

Application Number	Date of Appln	Committee Date	Ward
118127/FO/2017	14th Nov 2017	11th Jan 2018	Bradford Ward

Proposal Erection of two storey building (incorporating mezzanine) to form drive-through coffee shop (use class A1/A3) and commercial unit (A1/A3), together with associated parking, landscaping and new access

Location Open Land To The South Of Ashton Old Road And North Of Whitworth Street, Currently Bisected By Redby Street, Manchester, M11 2NP

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Description

The application site relates to a vacant area of land along the southern side of the main east/west arterial route of Ashton Old Road, approximately 0.9km to the west of Openshaw district centre. The site is bounded by Aston Old Road to the north and Whitworth St to the south. Either side are areas of vacant, landscaped land, beyond which to the east, is a surface level car park.



The site which is understood to have been vacant in excess of 20 years was previously occupied by a number of businesses and was later heavily treed. It is now overgrown with poor quality, low level vegetation following the removal of many trees and fly tipping is evident. In its north eastern corner adjacent to Ashton Old Road is a large media display which is to be retained.

The site is dissected by a short, cobbled section of adopted highway (Redby Street) which incorporates a section of redundant railway rails associated with its former industrial use which links Ashton Old Road to Whitworth Street.

In terms of the immediate surroundings, to the south along Whitworth Street are a mixture of single storey industrial/manufacturing warehouses associated with City Works Business Park. To the north, along Ashton Old Road is a two storey tool hire

business and two storey, red brick public house (The Queen Anne). Further to east are a number of sporadic retail and business uses leading towards Openshaw centre (Lime Square). To the west are a number of light industrial, office and warehouse units, beyond which is Manchester College.

In this case planning permission is sought for the erection of a new two storey building incorporating a mezzanine floor for the creation of a drive through coffee shop (Class A1/A3) and a separate commercial unit (Class A1/A3).

The building is of a contemporary design with the proposal entailing the creation of new car area which envelopes the building, a drive through lane, the stopping up of Redby Street and a landscaped perimeter.

Consultations

Local Residents/Occupiers – 3 letters of objection including form a local resident and from and on behalf of the LTE Group and The Manchester College. Concerns are outlined below.

The Council should be aware of the College's redevelopment aspirations for the Openshaw campus. The Manchester Estate Strategy was presented to the Council's Executive in November 2017 which sets out the estate strategy ambition for the next 5 years and highlights the colleges' aims to development leading facilities for post-16 education with Manchester, including the Openshaw campus.

It is believed that the proposed development has not sufficiently considered the operational impacts of increased vehicle numbers and movement on the local highway network. Manchester College needs to ensure uninterrupted access into and from its site at all times and considerations needs to be given to any obstructions risks for staff and students. It is therefore requested that the construction of the proposed development is carefully managed through a Construction Management Plan.

There is concerns surrounding the potential noise and nuisance implication of the proposal in proximity to the college. Mitigations measures as suggested within the submitted Noise Assessment should be implemented in order to ensure a suitable level of amenity can be achieved.

An issue is raised in relation to the pedestrian crossing on Ashton Old Rd. The No. 219 bus stop at which many students arrive to the college is located too far down Ashton Old Road in relation to the college, resulting in many students attempting to cross the road away from the crossing. There is concern that a coffee shop further along Ashton Old Road will result in the same issue and this may raise a safeguarding problem.

The biodiversity report was conducted after the clearance of trees and vegetation and therefore it reports negatively on the ecological merits of the site. It is considered that this is a flagrant abuse of the process and the application should be turned down on a technical breach.

It is further reported that the land concerned was planted during the 1970s to brighten up the area and the proposal is therefore an insult to the principle of the idea. It is believed the site should be left alone.

Highway Services – It is noted that Ashton Old Road, Redby Street and Whitworth Street all form part of the adopted highway. Ashton Old road is subject to no waiting at any time, and limited no loading Monday - Saturday 07:00-10:00 and Monday - Friday 16:00-19:00 traffic regulation orders. Whitworth Street and Redby Street are subject to no waiting at any time and a 20mph speed restriction.

Original comments in response to the application are outlined below:

Accessibility

This site is located on Ashton Old Road and benefits from strong pedestrian and cycling infrastructure in the vicinity of the site. This site is also served by bus routes on Ashton Old Road and is within 900m of Ashbury's Station for national rail services. This site is considered to be accessible by public transport modes of travel.

Parking

This development proposes 41 parking spaces in which 3 will be accessible. It is understood from the transport statement that the spaces will be in line with MCC standard dimensions. The provision states is satisfactory to the Highways Team.

The Highways Team have concerns relating to the positioning of the accessible bays, the 1.2m space to the rear of the spaces appear to intrude upon the flow of traffic manoeuvring around the site, thus posing a risk to users of the spaces. Whilst it is appreciated that the bays are situated in close proximity to the entrances to the units, the applicant should consider relocating the spaces elsewhere or amending the layout of the proposed roads within the site so that the accessible spaces do not pose an obstacle.

Cycle Parking

This development will provide six cycle parking spaces which is in excess of MCC standards, this is welcomed by the Highways Team.

Vehicle Circulation

Upon review of the proposed site plans and refuse vehicle tracking, it is the recommendation of the Highways Team that consideration is given to a one way circulation around the site. This would allow for greater space for the accessible bays on the northern boundary with a lesser impact on the flow of vehicles, in addition to minimising the conflict between refuse vehicles and servicing vehicles overhanging the opposite lane when manoeuvring around the site.

Servicing Management

The applicant has provided a Servicing and Refuse Management Statement, it is understood that three parking bays on the southern boundary of the site will be coned off from public use when deliveries are scheduled to take place to ensure minimal disruption to the flow of vehicles around the site. This is acceptable to the Highways Team.

Waste Management

Three parking bays have been designated as a waste collection point and will be coned off prior to the arrival of the refuse vehicle to prevent cars from parking there and obstructing collection. This is acceptable to the Highways Team.

Swept path analysis have also been undertaken on a 11.5m typical refuse vehicle which demonstrates that a refuse vehicle can manoeuvre around the site with ease. This is acceptable to the Highways Team.

Construction Management Plan

A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Stopping Up

The stopping up of Redby Street is acceptable to the Highways Team.

Southern Access

The layout plans of the site propose placing a gate over the former southern entry from Redby Street for delivery access only, however it is understood from the Servicing Statement that deliveries will be made to the site from Ashton Old Road. It is unclear as to how this proposed access will be managed given that vehicles using this access would be manoeuvring against the flow of traffic. Clarification is sought here.

Following negotiations with the applicant and the submission of revised plans, the aforementioned concerns of Highway Services have been overcome. Highway Service have confirmed that the proposal is now considered acceptable.

Environmental Health – No objection. Conditions are suggested with respect to hours of opening, external equipment, acoustic insulation, construction management, waste management, fume extraction, air quality and ground contamination.

MCC Flood Risk Management – A condition is advised in relation to the submission and approval of a surface water drainage scheme.

United Utilities – Conditions are recommended in relation to the drainage of foul and surface water and the need for a surface water drainage scheme.

Greater Manchester Ecology Unit – No objection on ecological grounds.

Greater Manchester Policy (Design for Security) – Recommendations are made with respect to physical security measures, the installation of CCTV and effective management and maintenance of the site. A security management plan should include frequent inspection and prompt repair of security features, vegetation management, regular litter and graffiti removal, opening hours in line with other businesses in the area, risk assessment for staff and a robust strategy for dealing with cash on the premises.

Other matters

Publicity - The proposal, has been advertised in the local press (Manchester Evening News) as affecting a public right of way. A site notice has also been displayed at the site. In addition, notification letters have been sent to an extensive area of local residents and businesses.

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy T2 states that 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, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites.

Within the City Centre, development should provide a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development. Elsewhere, all new development should provide appropriate car parking facilities.

Policy C1 relates to the centre hierarchy and states that district centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily.

Policy C9 Development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses 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.
 - Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

Policy EC1 looks to ensure priorities for economic growth. The Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities and other employment generating uses.

Policy EC3 – states that within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged.

Policy EC5 relates to the regeneration of East Manchester and includes reference to employment land priorities including arterial roads (Oldham Road, Ashton New Road, Ashton Old Road and Hyde Road) and public transport networks, such as bus routes and the proposed extension to Metrolink including two new lines and new stops

Policy EN1 – relates to design principles and strategic character areas and 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 EN10 relates to open space. Proposals on existing open spaces and sport and recreation facilities will only be permitted where:

- Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or
- The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards set out above are maintained, and it could not fulfil other unsatisfied open space, sport or recreation needs, and a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area; or
- The development will be ancillary to the open space, sport or recreation facility and complement the use or character.

Policy EN14 – refers to flood risk and amongst other issues stat that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN15 states that developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate.

Policy EN16 – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN19 states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies).

The below saved policy of the Unitary Development Plan is also considered relevant:

Policy DC26 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular,

consideration will be given to the effect of new development proposals which are likely to be generators of noise.

Policy DC10 states that in determining planning applications for developments involving the sale of food or drink for consumption on the premises, the Council will have regard to, in this instance:

- The general location of the proposed development;
- The effect on the amenity of neighbouring residents;
- The availability of safe and convenient car parking;
- Ease of access for all;
- The storage and collection of refuse.

The Guide to Development in Manchester (SPG/SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Eastlands Regeneration Framework (2017)

Executive approval was granted in March 2017 for a new Eastlands Regeneration Framework.

Over the last two decades, successive Strategic Regeneration Frameworks (SRF) set out a long-term, integrated regeneration strategy for east Manchester focussed on the physical, economic and social transformation of the area.

New East Manchester Implementation Plan

This document sets out some spatial and macro-economic targets and aspirations. In terms of Ashton Old Rd it sets out within the priorities section improvements along the Ashton Old Road Corridor.

National Planning Policy Framework

The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7).

Paragraph 8 of the NPPF states that these roles should not be undertaken in isolation:

“...to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system”

Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life. This includes making it easier for jobs to be created in cities.

Paragraphs 11, 12, 13 and 14 of the NPPF outlines a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Paragraph 24 relates to the sequential approach to development management and states that:

"Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and Local Planning Authorities should demonstrate flexibility on issues such as form and scale".

Section 7 'Requiring Good Design' outlines the Government's expectations in respect of new developments:

"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people" (paragraph 56)

Paragraph 58 states that local plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. In particular, planning policies and decisions should aim to ensure that developments:

- 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;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Respond to local character and history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation;
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 59 goes on to state that:

“Local planning authorities should...concentrate in guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally”

Paragraph 63 of the NPPF also states that great weight should be given to outstanding or innovative design which helps raise the standard of design more generally in the area.

National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG are as follows:

Noise - Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other;
- form – the shape of buildings;
- scale – the size of buildings;
- detailing – the important smaller elements of building and spaces;
- materials – what a building is made from.

Air Quality – Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

Issues

Principle

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

The proposed development will lead to the regeneration of a vacant, redundant, brownfield site to provide a high quality development which will fulfil a qualitative need and deliver environmental and economic benefits along this section of Ashton Old Road.

The site due to its relationship and strong connection with adjoining land uses coupled with its situation along a principal arterial route into and out of the city centre, makes best use of existing resources and infrastructure, whilst also harnessing central policy objectives which promote sustainable development.

The applicant has also demonstrated via a sequential assessment that although out of centre, there are no other nearby sites within a centre or edge of centre location that are suitable, viable or available for the proposed use which could offer a drive through format. A use that is not typically accommodated within a town centre environment. Further, due to the scale of the proposal and the size of the floorspace proposed it is highly unlikely that there would be any impact upon nearby centres in terms of trade diversion, particularly as the floorspace falls below the threshold where an impact assessment would be required either as prescribed by City Council planning policy or the National Planning Policy Framework.

Given the above, it is considered that the proposal would offer an entirely suitable development without any significant adverse impact in accordance with saved policies DC10 and DC26 of the Unitary Development Plan for the City of Manchester, policies DM1, SP1, T2, C1, C9, EC1, EC3, EC5, EN1, EN14, EN15, EN16, EN17, EN19 of the Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF). There are no material considerations of sufficient weight to indicate otherwise.

Use

The application proposes a new drive through facility for a coffee shop (167 sqm at ground floor level, with 111 sqm above) and an adjoining commercial unit (Class

A1/A3) comprising 93 sqm of floorspace. An associated car park is provided containing 41 spaces.

The drive through coffee shop format is relatively new to the UK, with approximately 27 such stores across the country, although more or planned to be rolled out. The associated, smaller Class A1/A3 units will primarily focus on food consumption.

Regeneration

There is not presently any up to date, defined regeneration framework for this part of Manchester.

It is believed however that the development of the site for the proposed use aligns with wider Council objectives and also reflects the mixed use character of the area, whilst offering a high quality, frontage development along a key east/west radial route, which could act as a catalyst for future regeneration and investment in the area.

The applicant is keen to underline that the proposal can be delivered in accordance with market signals and demonstrates investor confidence for other uses to come forward on neighbouring sites. There is no evidence to suggest that the Council's regeneration priorities for the site and area are prejudiced in any way. The site lies along a key urban corridor and the proposal will provide an opportunity for regeneration, job creation and the introduction of economic uses which will benefit the physical, economic and social environment in line with the core principles of the National Planning Policy Framework (NPPF).

Right of Way

The proposal was advertised as affecting a right of way as the proposal will result in the stopping up of a short section of adopted highway (Redby Street).

From a planning perspective, it is not considered that the right of way provides any key pedestrian linkages and access to the surrounding area is unlikely to be significantly impeded or cause a high level of inconvenience. The road is not required for the completion of journeys beyond the application site and in any event, post completion of the proposal will still allow pedestrian permeability if required.

Sequential Assessment

As the proposed use entails a main town centre use outside of a designated centre, the applicant has produced a sequential assessment in line with the National Planning Policy Framework.

The assessment includes a review of other nearby sites and also references the need for flexibility in the approach to development for a development of this scale with consideration given to disaggregation of the proposed uses. Based on the requirements of the necessary site requirements, with the area of search focusing on in-centre and edge-of-centre sites around nearby defined district centres as well as consideration of other sites in the vicinity of Gorton, Eastlands and

Openshaw it is agreed that there are no preferable sites that are either suitable, viable or available which meet the identified purpose and business model of the applicant.

Open Space

With regard to the loss of open space, reference should be made to the Manchester City Council Open Space and Recreational Assessment (2009).

The report evaluates the adequacy of the quantity of open space in Manchester including Bradford ward, measuring the existing provision against local standards. It also highlights the amount of population growth that could be accommodated before existing provision would fall below the minimum standards.

Policy EN10 of the Core Strategy states that proposals on existing open space will only be permitted where the site has been demonstrated to be surplus for its current open space, sport or recreation function and the city wide standards are maintained and it could not fulfil other unsatisfied open space, sport or recreation needs and where a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area.

In this case, a check of the records does not indicate that the site is listed as formal open space.

The site relates to an area of brownfield land which was always envisaged to come forward for development. At present the site is low grade open space which is not particularly attractive and subject to litter and fly tipping. It is not used for any kind of recreational or usable amenity purpose. There is sufficient usable open space provision within the area, including Openshaw Park a short distance to the north east of the site so not to prejudice the use of the application site for redevelopment.

Employment

The proposed use reintroduces an employment function which is anticipated to bring economic and social and environmental benefits to the area by providing both active daytime and night time uses along Ashton Old Road. The proposed units at this stage would employ 9 full time and 19 part time staff on site and in addition, temporary construction employment will be created by the proposed development.

The applicant has agreed to enter into a local labour agreement in order to ensure priority is given to local people both during construction and when the development is operational. A planning condition which requires the submission, approval and compliance with such an agreement has been included.

Residential Amenity

Policy DM1 of the Core Strategy states that the effects upon amenity, community and crime prevention should form considerations in determining proposals.

Similarly, policy SP1 states that developments should make a positive contribution to the health, safety and well-being of residents.

Save policy DC10 of the UDP which relates specifically to food and drink uses states that in determining planning applications for developments involving the sale of food or drink for consumption on the premises, the Council will have regard the general location of the proposed development and the effect on the amenity of neighbouring residents.

More generally, saved Policy DC26 of the Unitary Development Plan relates to noise generating development and states that consideration should be given to the effect of new developments which are likely to be generators of noise.

There are no residential properties within the immediate proximity of the application site.

Taking account of the former business use of the site, the site context within a busy mixed use area on the fringe of an industrial estate and along a busy, major east/west thoroughfare linking the site to the city centre, it is not reasonably expected that there would be any material impact upon the living conditions of the nearest residential occupiers to the north of the site as a consequence of increased levels of activity or any associate noise and disturbance. On this basis, the impact upon residential amenity or the amenity of nearby business occupiers is considered satisfactory.

Noise

Saved Policy DC26 of the Unitary Development Plan states that the Council should consider the effect of new development proposals which are likely to be the generators of noise and the implications of new development being exposed to existing noise sources.

This is reflected within Policy DM1 of the Core Strategy which states that all development should have regard to effects on amenity, including that of noise.

Further guidance on the impacts of development on the noise climate is provided within the NPPF and supplementary national planning guidance and British Standards.

The applicant has prepared a Noise Impact Assessment which assesses the proposal in terms of the likely impact of operational noise generated by the proposed use upon surrounding buildings, including that of plant equipment and noise breakout, as well as the potential impact of noise generated by vehicle movements, including delivery vehicles.

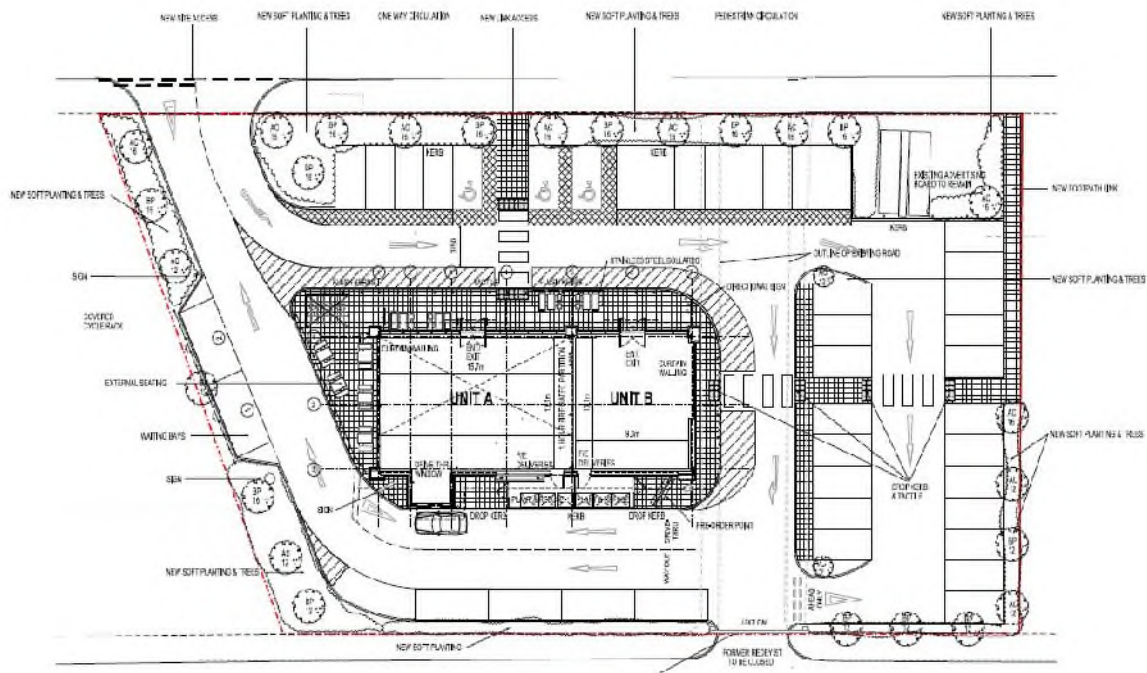
The assessment concludes that through suitable mitigation and compliance with the Council's requirements the development can be designed to achieve the necessary noise level criterion (including plant noise) which will comply with the City Council's standards. Similarly, noise breakout from the premises should have no impact on the nearest, surrounding noise sensitive premises.

Planning conditions have been included to stipulate the maximum noise requirement for plant equipment and to ensure any necessary acoustic insulation to the building is implemented.

Site Layout

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester (SPD) requires that consideration be given to layout of new developments ensuring that they respond to the surrounding context and maximise frontages with the street scene (including main road routes) and other important features of sites

In contrast to the unattractive, vacant frontage at present, it is considered that the proposed layout maximises the potential of the site and responds positively to all street frontages. The design presents an active frontage to Ashton Old Road and through the creation of a largely glazed frontage and associated perimeter planting it is believed the proposal will enhance the appearance of the street-scene.



The built form on site will be enveloped by parking bays, drive through lane, and road circulation, partially screened by a combination of high quality, robust, low level planting and trees around the perimeter Whilst the buildings are set back away from the adjoining pavement edge along Ashton Old Road, the building still addresses the main road, introducing activity and reflects other development in proximity to the application site. On this basis, the layout is considered acceptable.

Access

Access to the proposed development is via a new vehicular access road and junction off Ashton Old Road.

Pedestrian access will be provided via two route off the Ashton Old Road footway, incorporating level access and associated tactile dropped kerbs and crossings.

In terms of access for all, the proposed development is to be fully disabled accessible reflecting the provisions of Part M of the Building Regulations. This includes ease of access around the buildings and the provision of 3 accessible parking spaces.

Design, Scale and Appearance

The Guide to Development in Manchester SPD advocates that consideration should be given to the scale of new developments and ensure that they are informed by their context. Where buildings are of different scale to their surroundings they should be of the highest quality and be of landmark status.

Policy EN1 of the Core Strategy identifies 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.

The proposal involves the provision of a buildings situated side by side incorporating a second storey via the incorporation of a mezzanine floor, including a mono-pitched roof which slopes away from the main road frontage.

The double height design responds and reflects the two storey scale of buildings on the opposite side of Ashton Old Road and the double height industrial buildings to the rear along Whitworth Street.

The buildings have adopted a modern, contemporary design which has evolved through the planning process with changes to the material palette due to concerns about the longevity and robustness of materials and to allow a more lightweight, transparent design. Principally through the omission of rendered panels and the incorporation of more glazing.

The design now includes double height glazing to the Ashton Old Road frontage, the use of further masonry in place of timber cladding and the use of Kingspan curved wall cladding finished in silver, with areas of Trespa cladding finished in anthracite grey. The resultant changes offer a better quality, more durable elevational finish and will add more interest, articulation and transparency.

On balance, it is considered the design, scale and appearance of the proposed development offers a high quality design solution which is in keeping with the immediate context and will enhance the character and appearance of the street-scene.

Highway Impact

Policy T2 of the Core Strategy states that all new developments should provide appropriate car parking facilities and also that the circumstances of each proposal should be taken into account to establish what level of parking is appropriate. Policy DM1 requires that adequate parking should be provided for all new development and consideration should be given to traffic generation and road safety, whereas policy SP1 goes on to state that new developments should 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.

In the case of the proposed development, a Transport Assessment has been submitted by the applicant to review the impact of the development in terms of site accessibility (including by non-car modes), highway safety, trip generation, access and servicing arrangements, parking and traffic impact.

It is noted that the site is situated within a highly accessible location along Ashton Old Road and benefits from strong pedestrian and cycling infrastructure in the vicinity of the site, including a nearby pedestrian crossing which provides a connection to the core of the site from the north. The site is also served by several bus routes and is situated within 0.9km of Ashbury rail station.

41 off road car parking spaces are provided, including 3 disabled bays and 2 waiting bays, supported by 6 cycle parking spaces. This provision adheres to the Council's parking standards and offers cycle provision in excess of the guidance.

In terms of trip generation, trip rate analysis have been based on similar development in Greater Manchester based on a typical weekday. It can be seen from the data that that it is forecast that the proposed development as a whole could be expected to generate around 140 two way trips in the AM period, 103 two-way trips in the lunchtime peak and 64 two way trips in the PM peak. This equates to just over 1 car per minute arriving and departing in the AM peak hour and approximately 1 vehicle every 2 minutes arriving and departing in the PM peak hours.

Due to the nature of the development and its location along a main distributor road leading towards Manchester city centre, means that the majority of trips are expected to arise from pass by trips which are already present on the highway network. On this basis and, it is not considered that the trips generated by the proposal will have a significant impact on the operation of the highway.

Similarly, as requested by TfGM, the operational capacity of the site access junction to Ashton Old Road has been assessed in order to ensure there are no safety concerns. An issue raised via the submitted neighbourhood representations.

The capacity assessment has been undertaken using an industry standards modelling tool for assessing isolated priority controlled junctions. It concludes that the ratio of flow to capacity figure indicates that the junction is operating at 35% of its capacity and therefore very low queue forecasts are anticipated. The assessment shows that the proposed site access junction can accommodate the proposed development with no significant, material impact on the operation of the local highway network. Highway Services agree with the findings.

With referenced to highway safety, a review of accident data reveals that given the nature of the surrounding highway network and vehicular activity in the area, the overall accident rate is considered low. There are no known highway design features that contribute to the occurrence of accidents and therefore it is believed that there are no known highway safety issues that need to be addressed by the proposal.

Whilst pedestrian footfall in the area can be high at peak periods due to location of a nearby college, there is a pedestrian (Pelican) crossing to the north western corner of the site along Ashton Old Road. Highway Services have also assessed the proposal and no objection has been raised on highway safety grounds.

Waste Management

The submitted Waste Management Strategy details how waste generated by the proposed units, including recycling receptacles will be stored in a dedicated enclosure to the rear of the site. The arrangement is generally considered acceptable by both Highways Service and Environmental Health.

For the drive through unit, refuse will be separated into different bins to allow for recycling and sufficient space is provided for 2 x 1100L Eurobins in addition to the general waste which will be stored in a 1 x 1100L Eurobin. Recyclable waste will be typically collected on a weekly basis by a specialist recycling contractor with the general waste anticipated to be collected on a twice weekly basis by a licensed contractor.

Similarly, the other unit will provide refuse storage within a dedicated enclosure and will operate on a similar basis to the drive through unit.

Conditions have been included to ensure compliance with the waste management arrangements.

Servicing

A servicing strategy accompanies the application which is also detailed within an associated Transport Statement.

The strategy states that servicing for the units will be from the car park, with the maximum size of units used for both waste collection and servicing likely to be 11.5 metre long rigid vehicles. Swept path analysis demonstrates that the units can be satisfactorily accessed with vehicle able to enter and exit in a forward gear.

The strategy highlights best practice arrangements for servicing vehicles and provides an indication of the number of service vehicles accessing the site.

Highway Services have assessed the arrangements and following minor revisions to internal circulation consider the arrangements satisfactory.

Ecology

The application has been accompanied by an Ecological Survey and Assessment which provides a thorough assessment as to the impact upon any flora or fauna.

Whilst an objection has been received which raises a concern about the degradation of the site, the site is not protected and there is no evidence that any significant harmful impact to ecology has been caused. Although a small number of trees have been removed, this was done in advance of the current application and the proposed development will offer a net gain in tree provision.

The submitted assessment concludes that it has been demonstrated that a commercial development the site is feasible without any negative impacts to ecology. The application proposes a high quality landscape scheme which will also offer the opportunity to secure ecological enhancements for fauna such as breeding birds.

Feedback received from the Greater Manchester Ecology Units reveals that there is no objection to the proposal on ecology grounds.

Landscaping

It is considered that the proposed development will have a positive impact upon tree cover, biodiversity and the character and appearance of this part of Ashton Old Road. The level of tree provision will increase and improve the quality of existing tree stock which will enhance the appearance of the street-scene.

Robust tree planting and soft landscaping has been provided along the entire site perimeter as well as understorey planting and planting adjacent to some parking bays to add interest and seasonal colour throughout the site. The plans indicate a total of 26 new trees along the site boundary.

Native tree species are to be introduced (typically Alder and Birch) with the intention to provide an immediate street presence to Ashton Old Rd, with specimens up to 6.25m in height at the point of planting. Once established, it is considered that landscaping will be of high quality that will soften the edge of the site and lead to a visual and environmental improvement to part of the Ashton Old Road corridor.

Designing out crime

Policy DM1 of the Core Strategy requires that consideration be given to community safety and crime prevention. The planning application is supported by a Crime Impact Statement (CIS), which assess the proposal in terms of potential crime risks, crime prevention and safety. Measures are proposed which will enhance safety at the site.

The statement has been reviewed by Greater Manchester Police (Design for Security) who recommend a host of physical security measures and the need for robust management and maintenance procedures.

A condition has been included which will require that the proposal is carried out in accordance with GMP recommendations in order to achieve Secured by Design Accreditation.

Ground Conditions

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new developments.

Ground survey work including a mining report and initial site investigation work has been carried out by the applicant via the submission of a Phase 1 Preliminary Risk assessment of the likely ground conditions which is considered acceptable. To ensure further site investigation works and any identified remediation are carried out, an appropriate planning condition has been included.

Surface Water Drainage

The application site is located in flood zone 1 '*low probability of flooding*'.

In line with the recent strengthening of Government guidance relating to the provision of sustainable drainage systems (SuDs) the development has been considered by the City Council's Flood Risk Management Team who maintain that a condition should be included to ensure the implementation and maintenance of a surface water drainage scheme. A suitable planning condition has been included in this regard.

Air Quality

Part of the site is located within Manchester's Air Quality Management Area. It is therefore advised by Environmental Health that prior to the commencement of development that air quality impact assessment is undertaken and necessary mitigation implemented. A planning condition has been included in this regard.

Land Interest

The City Council has a land interest in the site in the form of a short section of adopted highway (Redby Street) which dissects the centre of the site. Members are reminded that in considering this matter, they are discharging their responsibility as Local Planning Authority and must disregard the City Council's land interest.

Other Issues

A representation has been received by the nearby Manchester College. Reference is made to the college's Estate Strategy which was presented to the City Council's Executive in November 2017. The strategy sets out the ambitions of the college's expansion plan for the next five years and concern is expressed that the College needs to be made fully aware of the development proposals in the wider area so that their development aims and objectives are not prejudiced.

In this case, the College as a neighbour was notified in writing of the application. It should also be noted that aside from a small section of adopted highway that dissects the site, the site is within private ownership and therefore it would be onerous to not determine the application solely on its planning merits.

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 the right to a fair hearing and to this end the Committee 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 Head 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 approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Reason for recommendation

Conditions to be attached to the decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) Notwithstanding details submitted, no above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings numbered 10308 P002/B, 10308 P003/E, 1038 P004/C, 10308 P005/B, 10308 P006/B, 10308 P007/B, 10308 P008/A, 10308 P009/B and 10308 P010/A received by the City Council as Local Planning Authority via e-mail dated 15th December 2017.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

4) Prior to above ground development commencing, a local labour agreement shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to first occupation of the development and shall be kept in place thereafter.

Reason - To safeguard local employment opportunities, pursuant to policies EC1 of the Manchester Core Strategy.

5) No premises shall not be open outside the following hours:-

05.00 to 22.00 hrs Monday to Friday.

07.00 hrs to 22.00 hrs Saturdays, Sundays and Bank Holidays.

Reason -To safeguard amenity and in order to reduce noise and general disturbance in the area, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

6) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours:

07.30 to 20.00 hrs Monday to Saturday.

No deliveries, servicing and all collections, including waste collections shall take place on Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby occupiers, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

7) Prior to first occupation of the development hereby approved, full details of a building lighting scheme and a scheme for the illumination of external areas shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full and shall remain in operation for so long as the development is occupied.

Reason - To safeguard residential amenity and in the interests of security, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

8) If any approved lighting at the development when illuminated, causes glare or light spillage which in the opinion of the Council as Local Planning Authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be

retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

9) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave wave band at the nearest noise sensitive location.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

10) The development hereby approved shall not be occupied or used until the Council as Local Planning Authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

11) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Hours of working;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

The development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy.

12) Unit A (drive through coffee shop) as annotated on the approved drawings shall only operate in accordance with the Waste Management Strategy stamped as received by the City Council as Local Planning Authority on 8th November 2017 and the bin store shown on drawing numbered 10308 P003/E received via e-mail dated 15th December 2017. The details of the approved scheme shall be implemented as

part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health, amenity and with reference to the environmental, social and economic impacts of development, pursuant to policies EN19, DM1 and SP1 of the Manchester Core Strategy.

13) Notwithstanding the details submitted, operations within Unit B (A1/A3) as annotated on the approve drawings shall not commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - Further information is required with respect to waste and recycling arrangements, in the interests of public health, amenity and with reference to the environmental, social and economic impacts of development, pursuant to policies EN19, DM1 and SP1 of the Manchester Core Strategy.

14) The hard and soft landscaping scheme approved by the City Council as Local Planning Authority shown on drawing numbered 10308 P003/E received by e-mail dated 15th December 2017 shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

15) Prior to first occupation of the development hereby approved, the car park, including the car park surface markings, pedestrian crossings and directional signage as shown on drawing numbered 10308 P003/E received by the City Council as Local Planning Authority via e-mail dated 15th December 2017 shall be fully implemented and thereafter retained.

Reason - To ensure that the car park can function in a safe manner, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

16) The bicycle storage area shown on drawing numbered 10308 P003/E received by the City Council as Local Planning Authority via e-mail dated 15th December 2017 shall be implemented in full and made available for use prior to first occupation of the units hereby approved. The approved scheme shall remain in use whilst the development is occupied.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to

mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

17) Notwithstanding details submitted, before the units hereby approved are occupied, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

18) Before above ground development commences, an air quality impact assessment for the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure a reduction in air pollution from traffic or other sources, pursuant to policies EN116, DM1 and SP1 of the Manchester Core Strategy.

19) No development shall begin until a surface water drainage layout for the site based on sustainable drainage principles has been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be constructed and completed in accordance with the approved details and maintained thereafter.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policies DM1 and EN17 of the Manchester Core Strategy.

20) Prior to first occupation of the development hereby approved, a management plan for the upkeep of the site and surroundings, together with a maintenance agreement for the upkeep of communal areas of landscaping shall be submitted to and agreed in writing by the City Council as Local Planning Authority. Details shall include the prevention and clearance of litter arising from the development. The approved plan/agreement shall remain in operation at all times whilst the development is occupied.

Reason - To safeguard visual amenity and the character of the area, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

21) Notwithstanding the details outlined in the submitted Phase 1 Preliminary Risk Assessment produced by LK Consult Ltd (Ref: LKC) dated November 2017 a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The measures for investigating the site identified in the Site Investigation Proposal and Remediation Strategy shall be carried out before the development commences and a report prepared outlining what measures, if any, are required to remediate the land shall be submitted to and approved in writing by the City Council as Local Planning Authority.

When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 118127/FO/2017 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
United Utilities Water PLC
Greater Manchester Police
Greater Manchester Ecology Unit

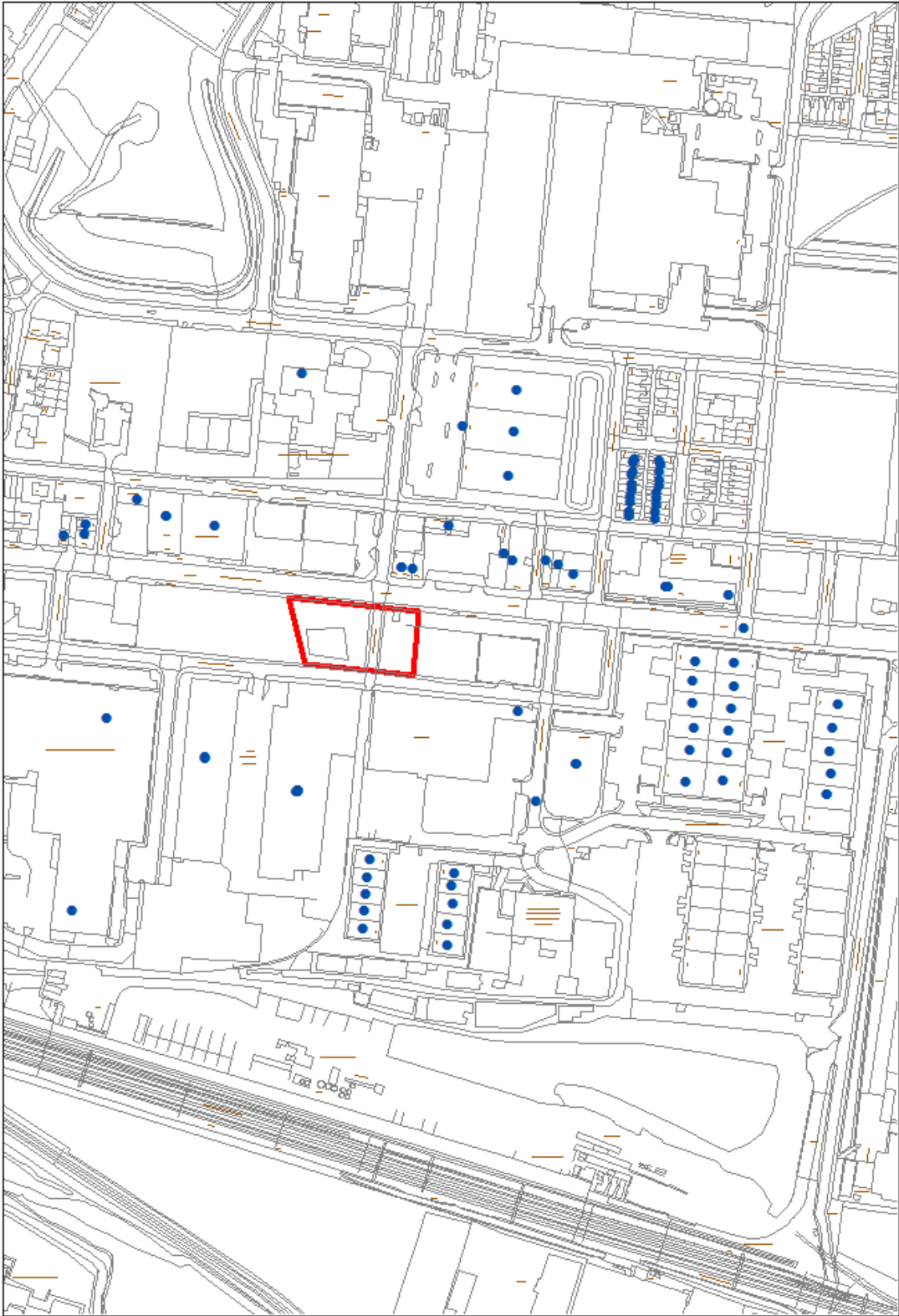
A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Highway Services

Environmental Health
MCC Flood Risk Management
Greater Manchester Ecology Unit
7 Lakeside Close, Abbey Hey, Manchester, M18 8QZ
LTE Group, Whitworth House, Ashton Old Road, Manchester, M11 2HW

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : s.mccoombe@manchester.gov.uk



 Application site boundary  Neighbour notification
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