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PLANNING, DESIGN, ACCESS AND HERITAGE STATEMENT

- 1) Conversion of dwellinghouse (Class C3) to coffee shop and cafe (Class E(b) Use)**
- 2) External alterations to building including new shop front at 10 Castlefield Mews, Stone Street, Castlefield, Manchester, M3 4NE**



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1.0 Background and Application Property

- 1.1 The application property is a two storey mid terraced house located at No. 10 Stone Street, Manchester. It is within the Castlefield Conservation Area.
- 1.2 Stone Street has restricted parking with double yellow lines directly outside the application site. There is a small pay and display car park directly opposite and an area of public open space beyond. There is a communal area to the rear of the houses on Stone Street that is used for bin storage with access to the side.
- 1.3 In accordance with good planning practise informal pre-application advice was sought from James Hughes, Planning Officer who provided the following advice:

I am a planning officer on the city centre team within Manchester City Council. I understand you have approached us for some pre-application advice regarding the conversion of a dwelling (Use Class C3) into a small coffee shop (Use Class E(b)).

The principle of the change of use of the building from residential to a small coffee shop may be acceptable. However, a number of planning considerations will need to be made and I recommend approaching a suitable planning consultant/architect (as you have referred to in your email) to work over the issues and produce any relevant reports/documents etc. At this stage, it would also be advised to discuss your intentions/proposals with immediate neighbours of the building.

As a starter, the building is not listed. As such, internal works would not require planning consent. I can see from your email that you have indicated that the proposal would not require any significant structural changes. If any structural changes are required, please make sure that you have considered any building control requirements (which is separate from planning).

The building is, however, within the Castlefield Conservation Area. As such, any external alterations to the building (including signage) would need to be carefully considered. Any signage proposed would need to be applied for, under an 'Application for Advertising Consent'. A small statement would be needed in terms of heritage impacts on the Conservation Area. If you would like to send me a draft of any proposed signage/branding I can have a look at this for you before submitting an application.

The main consideration in this area would be impact on local amenity, that could potentially be caused by the change of use from a dwelling to a coffee shop. Should an application be received, I would be looking to consult with:

Environmental Health: They will consider such things as acoustic/noise generation (making sure the use would not impact on adjoining residents), opening times of the coffee shop, a waste strategy, fumes/odour/vapour extraction (as well as the noise of any extraction system).

Highway Services: Waste collection/deliveries strategies, parking/access (the location is highly accessible so we would not impose parking standards. However, it would be beneficial to have some secure/covered cycle storage if there is room for this on site).

Greater Manchester Police: Any crime concerns/need for CCTV, certain security measures (it is likely comments from GMP would be advisory rather than conditions).

Would you propose any outdoor seating on the street/pavement?

Would the whole building be subject to the change of use, or would it be the ground floor only?

Please be aware that licensing for serving food/drink etc. is also separate from planning and you should also approach this team with any queries in relation to this.

2.0 Planning Proposal

- 2.1 Planning permission is sought to convert the two storey house into a small coffee shop and café. The proposal seeks to utilise both the ground and first floors. The ground floor will mainly be a serving and preparation and upstairs there will be tables and chairs and a customer toilet. In total a maximum of 18 covers will be accommodated within the building.
- 2.2 The hours of use will be 7am until 6pm Monday to Saturday and 9am until 4pm on a Sunday.
- 2.3 The rear yard will be used for bin storage as is the case for the house. Commercial waste bins will be provided. A completed Waste Management Strategy proforma accompanies the application together with a bin strategy shown on the proposed site plan.
- 2.4 The café will sell hot and cold drinks, cakes and pastries only. The main business will be for customers to eat and drink within the premises, but there would be an ancillary takeaway facility of coffees and cakes. No hot food will be served at the premises.
- 2.5 As no hot food will be served an extraction system is not necessary and details do not accompany the application.
- 2.6 A noise impact assessment is in the process of being commissioned and will be forwarded in due course.
- 2.7 The existing entrance to the house will be replaced with a sensitively designed shop front in black framed glazing.
- 2.8 Considering the location within the Conservation Area sensitively designed signage is proposed made up of individual letters. A separate application for advertisement consent will be submitted following planning approval should consent be required.

The proposed front elevation provides an indication of the style and shape of any proposed shop sign.

- 2.9 Deliveries will be planned to take place during opening hours.

3.0 The Statutory Planning Framework

- 3.1 In September 2004 the Planning and Compulsory Purchase Act 2004 ('the Act') came into effect which reformed the development planning system in England. Section 38(6) of the Act requires that all planning applications should be determined in accordance with the development plan, provide the policies or proposals it contains are relevant and unless 'material considerations' indicate otherwise.

The National Planning Policy Framework (Framework) – July 2021

Achieving Sustainable Development

3.2 Presumption in Favour of Sustainable Development

- 3.3 Paragraph 11 of the NPPF sets out that a presumption in favour of sustainable development is at the heart of the National Planning Policy Framework. The NPPF also advises that decision takers at every level should seek to approve applications for sustainable development where possible. Sub-section c) of paragraph 11 seeks to approve development proposals that accord with an up-to-date development plan without delay.

Achieving well-designed places

- 3.4 Section 12 of the NPPF refers to achieving well-designed places.
- 3.5 Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 3.6 Paragraph 130 states that planning policies and decisions should ensure that developments:

"Planning policies and decisions should ensure that developments:

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

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

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

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

3.7 Paragraph 197 of the Framework states:

In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

3.8 Paragraph 199 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

3.9 Paragraph 202 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Highways

3.10 Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Local Plan

The Extant Unitary Development Plan (UDP)

- 3.11 The extant Unitary Development Plan forms one of a series of documents that forms the Local Plan for Manchester.

- 3.12 The site is located within Manchester City Centre and as such the relevant policies are:

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.

- 3.13 The policies go on to say that there has been a major growth in "eating out", and in the use of hot food take-aways, in recent years. This is a social trend which appears likely to continue, and the Council does not think it is a function of the planning system to seek to influence changes in social behaviour of this kind one way or the other. Nonetheless, there are many problems with food and drink uses - particularly arising from the associated vehicular traffic, litter and noise which many of them can

generate. This can be a particular issue in a densely built-up city such as Manchester.. A balance therefore needs to be struck.

3.16 Policy DC18.1 states:

DC18.1 The Council will give particularly careful consideration to development proposals within Conservation Areas.

a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

- i) the relationship of new structures to neighbouring buildings and spaces;
- ii) the effect of major changes to the appearance of existing buildings;
- iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
- iv) the effect of signs and advertisements;
- v) any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.

d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

4.0 **Planning Assessment and Justification**

Principle of Development

- 4.1 The main planning issues include the impact on the amenity of nearby residents and the potential impact on the setting of the Castlefield Conservation Area. In addition, consideration needs to be given to design, highway safety, site security and cooking odour extraction.

Impact on Residential Amenity

- 4.2 Policy DC10.2 supports food and drink uses within the city centre as long as the amenity of the neighbouring properties. Policy DC10.3 states that such uses will not normally be permitted where there is a house or flat on the ground floor next to the proposed business.
- 4.3 The application site is located within Manchester City Centre and within the vibrant Castlefield area of the city centre where a number of public houses, restaurants and bars exist. A small-scale coffee shop/café use within such a vibrant area will further enhance the area and provide an additional coffee shop for visitors to the area to enjoy. A daytime coffee shop within In terms of Policy DC10.2 such a use would be perfectly acceptable for a city centre use.
- 4.4 The café/coffee shop will provide a maximum of 18 covers and its size will limit the intensity of use as numbers of customers will be restricted.
- 4.5 A noise impact assessment is being undertaken to ensure that any noise from within the building will not cause harm to the neighbouring properties. Additional soundproofing is likely to be necessary on the walls and ceiling of the café to ensure that noise from within the café cannot be heard by the neighbouring properties.
- 4.6 It is acknowledged that the application site is located within a short terrace of five residential properties and the change of use of the house at no. 10 to a small coffee shop/cafe will be visually different to that which exists at present. Saying that, in a city centre location a small coffee shop will have negligible impact on the neighbouring properties. The café will only open from 7am until 6pm Monday to Saturday and 9am until 4pm on Sundays. Restricting the use to daytime hours will ensure the amenity of the neighbouring residential properties will be protected. It is acknowledged that the proposal would be contrary to Policy DC10.3 which aims to restrict late night food and drink type of uses in close proximity to residential properties. The café's proposed opening hours, city centre location, proximity to other similar uses and enhancing the vibrancy of the area it is highly unlikely to cause any harm to residential amenity and this is one of those occasions where such a use should be supported.

Impact on the setting of the Castlefield Conservation Area

- 4.7 Paragraph 199 of the Framework states that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The proposal results in a sensitively designed shop frontage that has a vertical emphasis and reflects the character of the neighbouring properties. The frontage will be coloured in black to reflect the existing colour scheme.
- 4.8 Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 explains that '*...special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*' of a listed building. Thus, these statutory duties are a paramount and first consideration. Paragraph 199 of the National Planning Policy Framework (the Framework) states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.'
- 4.9 Given its design and the proposed use of materials, the shop frontage would have a neutral effect on the setting of the conservation area. It follows therefore that the proposal would not have a detrimental effect on the significance of the heritage assets and as such the proposal would preserve their special interest and setting. Hence, it is not necessary to consider public benefits.

Design

- 4.10 Designing high quality, beautiful and sustainable buildings and places is at the heart of Government guidance (paragraph 126 of the Framework) and as such good design contributes to the wider public benefit whether the building is in public or private use. The minor changes to the external appearance of the building would result in an enhancement of the building.

Highway safety

- 4.11 Stone Street is a part surfaced/cobbled public highway with a small car park on one side of the road and restricted parking on the other. The majority of customers will be pedestrians from the nearby area or visitors to the city centre and Castlefield area and the proposed use will not generate a significant increase in vehicular movements. Deliveries will be kept to daytime hours and will park in the nearby car park.

Site Security

- 4.12 The proposal, by attracting daytime activity, will indirectly improve daylight surveillance of the neighbouring properties when their owners are away from their homes. No additional security is proposed apart from security alarms and possible CCTV surveillance cameras.

Cooking odour extraction.

- 4.13 Only coffees, cakes and pastries will be sold from the café and as such an extraction system is not necessary.

5.0 Conclusion

- 5.1 The proposed café use will be a natural addition to the Castlefield area. It is a very small building that can only accommodate up to 18 covers. It will only open during daytime hours and will sell hot and cold drinks. It will have a limited impact on the residential amenity of neighbouring properties and will result in an enhancement to the area. Minor changes to the external appearance of the premises will have a neutral impact on the setting of the Conservation Area. Positive pre-application advice was provided which indicated that such a use might be acceptable and that adds weight to the proposal.
- 5.7 Both local and national planning policies are satisfied by the proposal and it is respectfully requested that the application is approved and positive dialogue takes place if necessary.