

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131194/FO/2021

Date registered valid: 9 August 2021

Proposal: Installation of external furniture relating to adjacent commercial unit consisting of tables, chairs, waiter station, a-board, planters with festoon lighting, and parasols with integral heaters and lighting.

Address: 2 St Peters Square, Manchester, M2 3AA

Ward(s): Deansgate Ward

Applicant: James Sarjeant Black Sheep Coffee 81 Southwark Street, London, SE1 0HX

Agent (if any): Mr Rick Leslie RML Architecture Ltd Freedom Works, Unit 7 Hove Business Centre, Fonthill Road, Hove, BN3 6HA

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 September 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 13 August 2021 Expired: 3 September 2021

Neighbour notifications

Printed: 13 August 2021 Expired: 3 September 2021

Site notice

Posted: Expired:

Press advert

Published: 24 August 2021 Expired: 14 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area: George Street Conservation Area 1985

Tree Preservation Order:

Description of Site/Area

The application site relates to a ground floor commercial unit at 2 St Peters Square which is a high quality 12-storey office building principally which has two commercial units at ground floor level.

The proposal site is situated within the St Peter Square Conservation Area as designated and being within the heart of the City Centre the area is characterised by listed buildings which contain civic and office uses, with other buildings providing food and drink and retail uses at ground floor level.

Description of Development

Installation of external furniture relating to adjacent commercial unit consisting of tables, chairs, waiter station, a-board, planters with festoon lighting, and parasols with integral heaters and lighting.

Consultations & Notification Responses

Local residents were notified however no responses were received

Highways - Plans suggest that the private forecourt area to the front of the building adjacent to St Peters Square will be used for external seating. As this is private forecourt a tables and chairs licence will not be required.

An unobstructed footway clearance in excess of 2 metres is available from the edge of the proposed seating area to existing street furniture.

There is sufficient capacity retained to accommodate pedestrian demands in this location with no highway safety concerns generated.

Environmental Health - the proposed hours are considered acceptable and the management plan submitted confirms there shall be no music or external speakers which is acceptable. The luminance levels are acceptable

Design for Security at Greater Manchester Police – Recommendation of a number of Security measures.

Policies

The main policies that relate to the proposal section 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment) of the revised National Planning Policy Framework (2021), Policies SP1 (Spatial Principles), EN3 (Heritage), EN19 (Waste), CC9 (Design and Heritage), EN1 (Design Principles and Strategic Character Areas), DM1 (Development Management),) of the Adopted Core Strategy for the City of Manchester and saved policies, DC 26 (Development and Noise) and DC18.1 (Conservation Areas) of the Unitary Development Plan for the City of Manchester.

Manchester Core Strategy Policy DM1 (Development Management),, and DC 26 (Development and Noise) from the Unitary Development Plan, Supplementary Planning Document; Guide to Development In Manchester, and the revised National Planning Policy Framework.

Issues

The proposed outdoor seating area is similar to that at many others in the City Centre, including premises the adjacent premises at 2 St Peters square which was granted planning permission under application reference 120226/FO/2018. As such, the proposal is considered acceptable in principle. There are no residential properties near the site, and trams pass nearby until midnight. Therefore, the proposed hours of opening of 7.30 - 20.00 are acceptable, and accord with the hours of the proposed café.

The applicant has submitted considerably detailed management procedures including CCTV coverage, staff policy of handling customers and included details of how the external area will be kept clean and tidy while in use.

For these reasons the proposal is considered to accord with the relevant Manchester Core Strategy - Policy DM1 (Development Management) and saved UDP Policy DC26 (Development and Noise).

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: Approve

Article 35 Declaration

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. The proposed details are considered acceptable.

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:

-Location Plan ref. 9551-P-01 stamped as received by the City Council, as Local Planning Authority on 29 July 2021.

-Proposed External Seating ref. 9551-P-07 stamped as received by the City Council, as Local Planning Authority on 29 July 2021.

-Black Sheep Coffee Management Plan for External Seating Areas stamped as received by the City Council, as Local Planning Authority on 29 July 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) The external seating area hereby approved shall not be operated outside the following hours:-

07:30 and 20:00 daily

No amplified sounds or any music shall be played/used in the external seating area at any time.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Core Strategy.

4) Outside of the hours of opening of the premises, all external furniture including tables, chairs and barriers shall be moved to the inside of the premises.

Reason - In the interests of amenity in order to reduce noise and general disturbance in accordance with policy DM1 of the Manchester Core Strategy.

Informatives

1) The following physical security measures are recommended:

Defining boundaries

Sturdy temporary barriers/screens/planters should extend from the building to define the entire licensed area be used and to enclose the tables and chairs. There should be only one entrance / exit point for customers.

Tables and Chairs:

Tables and chairs should be heavy enough to resist movement by wind. Tables must be of a design that are suitable for attaching 'property clips' to secure handbags/laptop bags and, if necessary, can be stacked for storage without damaging the clips. Customers should be shown how to use the clips. As an alternative use tables with shelves or net bags under the table top.

Use chairs with rounded rather than square backs to deter customers from hanging bags on them.

Layout:

Arrange the layout of furniture to reduce opportunities for crime and ensure staff are trained to be alert to all non-customers approaching tables at all times. The presence of staff in the tables and chairs area will act as a deterrent as well as ensuring tables and chairs are cleared promptly preventing littering of the street.

Lighting:

Where natural or street lighting is insufficient, the management of the premises should provide lighting for the area occupied by tables and chairs.

CCTV

-A CCTV system should be used on this site. The system will require certain specifications and intelligent placement of cameras to compliment the design of the development. Designers should consider the following points when planning a CCTV strategy:

- With regards to the retention of footage, the police prefer quality over quantity. The overall retention period should be dictated by what the system is designed to achieve, though it would be better to have good quality images over a 14-day period than poor ones over a 30-day period.

- Procedures for recovery of recordings are recommended to be established (e.g. trained staff / the CCTV system instruction manual to be readily available).

Acceptable Standard - this generally requires a resolution of 720x576 pixels at a real time frame rate of 25 frames per second. (N.B. Both the camera and DVR must be capable of this - if the camera will only send low resolution images then it does not matter how high the resolution of the recording unit is).

Identification - One of three levels of field of view. To identify an individual, the image must capture no less than 120% of the field of view (at least from the top of the individuals head to their knees). The remaining two levels of field of view are 'Overview' and 'Recognition', which whilst effective for observational purposes, are less likely to result in the identification of a person/offender.

CCTV systems (and lighting that supports it) require regular cleaning and maintenance to remain effective.

Where necessary cameras, and lighting, that are vulnerable to damage should be protected from attack, either by relocation to a higher level and using a bigger lens to achieve the view required, or through the fitting of a vandal resistant housing.

The intelligent placement of cameras helps to provide clear facial identification of individuals. Suitable locations for cameras would be: all building elevations, with particular focus on entrance doors; perimeter gates; and the reception/entrance lobby & all roof access areas.

Management & Maintenance

The success of the development will be dependent upon the effective management and maintenance of the site. A security management plan should include measures to deal with the following:

Frequent inspection and prompt repair of security features (e.g. lighting CCTV, signage, barriers, locks, fencing and rails).

The tables, chairs and any other moveable items should be removed and stored within a secure storage area when the premises are closed.

Arrangements should be put in place for clearing and cleaning the area at the end of business.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Manchester Advertising Promotions Ltd, St Peter's Square, Manchester, M2 3DF
FRISKA, 3 St Peter's Square, Manchester, M2 3AA

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - George Street Conservation Area 1985
Area Team Boundary - Name: CITY1
Area Team Boundary - Name: CITY2