

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128450/FO/2020
Date registered valid: 26 February 2021
Proposal: Conversion of first floor of premises to snooker club (Class E)
Address: 751A Stockport Road, Manchester, M19 3AR
Ward(s): Levenshulme Ward

Applicant: Mr Ali Munawar Lahore Snooker Club Ltd Flat 1 - 3 Birch Lane,
Manchester, M13 0NW

Agent (if any): Mr Talat Zeria HSH Engineering Design Service 428 Cheetham Hill
Road, Cheetham, Manchester, M8 9LE

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 July 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 25 March 2021

Standard consultations:

Printed: 3 March 2021 Expired: 24 March 2021

Neighbour notifications

Printed: 3 March 2021 Expired: 24 March 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

Description of area

The application premises are located on the first floor of a two storey building at 751 -753 Stockport Road.



Fig 1 & 2 – The application site

The ground floor is in retail use. The building is situated at the north-east junction with Mayford Road and is within in Levenshulme District Centre. The building adjoins the Inspire Centre is located immediately to the north of the site. The rear elevation of the building adjoins 2-storey residential uses with frontages to Mayford Road. Access to the site is taken from the Stockport Road. The site is not supported with an external rear yard. The application premises have historically been used as a dance studio. However, more recently a community use was undertaken.

Description of development

The proposal involves the formation of a first floor snooker club with 6 (snooker) tables and ancillary kitchen / refreshment area. The premises would not be licensed to serve alcohol.

Consultations & Notification Responses

Local residents - One email has been received expressing concern regarding the impact of the development on local amenity.

Highway Services – The following comments have been received:

- i. There development would not be supported with on-site car parking and therefore any traffic generated by the use may increase the parking of vehicles in neighbouring residential street;
- ii. It would be usual for this from of development to be supported with on-site cycle storage;
- iii. It is noted that refuse storage would be undertaken within the building. Waste would be moved to a point on Stockport Road prior to collection taking place. These arrangements are considered to be appropriate;
- iv. Any requirements for hoarding / scaffolding and any associated temporary traffic management arrangements during refurbishment should be agreed with the council's Highways Applications and Network Resilience.

Environmental Health – No objection to the proposed development subject to conditions relating the following:

- i. The development should be related to the opening hours as applied for;
- ii. The development should be implemented and operated in accordance with the submitted acoustic report;
- iii. Given the constraints of the site and the characteristics of the development and bagged storage and collection of waste would be acceptable. The arrangement for related waste management are related in the condition set out below.

Greater Manchester Police – No objection but recommend that security arrangements be included as part of the development that accord with SBD standards, including:

- i. New doors. Windows and roller shutters;
- ii. Arrangements for cash storage;
- iii. Access restrictions to non-public areas;
- iv. Intruder alarms;
- v. CCTV cameras.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning

policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development.' In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 7: Ensuring the vitality of town centres - Identifies leisure uses as being appropriate in town centres with a potential need for an assessment of potential harm when such development is located outside such centres. In this case the development is small-scale and would represent a sustainable use within Levenshulme District Centre. The development would thereby accord with Chapter 7.

Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 91). These considerations have been related to the layout of the proposed development and the applicant has been made aware of the importance of incorporating measures to address issues of security and potential opportunities for criminal and anti-social behaviour. Access to the premises would be from Stockport Road thereby aiding the future management of access and egress to the premises. Measures can be put in place to ensure that neighbouring residential properties would not be harmed by noise and disturbance. It is considered the development would respond positively to Chapter 8.

iii. Chapter 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 108).

It is considered that, given the magnitude of the development, the generation of traffic and vehicular movement would be predictable and capable of being accommodated within the local highway infrastructure. The site is in a sustainable location, in terms of access to public transport. The development would thereby positively related to Chapter 9.

iv. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land. It is considered that chapter 11 has been positively responded to as it would bring a new use to an existing premises. It is also considered that the development would be appropriately related to the character of the surrounding area. It would also bring a

previously vacant building back into active use. Chapter 11 would thereby be positively related to.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Health and well-being
- iii. Noise

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

The following policies are relevant to the proposed development:

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

The development would provide an appropriate use for a first floor space that would otherwise either remain vacant or used for a purpose that may have a greater impact on neighbouring residential uses. The development would be a small-scale operation that would contribute to recreational well-being of its users. Potential harm caused by noise can be appropriately attenuated through the attached conditions. On balance it is considered that the development would be appropriately related to policy SP1.

Policy DM1 - States that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;

- o Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection.

The proposed scale of the development is acceptable. Appropriate consideration has been given to the potential impact of the development on residential uses and measures to mitigate against potential harm, including noise attenuation. The development would positively contribute to users well-being. The development is capable of achieving appropriate security measures. Satisfactory waste management would be provided through the related management plan conditions. Policy DM1 would thereby be accorded with.

Policy EC 1 - Relates to employment and economic growth in Manchester and identifies the need to manage the provision of employment land within the city.

Policy EC 2 - Has been related to the loss of the application site for business purposes and the potential do the proposed use to be a consequential generator of employment. This policy states that Council will seek to retain and enhance existing employment space and sites.

The development would be appropriately related to policies EC1 and EC2 as it would return part of a commercial building to active use and provide a small-scale employment opportunity.

Policy EN19 Waste - Requires consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

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

As discussed below, appropriate waste management can be achieved to secure compliance with policy EN19.

Policy C 2 - States that development should 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. This policy states that development will be supported provides employment opportunities for local people and promotes the efficient use of land. It states that new development should positively contribute to the reuse and regeneration of land and premises and contributes positively to the diversity and mix of uses within centres without undermining their primary retail function. The development would provide a suitable district centre use for part of a building which would be otherwise difficult to return to sustainable activity. It is therefore considered that the development would be appropriately related to policy C2.

Policy T1 - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. The policy states that the Council will support proposals that, amongst other things:

- i. Improve choice by developing alternatives to the car;
- ii. Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car;
- iii. Improve pedestrian routes and the pedestrian environment;

iv. Reduce the negative impacts of road traffic, for example, congestion, air pollution and road accident casualties.

Furthermore, development should take account of the needs of road users according to a broad hierarchy consisting of (in the following priority):

- i. Pedestrians and disabled people;
- ii. Cyclists, public transport;
- iii. Commercial access;
- iv. General off-peak traffic;
- v. General peak time traffic.

The development would be located in a district centre with access to public transport and district centre parking. No car parking would be provided. The site does not benefit from an external yard area and there is no reasonable scope for cycle storage. The development relates to existing floorspace that has been used for community and commercial purposes and it is considered that any highways impact associated with the proposal would be comparable to previous circumstances. Given the location of the site and the utility of public transport infrastructure it is considered that policy T1 would be positively responded to.

Unitary Development Plan saved policies - The following saved policies are relevant:

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

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

As previously discussed, the impact of noise from both the operation of the development and activity around the site has been assessed and is capable of being managed by appropriate condition Policy DC26 would thereby be accorded with.

Guide to Development in Manchester - States that throughout the City, the Council will encourage development that complements Supplementary Planning Document and Planning Guidance. The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. The proposed development has been assessed with the Guide in mind.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1 December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems, which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes.

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, a dialogue was undertaken with the applicant to clarify the nature of the proposed use and the facilities to be provided. Issues relating to noise attenuation were discussed prior to the submission of the application and agreement reached regarding its future implementation would be potentially secure through condition. It is considered that discussions regarding waste

management give a high degree of certainty that appropriate arrangements could be delivered. On this basis appropriate information was made available to allow the proposal to be assessed.

Principle of the development – The proposed use is considered to be acceptable in the context of a district centre. In acknowledgement the location of the development in relation to neighbouring residential uses, a condition has been included limiting the future use of the premises as a snooker hall, with its implementation related to the findings of the acoustic survey. This would prevent other use within Class E from being undertaken and residential amenity would thereby be safeguarded.

Waste management - The absence of external storage space within the site has presented some difficulties. Waste management arrangements have therefore been negotiated that acknowledge that external storage cannot be achieved and recognises that there are benefits in securing and an active and sustainable use for the premises. It is understood that the development would have very limited ancillary provision for the sale of food and drink. The applicant has indicated that drinks would not be served in glass bottles due to difficulties in securing their collection in bags. As the premises would not be licensed to serve alcohol, limiting the sale of cold drinks from plastic bottles and cans would appear to be feasible. Any food would be related to snacks rather than meals. A condition has therefore been included that relates the use of bags for segregated waste as part of the structured waste management plan to be submitted and approved by the LPA and implemented at all times thereafter. Given the magnitude of the development and characteristics of the site, these arrangements are considered to be appropriate.

Opening and servicing hours – A condition has been included relating the undertaking of the development to the following opening hours:

Monday to Saturday: 8.00 am to 11.00 pm;
Sunday and Bank holidays: 9.00 am to 10.30 pm.

It is proposed that servicing hours are restricted to Mondays to Saturdays - 7.30 am to 8.00 pm; Sunday and Bank Holidays - No deliveries, servicing and / or waste collections, and that this aspect of the scheme is conditioned.

It is considered that the above hours would ensure that the development would not unduly harm residential amenity.

Noise attenuation – The development has been related to an acoustic assessment that has been considered by Environmental Health and considered to be acceptable. The implementation of the development and its on-going operation has been conditioned to accord with the detailed acoustic assessment. This is considered to be necessary to safeguard residential amenity.

Conclusion – The development is considered to be acceptable on the basis of restricted use to a snooker hall and its conditioned operation in accordance with the waste management condition and noise attenuation conditions.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, a dialogue was undertaken with the applicant to clarify the nature of the proposed use and the facilities to be provided. Issues relating to noise attenuation were discussed prior to the submission of the application and agreement reached regarding its future implementation would be potentially secure through condition. It is considered that discussions regarding waste management give a high degree of certainty that appropriate arrangements could be delivered. On this basis appropriate information was made available to allow the proposal to be assessed.

Condition(s) to be attached to decision for approval

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 stamped as received by the City Council as local planning authority on 30 October 2020, 26 February 2021 and 19 March 2021:

Application forms;
Location plan with a red edge;
Existing site layout plan (First floor) Ref: 01;
Proposed layout plan (First floor) Ref: 02;
Existing ground floor layout plan Ref: 04.

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 for the City of Manchester.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no part of the premises shall be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and

re-enacting that Order with or without modification) other than for the operation of a snooker hall at 751A Stockport Road.

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

4) The premises shall not be open outside the following hours:

Monday to Saturday: 8.00 am to 11.00 pm;
Sunday and Bank holidays: 9.00 am to 10.30 pm.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

5) Deliveries, servicing and / or waste collections shall be undertaken outside the hours of:

Monday to Saturday – 7.30 am to 8.00 pm;
Sunday and Bank Holidays – No deliveries, servicing and / or waste collections

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

6) The development shall be implemented in full accordance with the details of document referenced: Acoustic Assessment Ref: 128450/FO/2020 by AB Acoustics dated February 2021, including all related noise attenuation measures, which shall be in place upon commencement of the authorised use and maintained in situ at all times thereafter. No music or any other form of amplified sound shall be played, broadcast or transmitted whilst the development is in operation.

Reason - In the interests of residential amenity and to secure appropriate noise attenuation, pursuant to policies SP1 and DM1 and saved policy DC26 of the Unitary Development Plan.

7) Before the commencement of the authorised development, a scheme shall be submitted to and approved in writing by the City Council and local planning authority relating to the storage and collection of segregated waste and recycling. The scheme shall include:

- i. Confirmation that the development would operate in accordance with specified waste / recycling streams for which appropriate arrangement would be made for its bagged storage within the premises, which shall be implemented at all times prior to its collection.
- ii. The provision of written contract to confirm the frequency of collection from identified location on the street adjacent to the application site.
- iii. Arrangements to ensure that bagged waste and recycling shall only be presented for collection from the street at the contractually agreed collection time (and no other time).

The approved scheme shall be implemented in full upon commencement of the authorised use and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

8) The exit from the first floor accommodation adjacent to Mayford Road shown on plan ref: Ground floor Layout Ref: 04 shall only be used for emergency egress, and for no other purpose.

Reason - To ensure that the development does not give rise to residential amenity issues, and is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Informatives

1. Guidance for developers can be found via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2. Should the related refurbishment works require licenses for hoarding / scaffolding and any associated temporary traffic management arrangements the prior agreement of the Council's Highways Applications and Network Resilience teams should be obtained via Contact Manchester (Tel. 0161 234 5004)

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

The Inspire Centre, 747 Stockport Road, M19 3AR (Additional consultation)

10 Mayford Road, Manchester, M19 3AS

6 Mayford Road, Manchester, M19 3AS

14 Mayford Road, Manchester, M19 3AS

4 Mayford Road, Manchester, M19 3AS

16 Mayford Road, Manchester, M19 3AS

Flat 2, 1A Mayford Road, Manchester, M19 3AT

Flat 1, 1A Mayford Road, Manchester, M19 3AT

2 Mayford Road, Manchester, M19 3AS

842 Stockport Road, Manchester, M19 3AW

Flat, 755A Stockport Road, Manchester, M19 3DL

Flat 14, 747 Stockport Road, Manchester, M19 3AR

Flat 13, 747 Stockport Road, Manchester, M19 3AR

Flat 12, 747 Stockport Road, Manchester, M19 3AR

Flat 11, 747 Stockport Road, Manchester, M19 3AR

Flat 10, 747 Stockport Road, Manchester, M19 3AR

Flat 9, 747 Stockport Road, Manchester, M19 3AR

Flat 8, 747 Stockport Road, Manchester, M19 3AR

Flat 7, 747 Stockport Road, Manchester, M19 3AR

Flat 6, 747 Stockport Road, Manchester, M19 3AR

Flat 5, 747 Stockport Road, Manchester, M19 3AR

Flat 4, 747 Stockport Road, Manchester, M19 3AR

Flat 3, 747 Stockport Road, Manchester, M19 3AR

Flat 2, 747 Stockport Road, Manchester, M19 3AR

Flat 1, 747 Stockport Road, Manchester, M19 3AR
842B Stockport Road, Manchester, M19 3AW
842A Stockport Road, Manchester, M19 3AW
838A Stockport Road, Manchester, M19 3AW
753 Stockport Road, Manchester, M19 3AR
18 Deepcar Street, Manchester, M19 3BB
12 Deepcar Street, Manchester, M19 3BB
838 Stockport Road, Manchester, M19 3AW
7 Mayford Road, Manchester, M19 3AT
836A Stockport Road, Manchester, M19 3AW
844 Stockport Road, Manchester, M19 3AW
8 Mayford Road, Manchester, M19 3AS
First Floor Flat, 8 Mayford Road, Manchester, M19 3AS
Ground Floor Flat, 8 Mayford Road, Manchester, M19 3AS
834 Stockport Road, Manchester, M19 3AW
749 Stockport Road, Manchester, M19 3AR
755 - 757 Stockport Road, Manchester, M19 3DL
16 Deepcar Street, Manchester, M19 3BB
14 Deepcar Street, Manchester, M19 3BB
840 Stockport Road, Manchester, M19 3AW
836 Stockport Road, Manchester, M19 3AW
832 Stockport Road, Manchester, M19 3AW
9 Mayford Road, Manchester, M19 3AT
5 Mayford Road, Manchester, M19 3AT
3 Mayford Road, Manchester, M19 3AT
840A Stockport Road, Manchester, M19 3AW
11 Mayford Road, Manchester, M19 3AT
1 Mayford Road, Manchester, M19 3AT
18 Mayford Road, Manchester, M19 3AS
12 Mayford Road, Manchester, M19 3AS

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 Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2