

Planning

Growth & Development

Delegated officer report for planning application

Application no. 145150/FO/2026

Date registered valid: 9 February 2026

Proposal: Retrospective application for enclosed seating area for food outlet on the forecourt of 161 and 159 Dickenson Road.

Address: 161 Dickenson Road, Manchester, M14 5HZ

Ward(s): Rusholme Ward

Applicant: Mr Mohammed Issa

Agent (if any): Mr Umayr Azam Northedge Architecture

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 2 April 2026

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: January 2026

Standard consultations:

Printed: 16 February 2026 Expired: 9 March 2026

Neighbour notifications

Printed: 16 February 2026 Expired: 9 March 2026

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 property that is the subject of this application is part of a decorative 2 storey red brick terrace. It was constructed in 1925 as part of Anson Parade. It is identified as 159-161 Dickenson Road and sits at the junction of Dickenson Road and Anson Road in the Rusholme ward of the City. There is a large forecourt to the front of the premises with a wide footpath beyond. To the rear is a yard area, which is accessed off the alleyway that runs along the rear of the terrace. The forecourt to the frontage of the property has historically comprised of a large open seating area on faux grass surface with timber and metal knee rails forming an enclosure. It is now occupied by the unit for which this application seeks retrospective consent.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The immediate area is commercial, with commercial properties continuing across the junction and around the corner on Anson Road. The remainder of the area is residential. The park identified as Birchfields Park sits directly opposite the site.

Description of development

The proposal is for the retention of a single storey black cladded panelled structure with a flat roof and partially glazed double doors to create an enclosed seating area as supplementary seating provision for the existing restaurant. The structure has been constructed on the forecourt running across the frontage of both 159 and 161 Dickenson Road and projects from the property front facade by 6m. Consent is required due to the structure in situ being unauthorised as it has not been constructed in accordance with the previously approved proposal ref: 132341/FO/2021 approved on the 18th July 2023. The original approval granted consent for a lightweight fully glazed structure with a stall riser to the base and double doors to

the entrance point. The structure had a maximum projection of 4.5m from the front of the property. The approval for the previous scheme was secured following extensive negotiations regarding the size, design and materiality of the proposed structure, as the original submission had been proposed for a structure 50% larger than the approval, which was subsequently granted.

Planning History

115628/FO/2017 - REFUSED 6th June 2017- Erection of single-storey front extension with associated roller shutters.

132342/AO/2021- APPROVED 18th July 2023- Advertisement Consent for external illuminated logo signs to structure.

132341/FO/2021- APPROVED 18th July 2023 Enclosed seating area on the forecourt of 161 and 159 Dickenson Road.

Consultations & Notification Responses

Local Residents/ Local Businesses – Two objections have been received on the following grounds :

- The structure in situ has been erected without the benefit of planning permission.
- The structure that has now been built significantly obstructs the natural light to the front of their residential property which has a direct impact upon the quality of their life.
- Customers park directly outside of their property, often behaving in a loud and inconsiderate manner, including shouting and loud music.
- The structure has been extended approximately 1.5m further forward than previously approved and it has been constructed in solid sheets of cladding. Because of this the other shops and units are no longer visible being hidden behind the structure which results in a loss of visibility and a loss of business as a result. If the materials were of glass walls instead of solid sheets, it would maintain the visibility for the neighbouring units and reduce that impact.

Highways- Have no objections due to the structure being wholly on private land and not encroaching onto the public highway.

Environmental Health- No objections subject to the attachment of conditions relating to premises sound insulation (including external area) and operating schedule, this would include the days and hours of the use of the enclosed seating area to be submitted to and approved in writing , and once approved operating in accordance with the approved schedule.

Policy Context

Saved UDP Policies

The following policies and guidance are considered relevant to the consideration of this application:

-Saved UDP policies C10, E3.3, DC10 and DC26

Policy C10 seeks to protect the residential amenity of an area from the adverse impact of developments that relate to the evening and night-time economy.

Policy E3.3 advises that the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

Policy DC10.1 states '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’.

Policy DC10.2 states ‘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’.

Policy DC10.3 states ‘Development will not normally be permitted where:

- a. it is proposed outside the general locations mentioned above, or
- b. there is a house or flat on the ground floor next to the proposed business or only separated from it by a narrow street or alleyway’.

Policy DC10.4 states ‘Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents. These conditions may, amongst other things, include limitations on the hours of opening, and the need to deal satisfactorily with noise, fumes, smells, the storage of refuse and the collection of litter’.

and Policy DC26 of the Unitary Development Plan advises that ; The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Manchester Core Strategy (2012)

The Development Plan

Manchester's Core Strategy Development Plan Document forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan although a number of the UDP policies remain extant.

Manchester Core Strategy policies of relevance are DM1, SP1, T2 and C5

Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well-designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy T2 - Accessible areas of opportunity and need - The Council will actively manage the pattern of development to ensure that new development is located to ensure good access to the City's main economic drivers including the Regional Centre, Oxford Road Universities and Hospitals and the Airport and is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and education opportunities.

Policy DM1 - Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

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

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.

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.

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

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Refuse storage and collection.

Policy C5 – Central Manchester District Centres - states the improvement to the quality of the environment in Rusholme and Longsight is a priority to help retain and attract shoppers and visitors.

The Shopfront and Signage Design Guide Supplementary guidance

The Shopfront and Signage Design Guide Supplementary guidance was approved in 2024 and states how shopfronts should reflect and respond positively to the architectural expression and proportions of the existing building and in the interest of a cohesive street scene, shopfronts should relate to one another in terms of siting, scale, design, definition and the use of materials, finishes and colour.

National Planning Policy Framework (December 2024) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

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;

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

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

It states that 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 visibly 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, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) 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
- f) 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.

Section 12 'Achieving Well Designed Places' 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants. Communities, local planning authorities and other interests throughout the process (paragraph 131).

Draft National Planning Policy Framework (NPPF-2025)

The Government has published a consultation draft of the NPPF. the proposed changes are intended to improve the current housebuilding rates through a clearer, more predictable and faster policy basis for decision and plan making. Although the draft is not yet adopted, it carries sufficient weight to be of a material consideration.

Chapter 4- Achieving Sustainable Development

Policy S3: Presumption in favour of sustainable development.

Chapter 14- Achieving Well Designed Places

Policy DP3: Key principles for well- designed places.

Places for Everyone - is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.
Policy JP-P1: Sustainable Places

Issues

Principle

The use and enclosure of the premises for outdoor seating is consistent with other similar uses within the area. Consent for the retention of the structure as constructed which encloses part of the forecourt, and which would prevent spillage of patrons onto the adjoining sites and would provide for weatherproof seating. The structure has replaced an area of external seating that was open to the weather, which did not require planning permission. It is therefore only the enclosed structure which requires planning permission.

In principle the erection of a covered seating area in this particular location is considered to be acceptable, subject to design, the use of satisfactory materials and consideration of the

residential and visual amenity currently enjoyed by the neighbouring properties. These issues will be assessed against both national and local policy and guidance. The specific planning issues are outlined further below.

Residential Amenity

As the forecourt area forms part of the planning unit and can already legitimately be used for outside seating, it is not considered that a unit forming an enclosed seating area would have a detrimental impact upon the amenity of the area. If anything, any noise generated by patrons would be contained within a physical structure, rather than the previous arrangement of external seating, thereby reducing potential impacts to residential amenity resulting from noise. On balance enclosing the external seating area would be an improvement on the former arrangement at the premises and the associated noise generated that this could generate. The arrangement of an enclosed seating area has already been accepted in principle and is evidenced by the planning approval ref: 132341/FO/2021 for an enclosed seating area on the forecourt of 161 and 159 Dickenson Road in 2023.

However, the structure which has been erected to the forecourt area of 161 and 159 Dickenson Road has not been implemented in accordance with the approved scheme (ref: : 132341/FO/2021), which, as approved, consisted of a lightweight transparent fully glazed unit. The structure which has been erected, however, is comprised of a solid heavy black box with fully clad panelled side elevations, with a combination of solid panels and glazing to the frontage. The side elevations forming the structure, now result in an obtrusive elevations which has an impact in terms of visual amenity to the adjacent occupiers, and upon the natural lighting previously enjoyed by the adjacent properties.

Furthermore, the structure for which consent is sought projects forward of the front façade by 5.885m, which is 1.335m greater in depth than previously approval. This has led to an increase the bulk and massing along the common boundaries than would have resulted from the implementation of the previously approved scheme. It is considered that the structure on the forecourt appears incongruous and out of character with the general appearance of the site to the detriment of the visual amenity of the area. Given the forward projection of the canopied seating area, it visually blocks the neighbouring properties, and it does not provide any enhancement to the building itself or the area within which it is located.

There has been no evidence submitted that the cladding material used provides any acoustic benefits to reduce noise emissions for the neighbouring properties. The previously approved sealed glazed units were expected to have provided a better acoustic barrier against noise emanating from the property, however the structure as constructed has the potential to give rise to the emanation of noise due to the materials forming the as-built structure. No evidence accompanies the planning submission, to clarify whether retrofitting acoustic insulation would satisfy the attenuation measures required in relation to noise. It is also uncertain as to whether the finished structure proposes a retractable roof, as the heating system currently installed comprises external patio heaters, which would require suitable ventilation.

As such it is considered that the proposal results in a detrimental impact upon amenity, which is contrary to saved UDP policy DC26 and policy DM1 of the Manchester Core Strategy.

Design and Visual Amenity

The design of the enclosed structure as constructed is considered to be utilitarian. Negotiations relating to the previously approved scheme at this site resulted in a considered design that as well as providing an enclosed seating area, enabled the existing building to still be read clearly through the lightweight structure. Whilst the structure which has been erected is only single storey, it is considered that due to its bulk, design and use of materials, it detracts from the

attractive red brick (host) building and becomes the predominant visual feature on the front elevation.

The previously approved structure incorporated an upstand/ stallriser element around the enclosure to mirror a traditional frontage on premises of this type, however, the structure as constructed does not and as such provides no cohesion with the existing properties. The structure as constructed does not relate to any part of the building or wider terrace by way of design, scale or materials used, and presents as an incongruous and visually intrusive feature when viewed in the context of the host property itself, and the wider terrace within which it is located.

The site sits opposite the attractive setting of Birchfields park, including a residential property (gate house) within the park which faces onto the parade of shops. The occupiers of that property having a direct line of vision to the site and its surroundings. It is considered that the extension would be very prominent and striking, and due to the impact that it has on the appearance of the host property, compared to its surroundings, would have an adverse impact upon the visual amenity of surrounding residents, and does not contribute in a positive manner to the character of the area.

Access

In view that the structure is to be located on an area of privately owned forecourt between the edge of the adopted highway and the property, access along the public footway will not be impeded.

In terms of access to the premises, the existing premises already incorporates a small, stepped access from the unaltered shop front. The floor level of the enclosed seating area will be of a level access. The applicant has referenced the reasoning behind the increase in the additional floor space beyond that which was previously approved, as being to enable wheelchair users' access and for the storage of pushchairs. It is however, considered that this could have been achieved with a reconfiguration of the internal layout of the previously approved scheme or a reduction of proposed covers.

Waste Management -the existing situation will be retained and is considered acceptable.

Parking

Whilst it is acknowledged that there is no additional parking brought with the proposal, this reflects the existing situation at the site. The business relies on the availability of on street parking, as do most of the businesses within this location. Some of the businesses have a couple of parking spaces within their own forecourts, which are mainly occupied by the staff they employ. As such the creation of the covered seating area is not considered to adversely impact the current parking situation.

Security- Given the solid nature of the side walls of the unit, there is no opportunity for passive surveillance.

Conclusion - Whilst the needs of existing businesses and the acknowledgement that there are changes within the nature of operations within the leisure industry post the Covid 19 pandemic the government have introduced measures to facilitate this. The application proposals submitted require planning permission and as set out above are not considered to be acceptable as a result of their impact on the building itself, the wider area and the visual and residential amenity of the occupants of the residential properties within the vicinity of the site.

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: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable, and it is therefore not possible to approve the application.

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

1) The covered seating area by reason of its scale, siting and appearance forms an over dominant and visually intrusive feature in the street scene that is out of character with the historic pattern of development found in the area. The views through to the host property are interrupted by the structure and it does not provide any enhancement to the building itself or the area within which it is located. The development is therefore contrary to the provisions of Core Strategy policies SP1, EN1 and DM1.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

163A Dickenson Road, Manchester, M13 0YN
169 Dickenson Road, Manchester, M13 0YN
161A Dickenson Road, Manchester, M14 5HZ
Flat 1, 49A Anson Road, Manchester, M14 5DE
Ground Floor, 163 - 165 Dickenson Road, Manchester, M13 0YN
34 Anson Road, Manchester, M14 5BQ
Flat, 159A Dickenson Road, Manchester, M14 5HZ
Office, 159A Dickenson Road, Manchester, M14 5HZ
Ground Floor, 167 Dickenson Road, Manchester, M13 0YN
163 - 165 Dickenson Road, Manchester, M13 0YN
Flat 2, 161 Dickenson Road, Manchester, M14 5HZ
Flat 1, 161 Dickenson Road, Manchester, M14 5HZ
Flat 2, 167A Dickenson Road, Manchester, M13 0YN
157 Dickenson Road, Manchester, M14 5HZ
167 Dickenson Road, Manchester, M13 0YN
49A Anson Road, Manchester, M14 5DE
157A Dickenson Road, Manchester, M14 5HZ
Flat 1, 167A Dickenson Road, Manchester, M13 0YN
Flat 2, 49A Anson Road, Manchester, M14 5DE
155 Dickenson Road, Manchester, M14 5HZ
159 Dickenson Road, Manchester, M14 5HZ
153 Dickenson Road, Manchester, M14 5HZ
155A Dickenson Road, Manchester, M14 5HZ
153A Dickenson Road, Manchester, M14 5HZ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: SOUTH AREA