PLANNING STATEMENT

320 Barlow Moor Road Manchester, M21 8AY (the "Property")

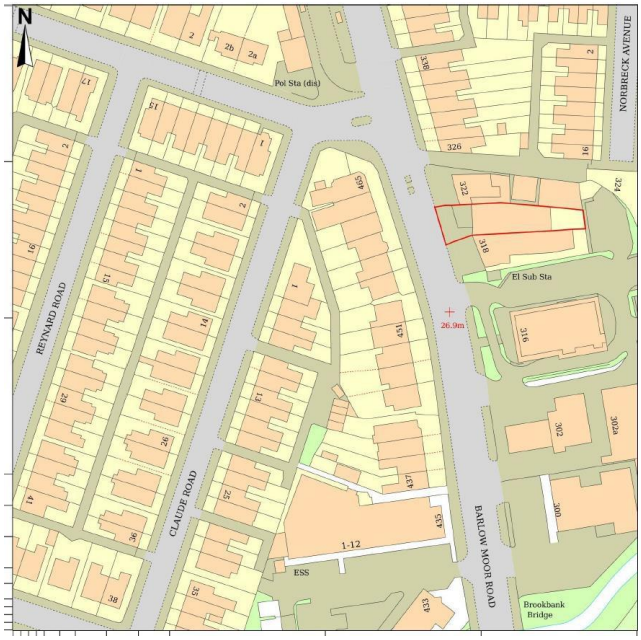
Introduction

1. This Planning Statement supports an application for planning permission in respect of change of use from restaurant to drinking establishment and the erection of a covered decked seating area, a DDA compliant ramp and a bin store to the side of the Property (the "**Proposal**") pursuant to section 57 of the Town and Country Planning Act 1990 (the **"TCPA 1990"**). The application is made to Manchester City Council (the "**Council**") as the local planning authority for the Property.

2. Irwin Mitchell has been instructed on behalf of Javad Farahani (the **"Applicant"**).

3. This application is supported by the following documents:
   - Planning validation documents
   - Supporting planning statement
   - Correct fee
   - Location plan
   - Proposed ground floor plans and elevations (including bin store plans and elevations)

Figure 1: Location Plan:



Application Site

4. The Property is located in a small parade of shops and restaurants in a residential neighbourhood in Manchester, with the local street scene comprising of two storey terraced/detached houses. The Property itself consists of a two storey detached property and the ground floor is used as a restaurant.

5. The Property is not a listed building, and it is not located in a Conservation Area.

Planning History

6. Change of use and extension of ground floor from living accommodation and office use to a car showroom. Ref. No: 38239 | Status: Application Approved

7. Erection of 2 storey front extension to form ground floor office and extended flat above with terrace, and erection of a roof to vehicle storage area at rear of property following demolition of existing roof and garages. Ref. No: 083772/FO/2007/S1 | Status: Application Approved

8. Change of use from offices and residential to cafe (A3) including the erection of a single storey side extension, single storey rear canopy to form outside seating area and new shopfront Ref. No: 092656/FO/2010/S1 | Status: Application Approved

9. Retrospective Application for the installation of decking to front of premises Ref. No: 096113/FO/2011/S1 | Status: Application Refused

10. Erection of canopy to rear and decked area with access ramp to front Ref. No: 102330/FO/2013/S1. Status: Application Approved

11. Installation of front canopy to form covered outdoor area. Ref. No: 137265/FO/2023. Status: Application Withdrawn

12. Erection of a fixed canopy to front of premises together with the installation of an access ramp and bin store to the front of premises. Ref: No: 137898/FO/2023. Status: Application Withdrawn.

13. The existing timber decking does not match the approved plans under planning application reference 102330/FO/2013/S1.

14. The Council served an Enforcement Notice on 07 October 2025 in respect of the erection of a single storey front extension at the Property.

The Proposal

15. The Proposal is for a change of use of the property from a restaurant under Use Class E(b) to a Sui Generis use as a drinking establishment with expanded food provision. Currently, the Property is used as a restaurant with no alcohol served on the premises.

16. This permission is sought to enable the Applicant to diversify their business through the offering of a light and open environment terrace area in which customers can enjoy alcoholic beverages and late-night refreshments. The Applicant expects this to contribute to the majority of the business's turnover going forward and to be able to employ more staff as the customer base grows and demand increases.

17. The Applicant will apply for a Premises Licence to sell alcohol legally at the Property and provide late night refreshment.

18. The proposal includes the provision of a single storey front extension (the "New Terrace Area") along with a DDA accessible ramp and a bin store to the side of the front extension.

19. The New Terrace Area has already been constructed, and so this application is part retrospective. The New Terrace Area consists of the existing timber decking which the Applicant estimates to have been in place since 2010 and a canopy (fixed to this decking) with dark-painted aluminium posts and full height partially glazed panels to the front. The side elevations incorporate panels that are partly glazed and partly open. A clear polycarbonate plastic roof sheeting is fixed to the top of the structure which can be fixed down, over the side openings, weather dictating.

20. The New Terrace Area provides seating for up to 30 people. Adaptations will be made to the New Terrace Area to facilitate new stepped and ramped access to be provided to the front and side of the decked area.

21. A new DDA compliant, concrete ramp will be provided to the side of the Property. Level access will be provided to the side of the decked area.

22. A bin store will be provided to the side of the property, ensuring all waste containers are concealed whilst stored, but accessible for collection.

Figure 2: Proposed side elevations

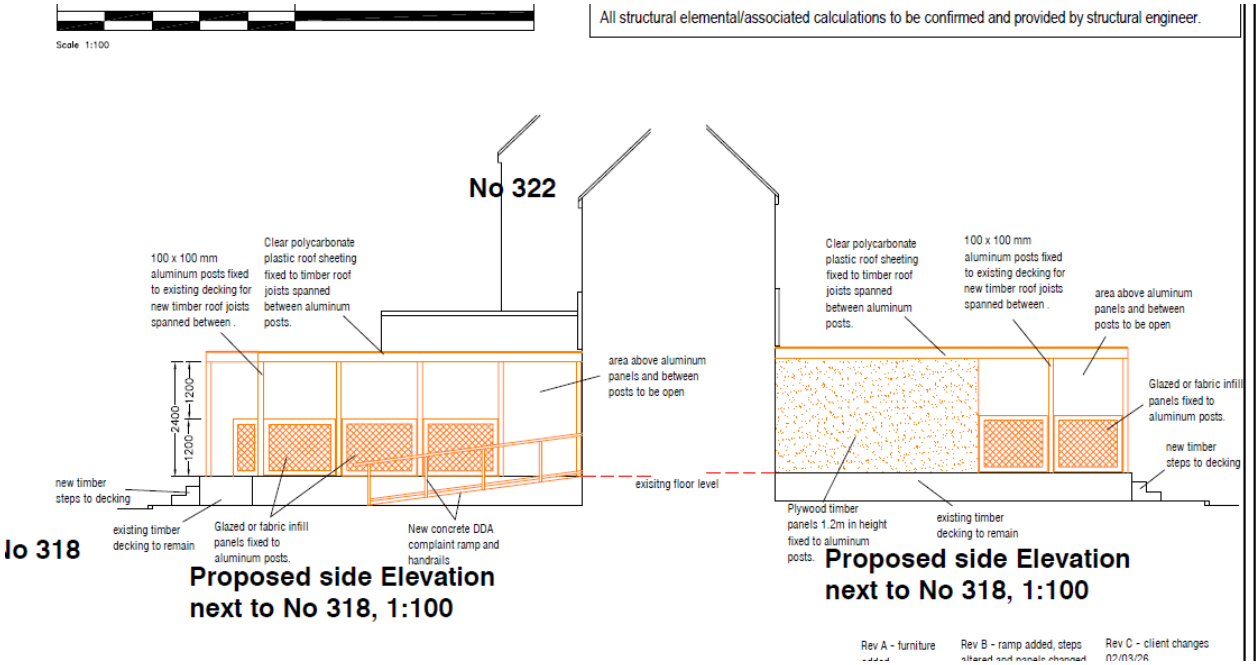


Figure 3: Proposed front elevation

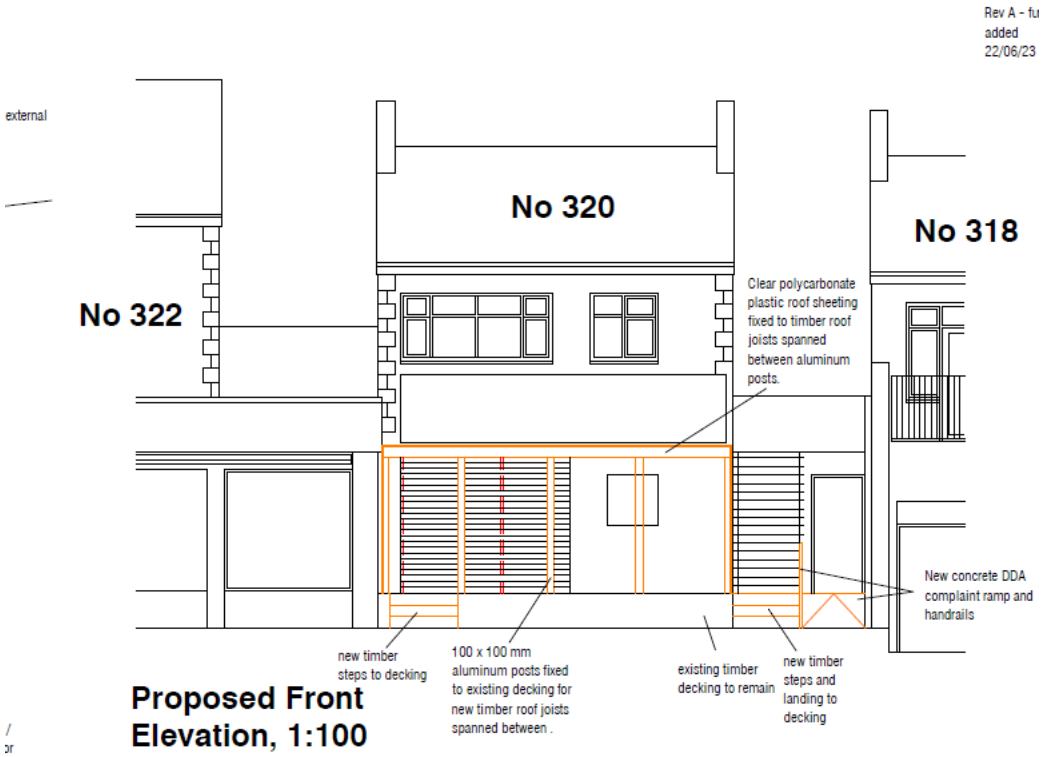
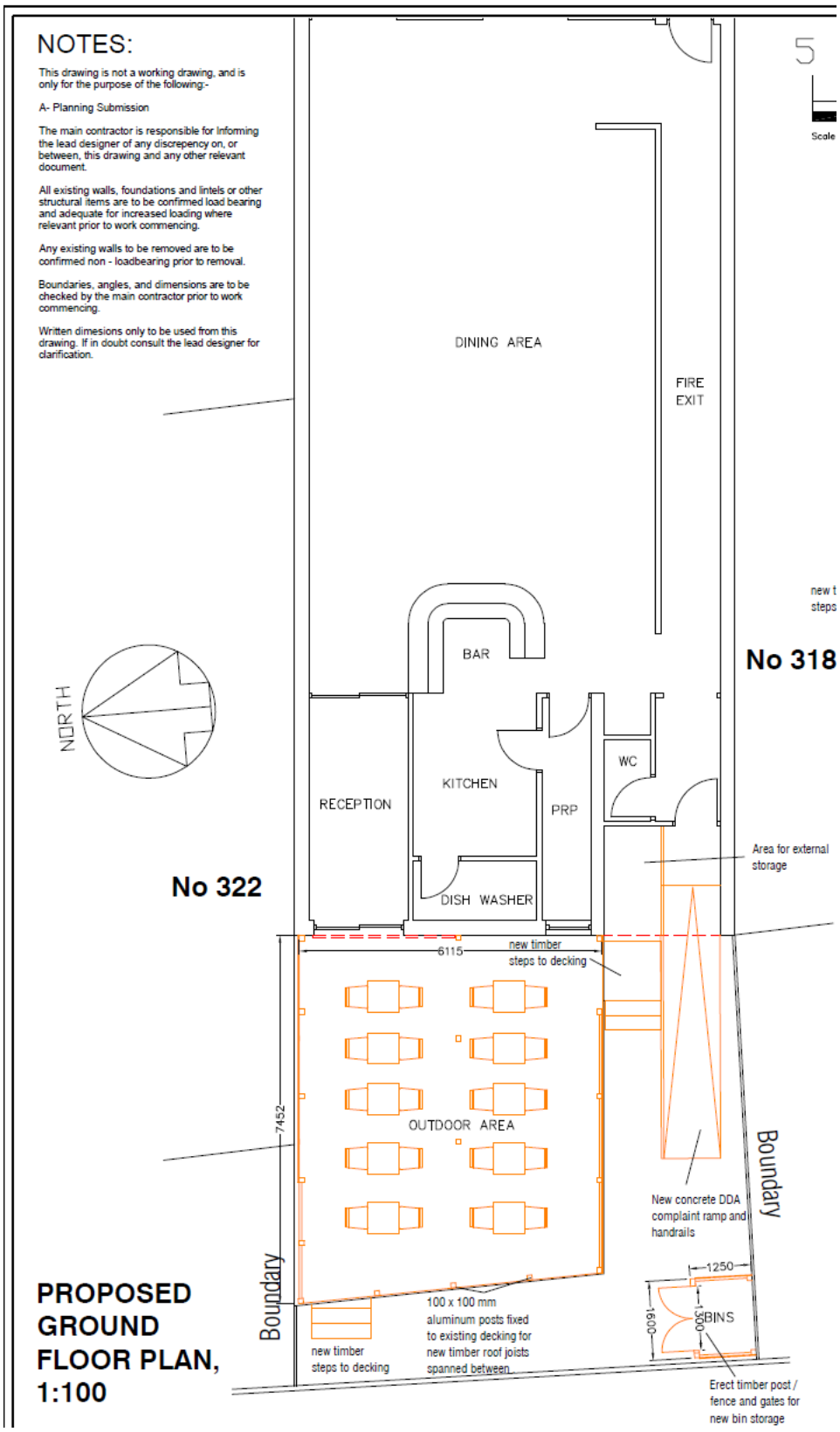


Figure 4 Proposed ground floor plan



23. There will be no changes to existing access or servicing arrangements.

Assessment

24. The following policy and guidance documents are recognised as primary considerations for the decision of the associated application at the site location:

    a. National Planning Policy Framework (NPPF)
    b. National Planning Practice Guidance
    c. The Manchester Core Strategy – Development Plan Document 2012-2027
    d. Other Supplementary Planning Guidance

25. The Proposal has been assessed against the relevant policies and supplementary design guidance to demonstrate why the Proposal complies with planning policy:

26. National Planning Policy Framework (2024)

27. Paragraph 8 of the NPPF explains that *"achieving sustainable development means that the planning system has overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

    a. *"an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.*

    b. *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

    c. *an environmental objective – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

28. The Proposal represents a clear social objective as it will provide better amenity by covering the outdoor area for customers. From an economic viewpoint, the Applicant has identified that there is a demand in the market for the provision of alcohol in an outdoor, relaxed environment. The change of use will secure the financial viability of the business through the provision of alcoholic beverages in all types of weather. It will secure the use of the outdoor area in all types of weather. The proposal includes a DDA accessible ramp, allowing for inclusive access for all.

29. Paragraph 11 of the NPPF describes the presumption in favour of sustainable development. Paragraph 11 specifically states that for decision-making this means (amongst other things) approving development proposals that accord with an up-to-date development plan without delay; or: where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

30. We kindly request that the development is examined within a suitable timeframe in line with

paragraph 11 of the NPPF.

31. Paragraph 131 of the NPPF relates to achieving Well-designed Places which states that *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

32. Paragraph 135 states: "*Planning policies and decisions should ensure that developments:*

    a. *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

    b. *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

    c. *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

    d. *establish or maintain a strong sense of place, using the arrangement of streets, spaces,*

    e. *building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

    f. *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

33. The New Terrace Area consists of a lightweight structure that will be complementary to the use of the Property. It will not result in any detrimental impacts on the character or appearance of the area.

34. <u>The Manchester Core Strategy – Development Plan Document 2012-2027</u>

35. Policy DM 1 Development Management states that *"All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document: -*

    a. *Appropriate siting, layout, scale, form, massing, materials and detail.*

    b. *Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.*

    c. *Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which*

would be sensitive to existing environmental conditions, such as noise.

d. *Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.*

e. *Community safety and crime prevention. Design for health.*

f. *Adequacy of internal accommodation and external amenity space. Refuse storage and collection.*

g. *Vehicular access and car parking.*

h. *Effects relating to biodiversity, landscape, archaeological or built heritage. Green Infrastructure including open space, both public and private.*

i. *The use of alternatives to peat-based products in landscaping/gardens within development schemes. Flood risk and drainage.*

j. *Existing or proposed hazardous installations."*

36. The Proposal will not bring adverse impact to the residential amenity of neighbouring properties and the local distinctiveness. The erection of the New Terrace Area is not incongruous given the other commercial premises fronting Barlow Moor Road with similar extensions such as the long parade of shops from 350 to 380 Barlow Moor Road. The bin store will provide a safe and attractive storage for refuse containers to the side of the property.

37. Policy SP 1 Spatial Principles: *"Development in all parts of the City should:-*

a. *Make a positive contribution to neighbourhoods of choice including:-*

b. *creating well designed places that enhance or create character.*

c. *making a positive contribution to the health, safety and wellbeing of residents*

d. *considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.*

e. *protect and enhance the built and natural environment*

f. *Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible*

g. *Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.*

38. The Proposal will not bring adverse impact to the local character, given that this is not a designated area which attracts specific protection for its character e.g. a conservation area, or a setting of a listed building. The expanse of retail outlets and leisure facilities along Barlow Moor Road will be unaffected by the Proposal, but the experience for visitors and guests will be enhanced as it will

provide better amenity to the customers through provision of external seating for customers, as similar properties in the locality have been permitted to do so.

39. Policy EN 1 Design Principles and Strategic Character Areas: *"All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Design and Access Statements submitted with proposals for new development must clearly detail how the proposed development addresses the design principles, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategy Strategic Objectives."*

40. The New Terrace Area consists of a lightweight structure that will be complementary to the use of the property, using glazed panels to give a lightweight appearance. It will not result in any detrimental impacts on the character or appearance of the area.

Conclusion

41. The Proposal represents sustainable development that will provide better amenity for customers, secure the financial viability of a local business, and allow for inclusive access for all. It is sympathetic to local character and will not result in any detrimental impacts on the appearance of the area or residential amenity. The lightweight structure and associated features are complementary to the property and consistent with similar extensions along Barlow Moor Road. The Proposal accords with the National Planning Policy Framework and the Manchester Core Strategy, meeting the objectives of good design, accessibility, and community well-being.

Irwin Mitchell LLP

02 March 2026