

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131602/FO/2021

Date registered valid: 17 September 2021

Proposal: Change of use of betting shop (sui generis) to bingo hall (sui generis)

Address: Harpurhey Shopping Centre, Unit 21 , Lee Road, Manchester, M9 4DH

Ward(s): Harpurhey Ward

Applicant: LOL Bingo Harpurhey Shopping Centre, Unit 21 , Lee Road, Manchester, M9 4DH

Agent (if any): Mr Jonathan Phillips Bidwells LLP Seacourt Tower, West Way, Oxford, OX2 2JJ

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5 November 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 23 September 2021 Expired: 14 October 2021

Neighbour notifications

Printed: 23 September 2021 Expired: 14 October 2021

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: No

Tree Preservation Order: No

The application site relates to a vacant unit within a parade of commercial units located within the Harpurhey District Centre that also includes the Harpurhey District Office, North City Shopping Centre, health centre, Police Station, petrol station and a drive thru restaurant/take away.

The submitted Advertisement Consent Application is for the installation of 1 x internally illuminated fascia sign and 1 x internally illuminated projecting sign.

There is a current application ref 131602/FO/2021 for the Change of use of betting shop (sui generis) to bingo hall (sui generis) and the signage proposal runs in conjunction with the change of use proposal.

The proposal would create positions for 5 Employees and the hours of operation would be 10.00hrs to 22.00hrs Monday to Sunday, including Bank Holidays.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

The Highways Team were consulted and commented that the trips that are likely to be generated can be accommodated on the highway network. The site is well accessed by sustainable modes. Regular bus services stop on the roads surrounding the site, and a large public car park is attached to the site and pedestrian access will remain as existing. Highways recommended that a cycle shelter be provided within the curtilage of the site and a condition has been attached.

Environmental Health commented the premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority Monday to Sunday 10.00hrs to 22.00hrs and recommended deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Environmental health recommend the proforma/ Waste Management Strategy should include proposals for pulpable (paper/cardboard/Tetra Pak etc) recycling and a condition has been added to the proposal.

Greater Manchester Police were consulted, and recommended security measures be incorporated which have been added as an informative to the consent.

Issues

Policies National Planning Policy Framework

The NPPF was introduced in March 2012 as the overarching policy framework for England. It sets out the Government's priorities for the Planning system and is a material consideration in the decision-making process. It places emphasis on the three strands of sustainable development and its social, environmental and economic functions.

One objective of the Framework is the need for good design in the planning of new development. The Framework states that: Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. One of the Core Planning Principles that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, underpins the decision-making process.

Core Strategy

The Core Strategy is a key policy document in the Local Development Framework for Manchester. It sets out the vision for Manchester from 2012 to 2027 and includes a full policy schedule to help deliver that vision. Extracts of policies relevant to this application include:

Policy C 10 - Leisure and the Evening Economy

New development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

1. Cumulative impact - in areas where there is already a concentration of bars, and hot food takeaways and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
2. Residential amenity - the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance.
3. Balance - new uses in Manchester centres should support both the day-time and evening/night-time economies whilst not undermining the role of the primary shopping area.

Policy DM1 - Development Management

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

- ' Appropriate siting, layout, scale, form, massing, materials and detail.
- ' Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- ' Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- ' Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- ' Community safety and crime prevention.
- ' Design for health.
- ' Adequacy of internal accommodation and external amenity space.
- ' Refuse storage and collection.
- ' Vehicular access and car parking.
- ' Effects relating to biodiversity, landscape, archaeological or built heritage.
- ' Green Infrastructure including open space, both public and private.
- ' The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- ' Flood risk and drainage.
- ' Existing or proposed hazardous installations.

The Council's approach to Development Management is intended to ensure that new developments contribute to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration priorities, in particular by contributing to Neighbourhoods of Choice. This includes protection of amenity and local character, environmental standards and practical matters such as access and safety. These issues will be considered in more detail through the Supplementary Planning Document, the Guide to Development in Manchester.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- o Both construction and demolition waste will be minimised and recycled on site wherever possible;
- o The sustainable waste management needs of the end user will be met.

Policy T2 states that the Council will take account of the circumstances of each proposal to establish what level of parking is appropriate.

Policy C2 - District centres

Development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. Housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre. In delivering this vision provision will be made by 2027 for approximately: 20,000 square metres net convenience retail floorspace

15,000 square metres net comparison retail floorspace. The delivery of this floorspace should respect the network of centres across the City and in neighbouring districts. Development within this overall capacity which has the potential to impact on the current or future vitality and viability of other centres in Manchester or other districts will only be acceptable if there is no prospect of the affected centres accommodating growth themselves. The Core Strategy sets a framework for the delivery of the identified capacity. The identification of specific sites, particularly those which require an extension to existing District Centre boundaries, will be addressed through a subsequent Development Plan Document.

Development in District Centres should:

- o 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;
- o Promote the development of employment which provides opportunities for local people;
- o Promote the efficient use of land, particularly through considering options for multi-storey development. New development should positively contribute to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies;
- o Contribute positively to the diversity and mix of uses within centres without undermining their primary retail function. Development should also promote a range of retailers and shop formats;
- o Promote choice and competition particularly where development will support the independent sector;
- o Remedy deficiencies in areas with poor access to facilities.

New development should respect and enhance the character of existing centres.

New development should deliver improvements to the quality and accessibility of the centre environment. Opportunities should be taken to adopt sustainable building design and practises to assist in adapting to climate change (see also Green Infrastructure Policy EN9).

The subsequent DPD will identify sites for new development within District Centres.

Policy C3 - North Manchester District Centres - Cheetham Hill and Harpurhey

There is capacity for approximately 1,000 square metres convenience and 4,000 square metres comparison retail growth in North Manchester up to 2027. The focus for additional floorspace should be in Harpurhey.

There could be small increases in retail provision in Cheetham Hill, but development for other uses which promote vitality during the daytime will be supported. New development should improve connections between the centre and the existing large foodstore.

Development which brings a broader range of commercial and public uses to Cheetham Hill will be supported.

Redevelopment within Harpurhey District Centre has the potential to provide increased retail floorspace alongside additional uses, including food and drink, employment and community facilities. There are opportunities to introduce some new housing into both centres with relatively small scale employment areas also identified in Harpurhey.

Unitary Development Plan

The site is unallocated within the Manchester Unitary Development Plan (adopted 1995). However policy DC26 is a saved policy in the Manchester Local Development Framework and therefore relevant to this application: Policy DC26 (Development and Noise) 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.

Planning Issues

It is considered that the main issues associated with this application are the impact upon residential and visual amenity, access, parking and crime and disorder.

Principle of use

The location of the premises is within a small commercial parade within the Harpurhey district centre and the use would contribute to the mix of day and night time uses, contributing to the overall vitality of the centre.

The proposed use would not result in an over proliferation of uses as there are no other bingo hall within the parade, the percentage of this type of use in comparison to other uses is low. As such, there is unlikely to be any negative impact as a result of cumulative impact.

Residential amenity

The use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance as town centre uses should support both the day-time and evening/ night time economies. The proposal would result in an empty unit back into use and it is not considered that this would have a detrimental impact upon the level of amenity currently enjoyed by the neighbouring occupiers and the activity of the proposed use is similar to the comings and goings associated with the neighbouring commercial uses within the parade and the shopping centre and Materially, there would be minimal differences between the former betting shop use and the proposed bingo club. Both would have staffed and electronic gaming facilities. There are no residential properties either directly above or to either side of the property. It is not a use that is particularly associated with noise generation. Furthermore, the nearest noise sensitive location are residential dwelling houses on the opposite side of Moston Lane which lies over 100 metres away, in-between the proposal site and the residential dwelling houses lies a number of late night activities including McDonalds, KFC and Asda. There are very few other night time uses within the centre, and, as such it is not envisaged that there would be any disamenity associated with the night time activity of the enlarged unit, and it would still provide a good mix and a balanced provision of services within the area.

Visual Amenity

The current shop front requires no modification as part of the proposal. The current fascia panel would be removed and replaced with corporate signage. Street view records show that the current roller shutter has been on situ since 2012 and the proposal includes painting the

shutters in corporate colours. A preference would be to replace the shutter with a more visually pleasing roller shutter with bulky houses behind the glazing or have a smaller roller housing and be an open lath design. However, given the length of time the current shutter has been in situ and that other premises along the parade have external shutters, the shutters are considered to be acceptable in this case.

Parking and Highways

It is considered that the trips that are likely to be generated can be accommodated on the highway network and the site is well accessed by sustainable modes and regular bus services stop on the roads surrounding the site, and a large public car park is attached to the site.

Servicing

In relation to waste management, a suitably sized bin store is being provided to the rear of the property in the service yard. Arrangements will be made for the bins to be serviced in line with current shopping centre arrangements. Staff will be responsible for monitoring and cleaning the waste area. This is considered to be acceptable.

Signage

Signage is not included in this application and is subject of a separate advertisement application ref 131603/AO/2021.

Recommendation

Approve on the basis that the proposal is in in accordance with policies DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and C10 of the adopted Core Strategy.

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:

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application.

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

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

1871-02 Rev C,
1871-13 Rev A,

Location Plan and the Planning Statement, stamped as received on the 8 September 2021 and waste management and car parking information, and the waste management proforma, stamped as received on the 17 September 2021.

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

3) Prior to the first use of the development hereby approved, details of facilities for bicycle parking shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first use of the development and there after retained and permanently reserved for bicycle parking.

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 Core Strategy.

4) Prior to the first use of the development hereby approved, details of a scheme for the storage of waste (including segregated waste recycling) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first use of the development and thereafter retained and maintained for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

5) The premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority: -

Monday to Friday 10:00hrs - 22:00hrs

Saturday, Sunday and Bank Holiday 10:00hrs - 22:00hrs

Reason - In interests of residential amenity, in order to reduce noise and general disturbance, in accordance with policies H2.2 and DC26 of the adopted Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's emerging Core Strategy.

6) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

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

7) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the premises at Unit 21, Harpurhey Shopping Centre Lee Road shall be used as a Bingo Hall (Sui Generis) and for no other purpose.

Reason - The restriction to the use is required for the avoidance of doubt and in order to secure a satisfactory form of development in order to preserve the character of the neighbourhood and minimise the impact on the use on residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for Manchester (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

Informatives

1) Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.

The staff/safe room should be accessible to members of staff to escape into, in case of an emergency. This room should have solid masonry walls/reinforced walls and a secure ceiling (e.g. layer of securely anchored welded wire mesh)

The doors providing access from the ground floor to the first floor should be certified to BS PAS24 or LPS 1175 SR2

A security certified safe providing adequate capacity and overnight cover should be secured within the staff/safe room. The correct size and category of safe required should be determined by an assessment of prospective takings and to meet insurance needs. The safe should be time delayed to no less than 5 minutes; appropriate signage should be displayed as a deterrent in order to make potential offenders aware of the time delay.

Any staff areas that are to be included within the property should be access controlled and restricted to members of staff only.

Dusk till dawn lighting should be installed to all external doors.

Personal attack alarms should be provided at all till positions and within the staff/safe room, once pressed the alarm must activate a loud alarm at the scene.

Management & Maintenance

1.1.2 Active continuous management and maintenance of the premises can reduce the likelihood of crime and disorder occurring. An operating/maintenance plan should be created to promote good management of the premises, this plan should focus on issues such as:

Opening and closing of the gym, including staff arrival and departure;

Cash management within the premises;

Any cash-in-transit collections/deliveries and banking practices (which should take place in a secure room with a certified safe to meet insurance needs);

Management of stock deliveries (servicing activities should not require any service doors to remain open unattended for prolonged periods);

Details of staff security training;

Repairing damaged external and internal fittings, particularly security features e.g. alarm system, CCTV cameras etc;

Cleaning and prompt removal of graffiti, litter etc; and

Refuse collection arrangements.

There should be regular reviews/exercises to ensure that it remains accurate, workable and up-to-date. All staff should understand and accept the need for security measures and it should be made easy for people to raise concerns or report observations.

All high value equipment (e.g. high value portable sporting equipment, computers, flat screen monitors/televisions, tools etc.) should be property marked and securely fixed or stored to deter damage/theft. An accurate record should be maintained which logs all such items.

Adequate signage should be deployed in all areas not only to direct people throughout the premises, but also to deter unauthorised access to back-of-house areas.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

KFC Restaurant, 10 Moston Lane, Manchester, M9 4DS
Harpurhey District Office, 6 Moston Lane, Manchester, M9 4DD
Units 49 And 51, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 45, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 17, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 15, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 11, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 9, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
3 Lee Road, Manchester, M9 4DH
4 Lee Road, Manchester, M9 4DH
5 Lee Road, Manchester, M9 4DH
6 Lee Road, Manchester, M9 4DH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1