

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143821/FO/2025

Date registered valid: 12 November 2025

Proposal: Partial retention and partial erection of single storey metal framed and metal roofed canopy and siting of a container for the sales of refreshments.

Address: Rose Hand Car Wash, 745 - 753 Ashton Old Road, Manchester, M11 2HB

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Tawhid Suleiman

Agent (if any): Mr Dean King, NK Architectural

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 25 February 2026

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 24 November 2025

Expired: 15 December 2025

Neighbour notifications

Printed: 24 November 2025

Expired: 15 December 2025

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

This application relates to a site on Ashton Old Road, that operates as a car wash, by virtue of the following planning permission:

047844/FO/NORTH2/95 - Retrospective application for use as car cleaning and valeting (Class B2), and external alterations - Approved 20 July 1995

An unauthorised canopy has been erected on the site, and permission is sought for the partial retention of this canopy, with revisions, so that less of the site is covered. The drawings show that the existing established canopy is set back from the Dawney Street and Ashton Old Road frontages, and also from the frontage of the building on the adjoining site. The established canopy has an 'L' shape and is approximately 3.5 metres high. Additional metal work has been installed on site, which is at least 2 metres higher and covers a larger portion of the site, coming up to the site boundary with Dawney Street. The applicant has been advised that this is not acceptable and it is proposed to remove these works, and extend the existing canopy, by 'squaring' it off, so that there would be some additional site coverage, but the canopy would be no nearer to Dawney Street, or Ashton Old Road, than the existing canopy, being approximately 7 metres and 9 metres, respectively, from these boundaries. It would be of the same height, as the existing canopy, and would be constructed in similar materials.

Also on site a container has been site, on the Ashton Old Road frontage. The applicant states that this is for the sale of refreshments/snacks, but it is not possible to see into the unit, which is called the 'Midnight Brownie Club'. It is not therefore completely clear as to how this unit is used. No hours of operation are provided, for this unit, although evidence from a local resident suggests that it does open into the evening.

Consultations & Notification Responses

Local residents/adjoining occupiers - One objection has been received, from a local resident, who objects to the refreshment container, for the following reasons:

- This refreshment container has not been granted the necessary permissions, yet it is already operating. Since it opened, it has caused severe traffic disruption every night, particularly along Dawney Street and South Street, from the top to the bottom of the road.

The road is already very narrow, and the existing car wash regularly parks multiple vans and cars along the street, meaning only one vehicle can pass at a time. However, during the operating hours of Midnight Brownie, staff appear to direct customer vehicles in one direction only, effectively turning the road into a one-way system without authorisation. This makes it impossible for residents to drive in the opposite direction or exit the road if cars are parked against the flow.

This situation has already caused serious problems for residents. This is extremely concerning and poses a risk to residents' safety, especially in emergency situations.

Given that the car wash already creates congestion in this area, the addition of a refreshment container attracting large numbers of vehicles has made the situation unmanageable and unsafe.

Highway Services - Make the following comments:

- Access and egress from the site are via Dawney Street.
- Proposed canopy and container are located within the site boundary.
- Internal operations appear to be unaffected.

There are therefore no highway objections.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached, to any permission, in relation to hours of operation, servicing and construction, refuse and external equipment.

Issues

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 7 'Ensuring the vitality of town centres' references that there should be a hierarchy of town centres and primary shopping uses, and, where town centre sites are not available for town centre uses, edge of centre sites can be identified and edge of centre, or out of centre sites, should only be considered if main town centre sites are not available.

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 - On 16th December 2025 the government has published a consultation National Planning Policy Framework.

Of relevance to this application, the draft NPPF makes it clear that local planning authorities should amongst other things:

- Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision.
- Decisions on development proposals should apply a presumption in favour of sustainable development.
- In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal: Be located where a genuine choice of sustainable transport modes exists,
- Substantial weight should be given to the benefits of providing accommodation that will contribute towards meeting the evidenced needs of the local community, taking into account any up-to-date local housing need assessment, and other relevant evidence.
- Design quality should be considered throughout the evolution, assessment and delivery of development proposals.

Whilst this is a draft NPPF for consultation it is considered that the development proposals are not in accordance with the general thrust of policy contained within it. As set out in the printed report, it is not considered that the proposal responds to the evidenced needs of the local community and does not represent sustainable development.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

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

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.

Objective 4 relates to Centres with the aim being to set out a proactive strategy for its centres, focused on directing new retail development to deliver the Council's Vision of thriving accessible centres. A balanced provision of retail and local services will be provided improving existing retail facilities, addressing deficiencies in the retail hierarchy and planning for future growth. The aim is to promote the vitality and viability of the City's centres, encouraging a wide range of services which allow genuine choice in a good quality environment which is accessible to all, helping to reduce car dependency whilst also ensuring centres are a focus for community and civic activity.

Relevant policies are:

C1 - This sets the hierarchy of Manchester City Centre, District Centres, and local centres, with Eastland and Newton Heath Centres indicated.

Policy C2 relates specifically to district centres and states that development in district centres should prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. The Council will ensure that retail remains the principal use in Primary Shopping Areas, but also ensure that provision is made in District Centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. Subject to impact on overall character and local amenity, the Council will support development which extends the time during which District Centres are active;

Policy C4 relates specifically to East Manchester District Centre, including that at Openshaw, which is approximately one mile from the site.

It states that in Openshaw the Council will support schemes which improve the District Centre environments, particularly in terms of access and movement within the centre and in creating a more diverse range of uses. Recent development in these centres responded to local retail needs, but there is potential for other commercial and public uses.

Policy C9 relates to out of centre development and states that development of town centre uses in locations which are outside a centre identified in policy C1 will be inappropriate unless it can meet the following criteria:

- There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable
- The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and,
- The proposal is appropriate in terms of its scale and function to its location.

It states that proposals of a scale which is likely to have a significant impact beyond the immediate locality could have implications for the vitality and viability of existing centres within the City and in neighbouring areas, and on the accessibility of communities to shopping facilities. These implications should be considered through the planning process. In Manchester's circumstances, the impacts of out-of-centre development will vary across the City and will need to be considered on a case-by-case basis, although the Council considers that development of less than 650 square metres gross will generally be of local significance only. Proposals of more than local significance should be accompanied by a statement which describes the nature and role of the proposals, evidence of the area the development is likely to serve, an assessment of the likely turnover of the development, an assessment of trade diversions from designed centres and an appraisal of the effects of the proposal on the vitality and viability of affected centres having regard to the factors set out in Policy EC16.1 of PPS4.

Policy C9 also establishes a basis to support out-of-centre development provided it is intended to improve the experience of visitors or neighbours, rather than increase the role of the location.

Policy C10 relates to leisure and the evening economy, noting that District and local centres play a vital role, not only as places to shop but because they provide the opportunity for a wide range for leisure services to be delivered locally. The City needs to achieve a better balance of evening and night-time activities and a better distribution throughout the City. In some areas concentrations of uses associated with the evening economy have led to problems with anti social behaviour, while other parts of the City suffer from lack of activity during the evening. It is important that the uses within centres are carefully balanced so that evening/night-time uses are complementary to neighbouring uses.

The policy states that when considering the impact of a proposed restaurant/take away regard will be had to this policy and also factors including the character of the centre and its frontage and the nature of the use proposed and the potential impacts of the proposal on the wider community.

This policy aims to encourage evening and nighttime economy uses that contribute to the vitality of the Manchester's centres and that support the creation of a safe, balanced and socially inclusive evening economy. Centres, in particular the City Centre and District Centres, have an

important role as the focus for the City's evening economy. The Council recognises that a vibrant evening economy is important, both to the well-being of its residents and as a source of economic activity.

Policy EN1 relates to Design Principles and Strategic Character Areas. It states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance 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.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 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:-

- 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 and 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.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy E3.3 relates to sites along radial routes, which includes Ashton Old Road, and seeks to ensure that all new development, along these routes, is of the highest quality.

Policy DC10 relates to food and drink uses

DC10.1 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.

DC10.2 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.

DC10.3 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.

DC10.4 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.

DC10.5 The Council will consider on their individual merits proposals for larger, free-standing restaurants, public houses, clubs etc. which require a main road location and do not clearly meet the locational criteria set out in policy.

Policy DC26 relates to development and noise

Policy DC26.1 - Relates to the proposals contribution to the local noise environment and the impact of existing noise sources on the development has been assessed, particularly in relation to the proposed residential units.

Policy DC26.4 - Requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily.

Policy DC26.5 - Relates to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

The 'Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039' was adopted on 21 March 2024.

Policy JP-P6 relates to health, stating that:

To help tackle health inequality new development will be required, as far as practicable, to:

- A. Maximise its positive contribution to health and wellbeing, whilst avoiding any potential negative impacts of new development;
 - B. Support healthy lifestyles, including through the use of active design principles making physical activity an easy, practical and attractive choice;
- and
- C. Be supported by a Health Impact Assessment for all developments which require to be screened for an Environmental Impact Assessment, and other proposals which, due to their location, nature or proximity to sensitive receptors, are likely to have a notable impact on health and wellbeing.

Other relevant policies of PfE in this instance are:

JP-S1: Sustainable development

JP-C8: Transport Requirements of New Development

JP-P1: Sustainable Places

Works to canopy - Whilst the currently erected canopy/framework is something of an eyesore, the proposed removal of this framework, and replacement, with additions to the existing canopy, is considered to represent a significant improvement. It seeks to 'square' off the existing canopy, being no higher. From Dawney Street and Ashton Old Road, there would therefore be a minimal change in the appearance of the site. In particular, the canopy is set against a taller building, on the adjoining site, and the canopy would largely be seen against the backdrop of this building. On this basis, the proposed canopy revisions are considered to be acceptable, and it is the view that this part of the application submission could be supported.

Refreshment unit - Principle of use - Whilst the full use of this unit is not clear, the applicant identifies it as a unit for selling refreshments and snacks. Saved policy DC10.2, of the Unitary Development Plan for the City of Manchester, references industrial and commercial areas, as being a suitable location for uses of this type. However, whilst there are commercial/retail premises nearby, the area also contains a number of residential properties and does not constitute a genuine commercial area or a local shopping centre. It is therefore considered that the site does not conform with the locational policy requirements for uses of use.

Refreshment unit - Appearance - The unit is positioned right at the back of pavement, on Ashton Old Road, and has its entrance facing into the site, so it presents a long blank frontage to Ashton Old Road. The structure therefore draws attention to itself and appears unrelated to its surroundings and this is highlighted by its temporary appearance, of a container with no frontage onto Ashton Old Road. It is considered that the unit has a poor visual impact, in this location, and is therefore considered to be detrimental to the visual amenity of the area.

Impact on Openshaw District Centre - The site is located approximately one mile from the boundary of Openshaw District Centre and therefore falls within the catchment area of the centre. Whilst this is a single unit, it apparently operates during the evening, selling food and snacks, and is a use that is more appropriately located in the district centre. There is no evidence to show that this is a hot food takeaway but the residents comments suggests that it does attract a large number of vehicles and could therefore be drawing business away from the centre. Whilst creating competition is not a reason to resist the application, it is considered that the use is such that it is likely to attract people from the catchment area, of Gorton District Centre.

Residential amenity - The site lies in close proximity to a number of residential properties, with the nearest being approximately 60 metres away. In addition this appears to be a late night use, as demonstrated by residents comments and the name of the unit itself. It is therefore considered that the unit represents a significant potential for the disturbance of residents, due to noise impacts from activity at the site, including comings and goings and vehicular activity.

Conclusion - it is considered that if the application were for the works to the canopy alone, that it could be supported, but the application needs to be assessed in relation to all elements proposed, and cannot therefore be supported due to the adverse impacts of the refreshment unit.

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 applicant was given the option to remove the refreshment unit and for the application to be assessed on the basis of the changes to the canopy only. The applicant did not take up this option, and in this instance, the development is considered to be contrary to policy and the application has therefore been refused in a timely manner.

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

1) The siting of a food and drink unit in this location is an inappropriate use, as it is located outside an established and defined shopping parade/centre where food and drink uses are usually considered to be appropriately located, to avoid any adverse impacts on the character or amenities of the occupiers of residential premises. The proposed use is therefore considered to be contrary to Policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC10 of the Unitary Development Plan for the City of Manchester.

2) The siting of a temporary container in this location forms an isolated feature that is out of character with its surroundings. In addition, the siting, scale, appearance and materiality of the container forms an unattractive structure and incongruous addition within the street scene resulting in an unduly harmful impact upon the visual amenity of the locality, and on a busy radial route to/from Manchester City Centre. The proposal is therefore contrary to the provisions of policies SP1, EN1 and DM1 of the Manchester Core Strategy and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

3) The continued use of the unit as a refreshment unit would have a detrimental effect on the residential amenity of the occupiers of surrounding residential properties by reason of the noise

and the general comings and goings associated with such a use. The development is therefore contrary to Policy DM1 in the Manchester Core Strategy Development Plan Document and saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester.

4) The refreshment unit constitutes an incompatible late night leisure activity, into a part residential area, which would lead to a significant increase in people visiting the site, in the evenings, creating a 'destination' evening venue that would draw people away from the nearby Gorton District Centre. The proposed use is therefore contrary to the provisions of Policies C1, C9, C10 and SP1, of the Manchester Core Strategy, and saved policy DC10 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

738 Ashton Old Road, Manchester, M11 2PL
South Street Community Centre, Ashton Old Road, Manchester, M11 2HB
755 Ashton Old Road, Manchester, M11 2HB
741 Ashton Old Road, Manchester, M11 2HD
735 Ashton Old Road, Manchester, M11 2HD

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA