Impacts:

39. As noted above, the site is within an existing employment area, with residential properties on the northern side of Ashton Old Road, separated from the site by this busy arterial road. The use is one which is not inherently unneighbourly. Consequently, the proposal will not harm the amenities of adjoining or nearby

residential properties through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation.

Accessibility, Parking and Highway Impacts:

40. MCS policies T1 and T2 seek to promote sustainable transport and manage the pattern of new development so that is concentrated in the areas of opportunity and need. We have not submitted a Transport Assessment, but it is evident that the site can be accessed via a safe and efficient highways network, is in a highly accessible location by foot, cycle and public transport (bus, train and tram), and will provide adequate off-street parking facilities to serve the development, so it will not have a material impact on the surrounding highway network. The site is well served by regular bus services on Ashton Old Road, the main arterial route connecting Manchester City Centre to Aston-under-Lyne. Ashburys Station lies within walking/cycling distance (approximately 650m) to the south east. Holt Town and Velopark Metrolink Stations lie approximately 1-1.5km to the north of the application site.

41. The application is now accompanied by a detailed Highway Statement produced by SCP Transport consultants (see attached). The detailed analysis of the SCP assessment is not repeated in this Planning Statement. On-site parking will be provided for 31 vehicles in the eastern car park, and 18 vehicles in the western car park, of which total 7 will meet disability requirements. The SCP Statement concludes:

“40. It has been demonstrated that the development benefits from high levels of accessibility by sustainable modes. Access to the site on foot and by cycle is of a good standard and there are multiple transport facilities within close proximity providing access to a range of local destinations. These findings demonstrate that prospective staff and customers will not be wholly reliant on the private car to access the site.

41. The change in use and amendment to the layout of the site will not create a material impact on the local highway network and there are no traffic, transport or highways related reasons to withhold consent for this planning application”.

42. We therefore consider that the proposed development will be a sustainable development in terms of transport and accessibility. On this basis, there should be no highway safety, car parking or accessibility objections to the proposed development, which complies with policies T1 and T2 of the MCS.

Servicing Strategy:

43. A covered bin store will be provided at the eastern side of the site, adjacent to the east elevation of the building, in the staff car parking area. Refuse collection will take place on-street (Kay Street), as occurs with existing business and other businesses on Kay Street. The largest vehicle expected to access the eastern side of the site would

be a 10m Rigid HGV for small amounts of produce for the retail area every couple of weeks or so. The café will be serviced by smaller vehicles in the western side of the site, using the parking spaces provided. Once the display furniture is in place in the showroom it will remain unless there is a change in the product range which will take place on a far less regular basis. As the purpose of this site is for the display of goods, with deliveries taking place from warehouses elsewhere, there is no need for large and frequent HGV movements.

44. Based on this, a Swept Path Analysis was undertaken by SCP (see paragraph 12 of the attached SCP assessment) for a 10m Rigid HGV servicing the site, as well as a 7.5 tonne Rigid HGV servicing the smaller western car park. The Swept Path Analysis can be found in Appendix 2 of the SCP statement.

Environmental Impacts:

45. The following issues have been considered: Noise, contaminated land, flood risk/drainage, air quality and emissions.

- Noise: The site is affected predominantly by road traffic noise from the A632 to the north. However, the proposed use is not, in itself, particularly noise sensitive so there are no concerns on these grounds. Similarly, the proposed uses are unlikely to generate any noise themselves. The proposal therefore complies with DM1 of MCS and saved policies DC26.1 to 26.5 of the UDP.
- Contaminated Land: The site is an existing developed area of land, with an existing building and with no significant unsurfaced areas. The proposal does not involve any external building works or works which would otherwise disturb areas below ground. Consequently, we do not consider that there is a requirement to submit a contaminated ground survey.
- Air Quality: The site is situated partially within the Greater Manchester Air Quality Management Area (AQMA), which covers parts of the A635. As the proposal does not involve any new buildings and would be a change of use of an existing building it would not generate a materially different level of traffic from the existing use. In summary, there are no air quality reasons to resist the proposal. Accordingly, the application is considered to comply with the requirement of EN16 of the MCS.
- Flood Risk/Drainage: The application site falls within Flood Zone 1 land and is deemed to be of low risk of flooding from all sources. The proposed use is not a vulnerable use and does not involve any significant alterations or building works or any changes to surface water drainage from the site. The proposal therefore complies with policies EN8 and EN14 of the MCS.
- Energy Efficiency: The proposal is for the change of use of an existing building from one form of employment use to another. As there are no significant building works we have not submitted an environmental standards statement. If one is required, this could be submitted before the commencement of the

proposed use, but otherwise we consider that the proposal complies with the requirements of policies EN4 – EN8 of the MCS.

Crime Impact Statement

46. This section provides a Crime Impact Statement. As agreed with the City Council, as the proposal relates to an existing building, only part of which is changing in its use, a full Crime Impact Statement from Greater Manchester Police is not necessary and would have been an unnecessary burden on the business. However, we have considered the principles set out in “Crime Prevention Through Environmental Design” (CPTED) and have incorporated these where appropriate.
47. Ashton Old Road runs to the north of the site, with Kay Street to the south. The area to the south of the Ashton Old Road is predominantly commercial in use, with residential development on the northern side of the road. However, there is very little by way of natural surveillance because of the distance between the houses and the application site and the design and layout of those houses. We are aware that the crime rate in this area is generally higher than average, particularly vehicle theft (source: Crime Impact statements for nearby sites, produced on behalf of Greater Manchester Police). The risk factors for a development of this nature are robbery of cash and other items from the property, damage to property and vehicles and theft of vehicles (there are other risks, but these are the key ones). The risks to the property itself are likely to be through forced entry of doors, smashing windows and doors, exploiting unsecure doors and windows, and entry as legitimate customers then accessing unauthorised areas.
48. With regard to the proposed development, the delivery, customer and staff access will be off Kay Street, with no access off the busier Ashton Old Road. The access points and car parking will be visible from the building, making them more secure and easier to observe. There will be no pedestrian access off Ashton Old Road. The building has a relatively simple footprint, with no obvious angles or recesses which could disguise covert or criminal activity. Car parking will be within the site where it can be more easily observed. Any parking on the roads outside the site is likely to take place during the working day when there is more chance that it would be observed from the site, adjacent sites, or other users.
49. All external doors and windows will be designed to BS PAS 24. The security of the site is enhanced by the fact that all windows on the existing building are at first floor level. All doors at ground floor level, including personnel doors and loading doors, will be provided with steel roller shutters.
50. In terms of boundaries, the site currently has high metal fencing along those boundaries on Kay Street and Ashton Old Road where the building does not form the boundary. The scheme includes replacing the existing fencing with Palladian fencing,

making it more secure. This includes the area between the north elevation and Ashton Old Road, reducing the opportunity for intruders to climb onto the building.

51. In terms of security measures, the site will be provided with lighting of all accessible external areas, with PIR sensors to detect movement when the lights are not on. The recommendations of Greater Manchester police in terms of the design, luminosity and positioning of the lights will be followed, as seen in similar Crime Impact assessments. Lighting will be positioned so that it does not provide an aid to unauthorised climbing onto the building or access into the site.
52. With regard to CCTV, any cameras will be located where they can monitor key access points and potentially vulnerable areas and would be located where they cannot be obscured or damaged, either intentionally or accidentally.
53. Consideration will be given to anti-graffiti coating of any exposed areas of walling and any graffiti will be removed as soon as possible to discourage more acts of graffiti.
54. Rainwater goods will be sited and designed to avoid these being used as unauthorised points of access.
55. Entry to and exit from the site will be properly signposted at the entrance to the site and within it.

Conclusion:

56. The site is located in a highly accessible location suitable for employment generating uses as identified by the development plan. The proposal is for a furniture outlet with associated warehousing, display areas, offices and a small café for customers. Car parking is available on site. The application would provide for the reuse of the existing building with a compatible use, to the benefit of the immediate locality and wider regeneration of the area. The proposal is sited within the East Manchester area where employment generating development is a key priority for the regeneration of the area. The Highway Statement produced by SCP Transport Consultants demonstrates that the development would not give rise to any adverse highway impacts.
57. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise. The NPPF seeks to achieve sustainable development and clearly defines that this should be the golden thread running through decision making. Paragraph 11 of the NPPF specifies there should be a

presumption in favour of sustainable development and that development proposals that accord with the development plan should be approved without delay.

58. It is considered that the proposal complies with the Development Plan, as set out above, as well as the aims and objectives of the National Planning Policy Framework. Consequently, planning permission should be granted in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004. It is therefore requested that this application be approved, subject to appropriate conditions.

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Revised July 2023