

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142359/FO/2025
Date registered valid: 17 July 2025
Proposal: Use as Cafe (Class E).
Address: 24 Sherborne Street, Manchester, M3 1FE
Ward(s): Cheetham Ward

Applicant: Mr Amanuel Kahsay
Agent (if any): Mr Victor Omosebi
Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: **10 September 2025**

Application Details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 06 August 2025

Standard consultations:

Printed: 25 July 2025 Expired: 15 August 2025

Neighbour notifications

Printed: 25 July 2025 Expired: 15 August 2025

Site notice

Posted: 6 August 2025 Expired: 28 August 2025

Press advert

Published: 29 July 2025 Expired: 12 August 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

This application relates to a two storey end terraced shop unit in a row of 6 units. The unit in question is situated on the end of this row on the corner of Sherbourne Street and Great Ducie Street/Bury New Road.

The ground floor premises are currently occupied by a Barbers. No express planning permission has been granted for the use of this.

The application in question relates to the first floor of the premises.

Until recently, the wider building complex appeared to have been in a state of disrepair and deterioration. External alterations appear to have been made to the wider building complex sometime after June 2023. No planning permission has been submitted for or granted for any of these external alterations, including any advertisements on the building.

The site is located in the Strangeways Employment Allocation (as stated in EC1 and EC4 in the Core Strategy). The area is suitable for the retention and growth of general industry, warehousing and distribution which is seen a priority for this area.

The application site is located on Great Ducie Street, a major arterial route into the City Centre, and is situated directly opposite Strangeways Prison.

The site is located within Flood Zone 3. MCC records highlight that the underground River Irwell tributary (Strangeways) is located within the site boundary.

The site is also located in the Great Ducie Street Strategic Regeneration Framework and the emerging Strangeways and Cambridge Strategic Regeneration Framework.

The site is not located within a Conservation Area and is not within the setting of listed buildings. Whilst buildings in Strangeways Prison are listed, the site is set far enough from the actual listed structures to not be considered within the setting of them.

Description of Development

The proposal seeks planning permission for Use as a Cafe (Class E).

Consultations & Notification Responses

Publicity - Neighbour notification letters were sent to surrounding properties. A site notice and local press advert were also produced. At the time of writing this report, no representations have been received because of this publicity.

Highway Services - Overall Highways consider that whilst the location for a café is not ideal in Highway terms, but the unit being on the first floor will reduce any highway impact with the remaining impact being able to be accommodated in their view. Requested that if any approval is granted, for a Construction Management Plan condition and a condition to provide storage to cover a minimum of two cycle should be attached, with both to be discharged prior to the commencement of the development.

Environmental Health - Confirmed that the information submitted was insufficient to assess fumes and odours, but that a pre-commencement condition could be attached to have this information submitted and assessed. Confirmed that the noise assessment provided was insufficient and that this did not include a proper assessment of plant noise. Confirmed that the refuse proposed was not acceptable.

Greater Manchester Police - Recommend that if approved, the recommendations made within the Crime Impact Statement are incorporated where feasible.

MCC Flood Risk Management - Recommended that if approved, a condition should be attached to require that flood resistance and resilience measures be submitted prior to the commencement of the development. Also requested that an informative be added to any approval concerning any future groundworks and how communication should be undertaken with the Flood Risk team when any ground works take place, due to the presence of the underground River Irwell tributary.

Environment Agency - Confirmed that they would not be responding to the consultation request for this application as Flood Risk Standing Advice (FRSA) applies.

Salford City Council – A consultation request was sent out to Salford City Council. No response was received to this consultation request.

Policy

Places for Everyone

- JP-Strat1 (Core Growth Area)

- JP-Strat2 (City Centre)
- JP-P1 (Sustainable Places)
- JP-J2 (Employment Sites and Premises)
- JP-S5 (Flood Risk and the Water Environment)
- JP-G3 (River Valleys and Waterways)

The Adopted Core Strategy for the City of Manchester (2012)

- SP1 (Spatial Principles)
- CC1 (Primary Economic Development Focus: City Centre and Fringe)
- CC9 (Design and Heritage)
- DM1 (Development Management)
- EC1 (Employment and Economic Growth in Manchester)
- EC3 (The Regional Centre)
- EC4 (North Manchester)
- EN1 (Design Principles and Strategic Character Areas)
- EN14 (Flood Risk)
- EN19 (Waste)

The Unitary Development Plan (UDP) for the City of Manchester (1995)

- DC10.1 (Food and Drink Uses)
- DC26.1 (Development and Noise)

Great Ducie Street Strategic Regeneration Framework (SRF) (2018)

Strangeways and Cambridge Strategic Regeneration Framework (Emerging - Not yet formally adopted)

Design for Access 2

National Planning Policy Framework (NPPF) (2024)

- Section 12 (Achieving well-designed places)

The National Design Guide (January 2021)

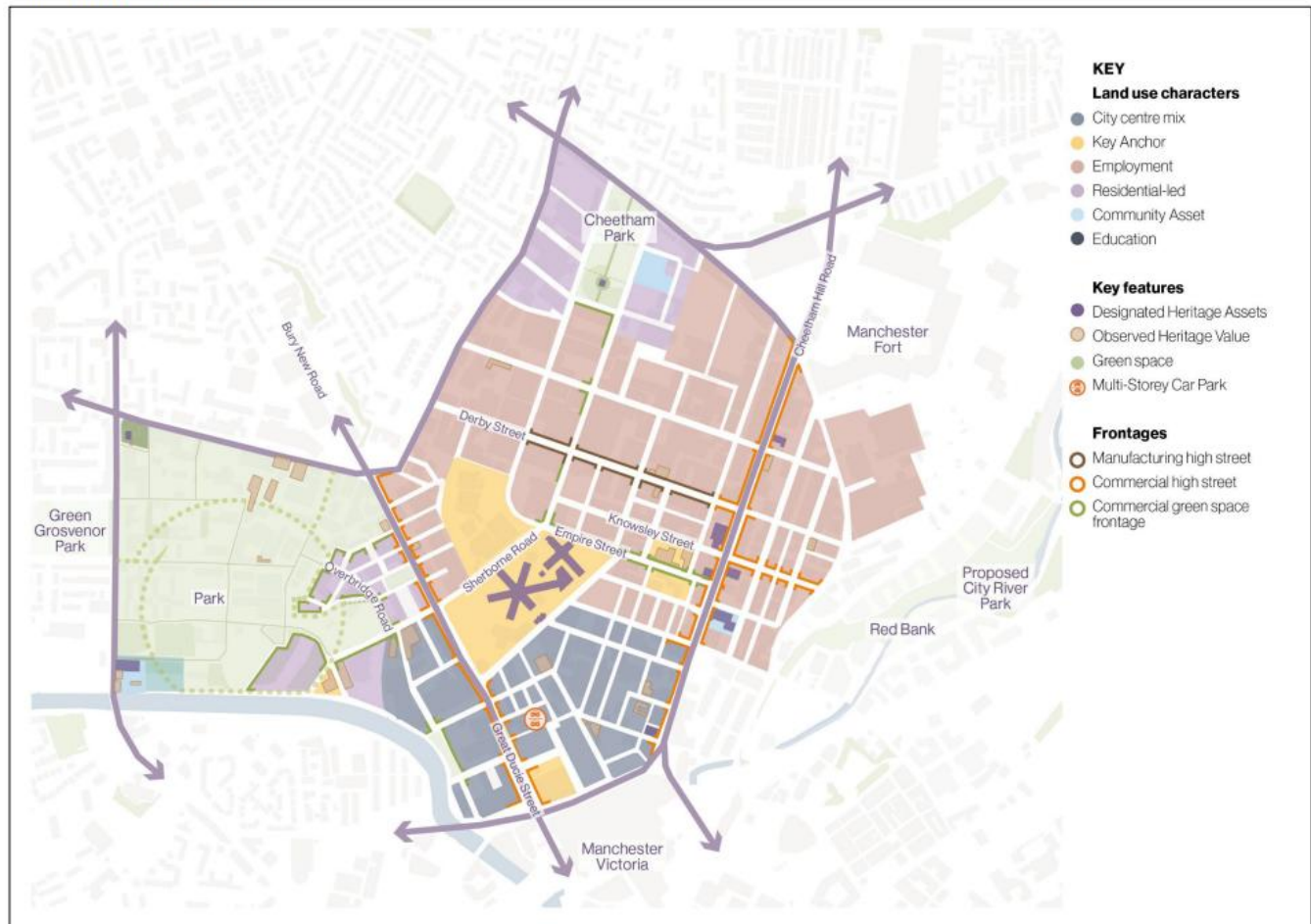
Issues

Principle of Development

Core Strategy Policy EC4 (North Manchester) identifies the site as sitting within the boundaries of City Centre Fringe, which is designated as being suitable for office led mixed use development.

Policy CC1 (Primary Economic Development Focus: City Centre and Fringe) identifies that the City Centre is expected to accommodate 33ha and the City Centre Fringe 25ha of office or similar employment development. It further states that the City Centre and fringe will be considered a suitable location for the consideration of high-density buildings and commercially led mixed use schemes and that the focus for employment growth will be in B1a high density offices.

Figure 4.2: Land Use Strategy Diagram



Land Use Strategy Diagram in the Strangeways and Cambridge SRF

The Strangeways and Cambridge SRF clarifies that in the emerging policy context, a 'city centre mix' could include consideration of hotel, retail, leisure, entertainment, cultural and tourism facilities development in the area, subject to wider policy.

The combination of the two SRFs and existing policies on the matter makes it clear that the focus for the area should be on providing employment opportunities, primarily through office use, but that the area should provide some mix that includes other uses. The Land Use Strategy Diagram included in the Strangeways and Cambridge Strategic Regeneration Framework makes it clear that in the case of the application site, this should be achieved through a commercial high street, with ideally office use above.

On the basis of the policies listed above for this area and the future regeneration aspirations set out in the Great Ducie Street Strategic Regeneration Framework and Strangeways and Cambridge Strategic Regeneration Framework, the proposed use is considered to be incompatible with the employment policies and regeneration aspirations for the site and the principle of the use of a café on this site is not considered to be acceptable.

Visual Amenity

The existing and proposed elevations submitted show no external alterations proposed as a part of the development. Therefore, on the basis of the drawings submitted, there will be no detrimental impact on visual amenity caused as a result of the proposal.

Noise

The application site is located in a well-established employment area known as Strangeways, which is characterised by long standing businesses.

The noise impact assessment notes that the café will operate between 8:00 AM and 8:00 PM, avoiding late-night trading that could affect nearby residents.

However, the application form notes the proposed hours as being between 09:00 AM to 10:00 AM, Monday to Friday, 09:00 AM to 01:00 AM Saturdays and Sundays/Bank Holidays.

When comparing this to the hours in the Premises License for the unit, which has been granted, there are further inconsistencies, with these hours noted as being 10:00 to 02:00 Monday to Sunday.

UDP Saved Policy DC10.1 (Food and Drink Uses) states any food and drink uses must have regard for the impact on the amenity of neighbouring residents.

DC26.1 (Development and Noise) states that the Council will assess the effect of new development proposals which are likely to be generators of noise.

The inconsistency with the hours proposed are of concern to the Council. The submitted noise assessment is on the basis of the premises operating until 8:00 PM and does not take into account the impact of any late-night hours that are generally not present in the surrounding area and could have a significant impact upon surrounding amenity in the area.

On the basis of the information submitted, the City Council cannot support the proposed change of use due to the unsatisfactory assessment of impact of noise upon surrounding amenity.

There are no concerns with the hours of the servicing proposed as having any impact upon surrounding residential amenity.

The potential impacts of noise are considered to be unacceptable for this area which does not currently feature much uses with late night opening hours and is therefore in conflict with policies SP1, EC1, EC3, EC4, EN1, CC1 and DM1 of the Manchester Core Strategy (2012), saved policies DC10.1 and DC26 Unitary Development Plan for the City of Manchester (1995), the NPPF, and the provisions of Great Ducie Street Strategic Regeneration Framework, Strangeways and Cambridge Strategic Regeneration Framework, and the application is therefore refused on these grounds.

Public Safety

There are no substantial public safety concerns raised by Greater Manchester Police as a part of the proposals and they stated in their consultation response that if the application were to be approved, the recommendations made within the Crime Impact Statement should be incorporated where feasible.

It should be noted that this is on the basis of the hours applied for in the application form.

Overall, there are no sufficient public safety concerns significant enough to warrant a refusal on public safety grounds.

Highway Impacts

There is parking available to one side of Sherborne Street, Great Ducie Street offers time limited street parking nearby. Due to the number of nearby attractions, the parking availability is seen to be in high demand. The roads are subject to a 30mph limit.

MCC's Highway Services do not expect that there will be an excessive demand for kerbside parking, due to the location and the café being on the first floor. Due to parking restrictions and a pedestrian crossing on Great Ducie Street, Highway Services expect that any nearby drop off or pick up would be expected to be done from Sherborne Street. As there is parking available to one side of Sherbourne Street, Highways expect that this could be accommodated.

Given that the café will cater to twenty customers, this number is not expected to offer an unacceptable impact on the highway, with customers expected to be mainly pedestrians.

For a café use of this size, the City Council expects that they should be a secured covered structure for the safe storage of a minimum of two cycles. No such provision has been made in the proposals. A condition could have been attached to an approval requiring that the applicant identify the location and the design of a secure covered cycle storage for two cycles before the commencement of the works.

Highway Services recommended that if the application were to be approved, a Construction Management Plan should be attached as a pre-commencement condition, in order to mitigate against any impacts upon the Highway during any construction works.

Overall, whilst the location for a café is not ideal in Highway terms, being on the first floor will reduce any highway impact with the remaining impact being able to be accommodated, therefore, it is not considered that there are not sufficient grounds to refuse the applications due to unacceptable impacts upon the Highway.

Accessibility

The proposed café is situated on the upper floor of an existing building that was originally designed for public use. Access is currently available only via a staircase that are 1.7m wide, and there is no existing lift or ramp infrastructure within the property. The building structure, age, and layout do not readily allow for the installation of a lift without extensive structural alterations.

A Disabled Access Justification Statement was submitted as a part of the proposal and an option analysis provided as a part of this.

A platform lift or stair lift was considered, but this was deemed impractical due to the lack of sufficient stair width to accommodate such equipment safely while maintaining emergency egress requirements and non-compliance with fire safety and evacuation standards for powered equipment in multi-level premises.

An external lift installation was considered. The justification for not providing this was due to the structural and visual alterations to the external façade which would have a significant amount of clutter, the costs which would not be viable for a small, independent business, and the lack of a location to install an external lift insulation which would cause disruption to adjoining properties, shared areas, or the highway, and would require consent outside of the site edged red and property ownership.

Reconfiguring the ground floor use is unable to take place as this unit is under separate use/ownership, meaning the applicant does not have rights or access to reconfigure or operate on the ground floor.

The Disabled Access Justification Statement states that whilst full disabled access to the upper floor is not currently feasible, the operator is committed to providing an inclusive and welcoming environment by:

- Offering online ordering or takeaway options for those unable to access the premises.
- Providing clear signage regarding access limitations on all advertising and promotional materials.
- Ensuring that any staff or customers with access needs are treated with dignity and flexibility wherever possible.

Whilst the lack of full disabled access to the upper floor is not ideal, in this case, the City Council can accept the justification and arguments put forward for not providing full access to the unit. Therefore, it is considered that there are not sufficient grounds to refuse the applications due to unacceptable impacts upon the Highway.

Flood Risk

The site is located within Flood Zone 3 with a Flood risk vulnerability classification of Less Vulnerable.

The underground River Irwell tributary (Strangeways) is located within the site boundary.

A Flood Risk Assessment was submitted as a part of the application. MCC's Flood Risk Management have reviewed the submission and confirmed that if the application were to be approved, a pre-commencement condition would have to be attached to ensure that the design be made appropriately flood resistant and resilient, including details of flood resistance and resilience measures to be included, as well as details of access and egress plans in accordance with Government Standing Advice for Vulnerable Developments.

The Environment Agency confirmed that they would not be responding to the consultation request for this application as Flood Risk Standing Advice (FRSA) applies.

Overall, there are no sufficient Flood Risk concerns significant enough to warrant a refusal on Flood Risk grounds.

Waste Management

The applicant has stated that all deliveries and waste collections will be made using a small van, typically no larger than 1m wide and 4.5m in length (e.g., a Ford Transit Connect or similar).

That deliveries expected are twice weekly Monday & Friday mornings between 10:00 AM - 12:00 PM). Waste Collection, once weekly outside of peak traffic hours (e.g., mid-morning or early afternoon).

The 2 x 240 litre containers have been proposed for general waste collected weekly and 2 x 240l containers for recycling collected fortnightly. The collection frequency, particularly for the recycling materials, is considered to be unlikely to be sufficient when considering the small containers proposed.

A receptacle for food waste would also be required. The size and collection frequency of this would need to be confirmed.

A diagram was not provided indicating the refuse store and identifying the containers within the refuse store.

It is considered that these matters could have been resolved by the way of a pre-commencement condition that could have been attached to any potential approval of an application at this site. Therefore, the application has not been refused on waste management grounds.

Conclusion

The application is therefore refused on noise/residential amenity grounds and upon the principle of development/use, for the reasons outlined above, in accordance with the policies and provisions outlined above.

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

Officers have worked with the applicant/agent in a positive and proactive manner in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. The issues identified, particularly in relation to the inconsistency in submitted

documents regarding the hours and use, have not been resolved by the applicant and so the application has been refused within the determination period of the application.

Reasons for recommendation to refuse

- 1) The application site is located in a well-established employment area known as Strangeways which is characterised by long standing businesses. The emerging regeneration context for the area supports employment led developments, primarily office led developments. It is not considered that the cafe use at the first-floor level is compatible with supporting the employment objectives for the area. The proposed use is contrary to Places for Everyone (2024) policy JP-J2 (Employment Sites and Premises), policies SP1, EC1, EC3, EC4, EN1, CC1 and DM1 of the Manchester Core Strategy (2012), the National Planning Policy Framework, and the provisions of Great Ducie Street Strategic Regeneration Framework, Strangeways and Cambridge Strategic Regeneration Framework.
- 2) The impacts of noise associated with the proposed use and opening hours have not been adequately assessed as a part of the application. The hours proposed in the application form are inconsistent with other documents submitted as a part of the application, including the noise assessment. It is considered that the late-night hours proposed would result in unacceptable levels of noise, disturbance and activity in the surrounding area from the comings and goings associated with the nature of the use and the premises late opening hours of opening, which would have an unduly harmful impact on residential and neighbourhood amenity. The proposed use is contrary to, policies SP1 and DM1 of the Manchester Core Strategy (2012), saved policies DC10.1 and DC26 Unitary Development Plan for the City of Manchester (1995), and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Environment Agency
Salford City Council

7 Bury New Road, Manchester, M8 8FW
5 Bury New Road, Manchester, M8 8FW
173 Great Ducie Street, Manchester, M3 1FF
171 Great Ducie Street, Manchester, M3 1FF
Unit 26, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 25, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 24, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 29, 2 - 14 Bury New Road, Manchester, M8 8FR
Units 34 And 38, 2 - 14 Bury New Road, Manchester, M8 8FR
Units 35 And 36, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 28, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 1 To 3, 18 Sherborne Street, Manchester, M3 1FE
Unit 33, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 32, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 31, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 30, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 23, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 22, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 21, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 20, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 19, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 18, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 27, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 17, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 16, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 15, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 14, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 13, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 12, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 11, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 10, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 9, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 8, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 7, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 6, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 5, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 4, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 3, 2 - 14 Bury New Road, Manchester, M8 8FR
Unit 2, 2 - 14 Bury New Road, Manchester, M8 8FR
2 - 14 Bury New Road, Manchester, M8 8FR
22B Sherborne Street, Manchester, M3 1EF
22A Sherborne Street, Manchester, M3 1EF
Unit 6C, 18 Sherborne Street, Manchester, M3 1FE
Unit 6B, 18 Sherborne Street, Manchester, M3 1FE
Unit 6A, 18 Sherborne Street, Manchester, M3 1FE

Unit 5, 18 Sherborne Street, Manchester, M3 1FE
Unit 4, 18 Sherborne Street, Manchester, M3 1FE
12 Sherborne Street, Manchester, M3 1FE
24 Sherborne Street, Manchester, M3 1EF
1B Bury New Road, Manchester, M8 8FW
1A Bury New Road, Manchester, M8 8FW
3 Bury New Road, Manchester, M8 8FW
1 Bury New Road, Manchester, M8 8FW
Ground Floor And First Floor, Sherboure Works, Barker Street, Manchester, M3 1EE
Ground Floor, Sherboure Works, Barker Street, Manchester, M3 1EE
181 Great Ducie Street, Manchester, M3 1FF
177 Great Ducie Street, Manchester, M3 1FF
175 Great Ducie Street, Manchester, M3 1FF
179 Great Ducie Street, Manchester, M3 1FF
First And Second Floors, 7 Bury New Road, Manchester, M8 8FW

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL