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18 April 2019

Dear Sirs,

Application for planning permission
Barrio, 105 Beech Road, Chorlton

Please find enclosed the requisite drawings showing both the existing and proposed development at the site.

This letter sets out the applicant's additional brief representations as to the relevant policies in the local plan together with an overall assessment of the planning balance.

If you require any additional information then please do not hesitate to contact us.

Yours faithfully,

Kuit Steinart Levy LLP

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Particulars

Proposal	Alteration to approved opening hours of existing cafe/restaurant unit together with erection of dining terrace to front and sundry connected alterations
Location	105 Beech Road, Chorlton, Manchester M21 9EQ
Applicant	Costello Coffee Limited
Agent	Kuit Steinart Levy LLP 3 St Mary's Parsonage, Manchester M3 2RD

Site context

1. The application site relates to a ground floor café/restaurant unit situated within a well-established, historic parade on the southern side of Beech Road, Chorlton. The property comprises both the unit together with a paved forecourt separating the shopfront from the adjacent highway pavement.

2. The parade contains a variety of small-scale commercial uses, including various shops and other food and drink uses. Bus services are available at each end of Beech Road with principal termini at Chorlton Green and Chorlton Bus Station. Both termini are less than 400 metres form the site.

Description of proposed development

3. Planning permission is sought to change the authorised opening hours of the premises and to provide a new dining terrace on the forecourt to the front. Further particulars of the proposed operational development are shewn on the drawings that accompany the application.

4. It is not proposed that any alterations be made to the existing ventilation, waste management or servicing arrangements at the property as a result of this development.

Relevant policy and considerations

5. The development plan for Manchester so far as relevant to this application comprises the policies of the Core Strategy Development Plan Document (adopted 11 July 2012) (hereafter prefixed 'CS') and the extant saved policies of the Manchester Unitary Development Plan (adopted 21 July 1995) (hereafter prefixed 'UDP').

Core Strategy

6. The following adopted policies of the Core Strategy are relevant.

7. Policy CS-SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- creating well designed places,
- making a positive contribution to health, safety and well-being,
- considering the needs of all members of the community, and
- protecting and enhancing the built and natural environment.

8. Policy CS-T1 - Sustainable transport - encourages a modal shift away from car travel to public transport, cycling and walking. This policy is relevant because there is a good level of public transport provision in the locality.

9. Policy CS-DM1 seeks to protect the amenity of an area from the potential adverse impact of development including privacy, light, noise, vibration, odours, litter, road safety and traffic generation. It also requires that the design of a development have appropriate siting, layout, scale, form, massing, materials and detail and that impact on the surrounding areas in terms of the design, scale and appearance of the proposed development should have regard to the character of the surrounding area.

10. Policy CS-C1 – This policy provides that town centre uses (as defined in national planning policy) will be prioritised in the centres identified by the policy, taking account of the different roles of the City Centre, District Centres and Local Centres. In order to maintain the vitality and viability of identified centres, provide services as locally as possible and minimise the need to travel by car local centres should meet local needs for small scale retail and services to meet day-day needs.

11. Policy CS-C8 – This policy is relevant as the property is situate within the identified Beech Rd/Stockton Rd/Chorlton Green (Chorlton) Local Centre and the proposed use could potentially affect the vitality and diversity of nearby centres. It states that careful

consideration will be given to the impacts of new commercial development on residential amenity, which is particularly an issue for food and drink uses.

12. Policy CS-C10 states that new development and redevelopment that supports the evening economy, contributes to the vitality of identified 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 (A4), hot food takeaways (A5) 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.

13. When considering the above policy regard will also be had to:

- The existing number of similar establishments in the immediate area and their proximity to each other;
- The type and characteristics of other uses, such as housing, shops and public houses;
- The existence of vacant shop units and the condition of the unit;
- The importance of the location for local shopping, and the number, function and location of shops that would remain to serve the local community;
- The character of the centre and its frontage, and the nature of the use proposed;
- The potential impacts of the proposal on the wider community; and
- Any known unresolved amenity, traffic or safety issues arising from existing uses in the area.

Unitary Development Plan

14. The following saved policies of the Unitary Development Plan are relevant.

15. Saved policy UDP-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 inter alia:

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

16. Saved policy UDP-DC26 - seeks to reduce the impact of noise generating development. The Council will consider the effect of new development proposals and the implications of new development being exposed to existing noise sources. Developments likely to result in unacceptably high noise levels will not be permitted.

Analysis

Principle

17. Due to the local centre location of the premises along a commercial frontage containing other similar uses, the Applicant submits that the principle of the proposed use is acceptable and broadly compliant with the principal overarching policy contained within saved policy UDP-DC10 and policies CS-C1, CS-C8 and CS-C10.

18. These policies together consider the impact of food and drink uses and seek to support proposals that contribute to the vitality of centres, in particular those that contribute to the evening economy.

19. The application site is located within an established commercial parade on Beech Road within an identified local centre. A further material consideration is that the current authorised use of the premises is as a restaurant/café. This indicates that continued use for these purposes, but with expanded opening hours, can be considered appropriate in this case.

There would be no loss of a retail unit and no impact on the balance or mix of uses in the local centre.

20. The proposed development would complement the variety and quality of the local retail and commercial offer by providing for everyday local needs. The additional opening hours for the proposed development would help to promote the local centre as a destination of choice in accordance with policy CS-SP1 and increase the accessibility and social value of the business through an expanded service offering: breakfast through to dinner: As such, the proposed development would also accord with policy CS-C10 which states that 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.

21. Consequently, the Applicant submits that the principle of the proposed use is acceptable in this case and the proposal accords with policies CS-C1, CS-C8, CS-C10 and CS-SP1.

Design and appearance

22. The Applicant submits that the design of the proposed dining terrace is appropriate and represents an attractive and effective solution in the context of this site. The use of natural materials, including high quality timber, will provide a subtle finish in keeping with the historic host building. It would also complement the street trees that contribute to the overall green and leafy character of the area.

23. The proposed balustrade will also ensure that there is a clear demarcation between the curtilage of the property and the adjacent highway so as to prevent or discourage patrons 'spilling out' onto the pavement. The applicant notes that such barriers were expressly required by the City Council at 56 Beech Road for this reason and submits that a consistent approach is appropriate in this case.

24. Finally, as set out above there are street trees in the vicinity of the site. No works are proposed to these trees and the terrace is to constructed on the existing paved forecourt of the site. This means that no invasive works are proposed to the trees or in their vicinty and there will be no impact on them as a consequence.

25. For these reasons, the Applicant submits that the design of the proposed development is appropriate, would complement the existing character of the area and complies with policy CS-SP1, CS-C10, CS-DM1 and UDP-DC10.

Residential amenity

26. It is proposed that the authorised hours of opening match those in the premises licence applicable to the business as follows:

Sunday	8.00am to 11.30pm
Monday	ditto
Tuesday	ditto
Wednesday	ditto
Thursday	ditto
Friday	ditto
Saturday	ditto

save for Hogmanay where it is proposed that the premises be permitted to open from 8.00am on New Year's Eve until 11.30pm on New Year's Day.

27. These are broadly similar to other food and drink premises in the immediate vicinity such as 48 and 56 Beech Road.

28. Whilst there are residential properties situated nearby, the Applicant submits that there would not be any undue impact upon the amenity levels currently enjoyed by occupants. The application property is located within a local centre which contains a number of businesses which contribute towards the night-time economy.

29. The premise are also already in use as a restaurant/café which means that there would be no additional impact on residents from the existing equipment at the property or servicing and deliveries i.e. these elements are already features of the area and will continue to do be so even if the proposed development is not proceeded with.

30. In addition, the business has received no complaints from neighbouring residents regarding noise whilst it has been trading hitherto. This further reinforces the conclusion that the use of the premises as envisaged in this application will not have a materially adverse impact on neighbouring residents.

31. Consequently, the Applicant believes that given the context of the site and the established trading history there will not be any significant, adverse impact upon residential amenity and on balance the proposal complies with policies CS-DM1 and CS-C10 and saved policies UDP-DC10 and UDP-DC26.

Transport and highways impacts

32. There are no existing on-site parking spaces within the curtilage of the property due to its central location. Additional parking demand compared to the current use of the site is expected to be no more than negligible.

33. The site is situate within a designated local centre. This is a highly sustainable, easily accessible location with good public transport links. A number of bus routes run from Chorlton Green and Chorlton Bus Station and bus stops are located within a short walking distance. The site is also conveniently located within easy walking distance of local residents which further reduces the need to travel by private car.

34. Consequently, the Applicant believes that the proposal complies with policy CS-T1 and saved policy UDP-DC10 in terms of furthering the aims of promoting more sustainable means of transport and ensuring convenient access.

Waste storage and handling

35. No changes are proposed to the existing waste storage and handling arrangements which have operated without any issues being raised by neighbouring residents, businesses or the Council. There will be no additional waste generated by the proposed development.

36. Consequently, the Applicant believes that the proposal complies with saved policy UDP-DC10.

Conclusion on planning balance

37. In light of the foregoing, the Applicant considers that the proposed development will make a positive impact that would contribute to the success of the designated local centre. It would enhance the rich mix of uses that trade in the vicinity, particularly the food and drink offer and the related vibrant daytime and evening economy which help to create a competitive, diverse local economy. The design is appropriate in the context of this site and would complement the character of the surrounding area.

38. The proposals would not give rise to unacceptable impacts in terms of residential amenity, transport and highways, waste handling or the viability and vitality of the centre's local retail function.

39. As such, the proposal accords with the principles of policies CS-SP1, CS-T1, CS-C1, CS-C8, CS-C10 and CS-DM1 and saved policies UDP-DC10 and UDP-DC26. The grant of planning

permission would advance the objectives of the local plan and bring forward an appropriate, sustainable development.