

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136093/FO/2023 & 136405/LO/2023

Date registered valid: 30 May 2023

Proposal: **Planning Permission:** Change of Use of Existing Railway Arch from Storage Use (B8), to Production of Pizza Dough, Pizza Manufacture and Pizzeria, and Delivery of Pizza (Use Class E).
Listed Building Consent: Listed Building Consent for the installation of ventilation extract grill

Address: Arch 13 , Sheffield Street, Manchester, M1 2ND

Ward(s): Piccadilly Ward

Applicant: Mr Jonathan Heyes A Place Called Beagle Ltd

Agent (if any): Mr Jeff Cowan Building Design Services

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation:

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit:

Standard consultations:

Printed: 6 June 2023 Expired: 27 June 2023

Neighbour notifications

Printed: 6 June 2023 Expired: 27 June 2023

Site notice

Posted: Expired:

Press advert

Published: 13 June 2023 Expired: 27 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site relates to Arch 13 on Sheffield Street, at the bottom of the structure that makes up Piccadilly Station. As such, the arch forms part of a listed building. The majority of the arches along this stretch of Sheffield Street house light industrial uses, such as car garages. The site comprises a railway arch with a shopfront inserted in the opening. It currently houses a pizza dough manufacturer and eatery.

Listed building: Not applicable

Conservation area: n/a

Tree Preservation Order: n/a

Description of area

The area relates to environs of Manchester Piccadilly Station, Manchester's primary railway hub. The area comprises many different uses, including transport, retail, dining, drinking, industrial, hotel and office. The area is not covered by a conservation area.

Description of development

Application ref. 136093/FO/2023 seeks planning permission for the change of use of Existing Railway Arch from Storage Use (B8), to Production of Pizza Dough, Pizza Manufacture and Pizzeria, and Delivery of Pizza (A3 - A4 - A5) at Arch 13, Sheffield Street, Manchester, M1 2ND.

The site is located adjacent to the adopted highway of Sheffield Street. No Waiting at Any Time and No Loading at Any Time are in place along Sheffield Street. The Arch will be converted into a manufacturing unit to expand the business. The business will produce pizza dough and

pizza's on-site and distribute the dough and products to existing and new outlets. In addition, a Pizzeria dining area will be on site and a pizza delivery service.

Consultations & Notification Responses

Publicity - a notice was displayed on site informing passers-by of the development. A notice was displayed in the local press advertising the works as those affecting a listed building. Letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this development.

Environmental Health - recommended conditions re: waste, fumes, plant CMP and hours

Highways Services - recommended CMP

Greater Manchester Ecology Unit – bird box and planter requested by condition

HS2 safeguarding – Objection due to future redevelopment. Condition granting temporary permission to be attached to ensure use can be discontinued in future and allow City Council an opportunity to review the appropriateness of the use at a later date.

Issues

The main policies that relate to this application are policies DM1 (Development Management), SP1 (Spatial Principles), EN3 (Heritage) and CC9 (Design and Heritage) of the Manchester Core Strategy (2012), saved policy DC19 (Listed Buildings) of the Unitary Development Plan and Section 16 of the NPPF.

Principle

Arch 13 has housed a dough preparation facility for an established pizza chain for a number of years. The operator is seeking to expand the offer at the site to include a restaurant seating area. This would add to the nightlife offer along the Sheffield Street arches, which include several brewery tap rooms. The proposal would therefore help to activate the street scene along the street, increasing footfall and diversifying the leisure offer in the area.

Impact on listed building and visual amenity

External

A glazed and aluminium shopfront has been introduced to the archway. Previously, this mouth of the arch was closed off with a folding shutter. This has been retained, whilst the new infill has introduced a level of permeability to the arch, allowing views inside from the street, thereby allowing passers-by to appreciate the proportions of the space. The use of corrugated metal on the left-hand side mimics the form of the shutters along the street and has an industrial aesthetic in keeping with the nature of the arches and their former use as service space for the railway up above.

The development is to be given a temporary approval for a period of five years, controlled by condition. The impact of the elevational alteration would, therefore, be temporary in nature and would not have a long-term impact on the significance of the listed arch. Redevelopment of this stretch of Sheffield Street is will also come forward in the coming years, at which point a more comprehensive and sensitive approach to all the arches would be secured. Thus, on balance, it is considered that the impact of the external works on the character and appearance of the listed building is considered acceptable. It is noted that the extraction system terminus in the

wall currently has no cover. A condition is attached to this approval requiring the agreement of a decorative screen to cover this elevational element.

Internal

There would be some minor reconfiguration of the floorplate in order to facilitate the new business. This would involve the creation of, to the left-hand side as you enter there will be new toilet facilities, with the DDA compliant toilet retained. To the rear of the premises, a cold store area will be created to allow storage of the dough and create a small kitchen area for the cooking of the pizza. These partitions would be created through the introduction of stud walls. An existing fire escape route will be retained towards the rear of the Arch.

The impact of these subdivisions would create a small degree of less than substantial harm owing to the subdivision of the space. The arches are areas of less significance, which have housed service areas long term and there are no decorative features that need to be protected. The character of this element of the building comes from shape and size of the arch itself. The stud walls are not full height, which allows for the proportions of the arch to remain legible. Furthermore, these are fully reversible.

As per policies EN3 and CC9 of the Manchester Core Strategy, saved policy DC19 of the Unitary Development Plan and Section 16 of the NPPF, any harm to the significance of a listed building should be weighed against the public benefits of the proposal, including securing its optimum viable uses. Their introduction would help an existing viable use to strengthen its business model, whilst also helping to improve the economic vitality of the area. This proposal will result in benefits including creating jobs and improvements to the building. On balance, it is considered there are no impacts to the building that would warrant a refusal.

Noise

The proposal includes an extraction scheme that would vent to the outside of the unit. Hence, it is necessary to ensure that any noise resulting from the operation of this extraction scheme is limited to 5d/b. The proposal was assessed by Environmental Health, who required the scheme adhere with this criterion, although given the noisy location it was felt to post completion verification was not required. A condition attached to this approval requires further details of the extraction system's acoustic qualities be submitted for consideration in order to ensure compliance with the above noise criteria. Subject to the discharge of this condition, the proposal would be considered acceptable pursuant to policy DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan.

Fumes

The applicant has confirmed the use of an MFU system to control odours emitted from the unit. This was assessed by Environmental Health, who confirmed this is a satisfactory system for use at the premises. A cleaning and maintenance strategy is still required for the odour extraction system and therefore a condition attached to this approval requires the submission of a full fumes and odours maintenance strategy to be discharged.

Refuse and servicing

As per existing servicing arrangements along Sheffield Street, deliveries can be made directly into the premises on pallet trucks directly from the front of the premises. Bins would be placed to the front of the premises ready for collection on the day. Waste disposal is via euro bins system operated by Veolia and the waste is separated for recycling purposes, collected once a week.

Access

Direct access to the premises is off Sheffield Street, with level access straight into the Unit, with a car park area in front of the Unit. This offers a Level Access for Wheelchair users directly into the building. Disabled toilet facilities are also offered inside. The floor treatment is consistent throughout the building, is of solid construction and completely level throughout without any changes in level.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 136093/FO/2023 & Approve 136405/LO/2023

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.

Condition(s) to be attached to decision for approval 136093/FO/2023

1) The permission hereby granted is for five years only, expiring on 28 January 2030, and the use comprising the development for which permission is hereby temporarily granted is required to be discontinued on that date.

Reason - it will be necessary to reconsider the suitability and acceptability of the use of this site following this temporary period. This temporary permission will allow the City Council to reconsider the consequences of the development in relation to residential amenity, which are

not foreseeable beyond the expiry of this temporary permission, pursuant to the Manchester Core Strategy policies SP1, CC1, CC10, CC8 and DM1.

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

- Drawing - Proposed C758/1 PIZZA OVEN EXTRACT SYSTEM
- Design & Access Statement DESIGN AND ACCESS STATEMENT
- Supporting Information 20 Apr 2023
- Supporting Information 20 Apr 2023
- Supporting Information COOKLINE DATA
- Supporting Information COPY OF C758 SHEFFIELD ST - KITCHEN CANO...
- Supporting Information DESIGN BRIEF, FILE COVER SHEET
- Supporting Information DESIGN DRAWING
- Supporting Information EMAQ RISK ASSESSMENT
- Supporting Information EMAQ RISK ASSESSMENT
- Supporting Information EMAQ SURVEY REPORT
- Supporting Information EXTRACT AND FRESH AIR RATES CALCULATIONS
- Supporting Information EXTRACT FAN DATA SHEET
- Supporting Information MFU-600 MULTI FILTRATION UNIT DATA
- Supporting Information PIZZA OVEN VENTILATION SYSTEMS DESCRIPTION
- Supporting Information SILENCER INSERTION LOSS DATA

All received by the City Council, as Local Planning Authority, on 20/04/2023

-Drawing - Proposed 02B PLAN AND ELEVATION received by the City Council, as Local Planning Authority, on 30/05/2023

- Supporting Information EXTRACT VENTILATION AND ODOUR CONTROL EQUIPMENT DATA
- Supporting Information EXTRACT VENTILATION SYSTEM DESCRIPTION
- Supporting Information C758/1 PIZZAMASTER P833 SPECIFICATION

All received by the City Council, as Local Planning Authority, on 18/04/2023

- Ecology report BAT ADVICE LETTER
- Heritage Statement N/A

Both received by the City Council, as Local Planning Authority, on 15/05/2023

-Ecology report BAT ADVICE LETTER received by the City Council, as Local Planning Authority, on 17/05/2023

-Waste Management received by the City Council, as Local Planning Authority, on 30/01/2023

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, saved policy DC19.1 and Sections 12 of the National Planning Policy Framework.

3) a) Notwithstanding the approved details, within three months of the date of this approval, full and final details of a scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

b) Within one month of the agreement of part a) of the this condition, the scheme shall be implemented in full and remain in situ for the lifetime of the development.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

4) a) Notwithstanding the approved details, within three months of the date of this approval, full and final details of a scheme to discharge and extract fumes, vapours and odours from the premises shall be submitted to and approved in writing by the City Council as local planning authority.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties. There are no Properties within the Immediate vicinity of the Extraction Point, which is immediately below the Platforms of Piccadilly Station.

b) Within one month of the agreement of part a) of the this condition, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented. The approved scheme shall be implemented in full and remain in situ for the lifetime of the development.

Reason - In the interests of the amenities of occupiers of nearby properties pursuant to policies DM1, SP1 and EN19 of the Manchester Core Strategy (2012).

5) Within three months of the date of this approval, details of the number, siting and appearance of bird boxes at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the development hereby approved and shall thereafter be retained and maintained in situ.

Reason - In the interest of providing habitats for birds, bats to improve the biodiversity value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

6) The use hereby approved shall not be open outside the following hours:

Monday-Saturday 12.00-00.00
Sunday 12.00-22.00

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 policies SP1 and DM1 of the Core Strategy.

7) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, 10:00 to 18:00 Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development at Arch 13 Sheffield Street shall be used for any purpose other than the purpose of a Production of Pizza Dough, Pizza Manufacture and Pizzeria, and Delivery of Pizza (Use Class E) of the Schedule to the Town and

Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1.

9) The waste management arrangements shall be carried out in accordance with the approved documents (Waste Management received by the City Council, as Local Planning Authority, on 30/01/2023). The waste management arrangements shall be implemented prior to the first occupation of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to policies DM1, EN19 and SP1 of the Manchester Core Strategy (2012)

Condition(s) to be attached to decision for approval 136405/LO/2023

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

-Drawing - Proposed 02 B PLAN AND ELEVATION

-Drawing - Proposed REV C KITCHEN VENTILATION PLAN

-Design & Access Statement DESIGN AND ACCESS STATEMENT

-Heritage Statement HERITAGE STATEMENT

All received by the City Council, as Local Planning Authority, on 06/03/2023

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, saved policy DC19.1 and Sections 12 of the National Planning Policy Framework.

3) Within three months of the date of this permission, full and final details of a decorative screen to cover the ventilation louvre in situ shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The approved details shall be implemented in full as part of the development.

Reason - in the interest of visual amenity and the development affects a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1; of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit
Network Rail
High Speed Two (HS2) Limited

Arch 14, Sheffield Street, Manchester, M1 2ND
Arch 9, Sheffield Street, Manchester, M1 2ND
Arch 12, Sheffield Street, Manchester, M1 2ND
Arch 11, Sheffield Street, Manchester, M1 2ND
Arch 10, Sheffield Street, Manchester, M1 2ND
Arch 8, Sheffield Street, Manchester, M1 2ND
Arch 7, Sheffield Street, Manchester, M1 2ND
Arch 5, Sheffield Street, Manchester, M1 2ND
Arch 6, Sheffield Street, Manchester, M1 2ND
Arch 4, Sheffield Street, Manchester, M1 2ND
Arch 3, Sheffield Street, Manchester, M1 2ND
Arch 1, Sheffield Street, Manchester, M1 2ND
Arch 2, Sheffield Street, Manchester, M1 2ND

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL