

Planning
Manchester City Council
Town Hall
Albert Square
Manchester
M2 5DB

08 November 2024

Our Ref: 24/7777

Dear Sir/Madam

Unit 1 Harpurhey Shopping Centre, Manchester, M9 4DH

On behalf of Tenpin Ltd, please find enclosed an application pursuant to Section 73 of the Town & Country Planning Act 1990 (As Amended) seeking to vary planning permission 065925/FO/NORTH1/02, as varied by planning permission 101457/JO/2013/N1, specifically condition 3 (delivery hours) & condition 4 (opening hours) of permission 101457/JO/2013/N1.

Section 73 allows a planning application to be made for the carrying out of development without compliance with one or more conditions attached to a previous planning permission, where there is a relevant condition that can be varied/removed.

Proposal & Background

Tenpin (Class E(d)) are seeking to occupy the former Wilko retail (Class E(a)) unit within Harpurhey Shopping Centre and wish to vary the existing opening and delivery hours conditions for the unit to enable them to operate in line with their business model.

As the planning history confirms, the parent permission for the shopping centre is permission 065925/FO/NORTH1/02 granted on 05 December 2002. The permission was subsequently varied by 101457/JO/2013/N which sought to vary the opening hours condition in respect of Unit 15. It is this permission the applicant is seeking to vary (specifically Conditions 3 and 4) which currently restricts the delivery and opening hours of the commercial units as follows:

Condition 3

Deliveries, servicing and collections, including waste collections, shall not take place outside the following hours: Units 1 to 12 inclusive:

- 07:30 to 19:00 Monday to Friday 08:00 to 17:00 on Saturdays. There shall be no deliveries or servicing on Sundays or Bank Holidays

Managing Director
Helen Cuthbert

Directors
Stuart Slatter | Claire Temple | Alastair Close
Dan Templeton | Elliot Jones | Katie Turvey

Consultant
Lorna Byrne

Associate Directors
Heather Vickers | Alan Williams | Sally Arnold
Sam Deegan | Niall Hanrahan

Associates
Rob Scadding | Charlotte Hunter | Charlotte Perry
Grace Mollart | Charlotte Parry | Jamie Pert

Units 13 to 21 inclusive:

- 07:30 to 19:00 Monday to Friday 08:00 to 17:00 on Saturdays There shall be no deliveries or servicing on Sundays or Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant policy DM1 of the Manchester Core Strategy.

Condition 4

With the exception of Unit 15 (as identified on the location plan received from the agent via email on 15 February 2013), all units within the development shall be open between the following hours:

- 07.30 to 19.00 Monday to Saturday 09.00 to 18.00 on Sundays.

Unit 15 only (as identified on the location plan received from the agent via email on 15 February 2013), shall be open between the following hours:

- 08.00 to 22.00 Monday to Saturday 09.00 to 22.00 on Sundays.

Reason: To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant policy DM1 of the Manchester Core Strategy.

As part of this application Tenpin are seeking to extend delivery and opening hours, as follows:

Delivery hours

- 07:00-23:00 (daily – including Bank Holidays)

Opening hours

- Sunday to Thursday 08:00 - 00:30
- 08:00-01:30 Friday and Saturday
- Bank Holidays 08:00-01:30

Application Site & Surroundings

The site is located on the western side of Harpurhey District Centre and falls within the Harpurhey Shopping Centre. Figure 1.1 below confirms the demise/location of Unit 1 Hartpury Shopping Centre.

Figure 1.1 – Unit 1 Harpurhey Shopping Centre



Source: Promap 2024

The unit is situated in a highly sustainable location with Rochdale Road to the East, Church Lane to the South and a pedestrianised walkway to the north leading to other parts of the shopping centre, car parks and an Asda foodstore to the west. A post office and social services centre is located immediately to the north, with a 24 hour McDonald's and 24-hour Asda petrol station beyond. A medical centre is located to the south, with the servicing road for the shopping centre including Unit 1 located between. A vacant social club/bar is located immediately to the west on the other side of Rochdale Road.

The site is a predominantly commercial area, with a mix of retail and leisure/late night-uses, and there are no residential units in the immediate vicinity of the site. The closest residential receptor is located at 11 Coningsby Drive (75m west of the site) behind the social club.

Additionally, there are several late-night bus services running adjacent the site along Rochdale Road, with a bus stop immediately outside the site. The Manchester College - Harpurhey Campus (Stop D) is a 24/7 service. The site is also in the vicinity of several car parks which are open late. The area is therefore subject to a high level of noise and activity through the night.

Planning Justification

RBA Acoustics have been commissioned to provide a noise impact assessment to support the application for the extension of both opening and delivery hours to allow Tenpin to occupy the unit. The scope of the assessment has been undertaken in accordance with local and national policy requirements.

Opening hours

The noise impact assessment confirms that evening and night-time background noise levels in the area are high. The assessment has analysed the potential entertainment noise created by the bowling alley and surveys were undertaken at the unit from 11:00 Friday-08:00 Monday 14th October to capture both day and night-time hours. Measurements were undertaken at several points within the unit and typical noise breakout levels have been determined from surveys undertaken at the existing Tenpin site at Parrs Wood, Manchester. The noise assessment concludes that during the night-time period noise sources from the bowling alley will be significantly below Manchester City Council's local criteria for the night-time period. As such the proposed hours of operation for the bowling alley will not give rise to any harmful impact on the nearest residential receptors (with are 75 metres away).

As part of RBA Acoustic's assessment consideration has been given to the level of patron noise from the unit and the potential impact on the surrounding context. It comments that given the site will operate as a bowling alley, patrons will not all leave the venue at closing time as the case with other late night uses. Instead, patrons will trickle form the venue. It also observes that the majority of patrons will likely leave and travel along the pedestrianised footpath within the shopping centre in an easter directly towards the car parks. Therefore, an assessment of a group of four patrons speaking at raised voices has been undertaken considering the most likely route when leaving the venue (towards the bus stop directly outside the western facade of the venue), however, some patrons may leave on foot towards the bus stop on Rochdale Road (which is located on a 24-hour bus route). This is also the closest route to the nearest residential receptor. An assessment of a group of patrons speaking in raised voices at the bus stop was undertaken with the results concluding that even in the worst-case scenario, there would be no change in ambient noise levels that currently exist, and nearby residents would not be affected from patron noise in this location. As discussed above, the site is situated on a busy road and in a vibrant area of Manchester where 24hr activities are in the immediate vicinity (including the 24-hour McDonalds and 24-hour Asda petrol station).

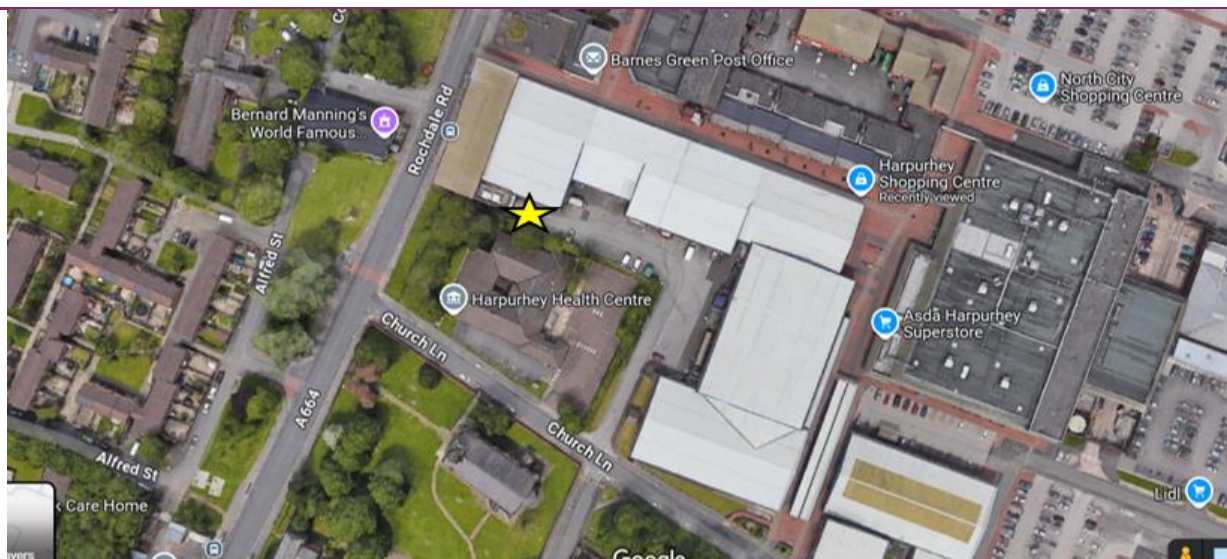
It has therefore been robustly demonstrated that the proposals will not result in any harmful noise impacts on surrounding amenity and will be in full compliance with saved Policy DC26, criterion 2 of Policy C10 of the Core Strategy, and Policy DM1 of the development plan, and the NPPF 2023.

Delivery Hours

The delivery hours proposed are 07:00-23:00 hrs (daily).

Figure 1.2 below shows an arial view of the site and the location of the servicing road and delivery bay (at the rear of the unit).

Figure 1.2 Aerial view of the site



★ - Location of existing delivery bay

Source: Google November 2024

As can be seen from figure 1.2, the service road is accessed via Church Lane off of Rochdale Road to the south of the unit. The area is predominately commercial uses with the residential properties a significant distance from the site, with the A664 – Rochdale Road acting as a buffer between the shopping centre and the unit's service road/yard and the residential properties. The medical centre is immediately adjacent the service road, but is closed in the evenings.

Based on the above, and the fact that the submitted noise assessment confirms noise impacts from extended delivery hours is not expected to have any notable impact on residential receptors based on existing background noise levels, the proposed extended delivery hours are acceptable from an acoustic perspective and in compliance with local Policy DM1 and the NPPF.

Conclusion

It has been robustly demonstrated that the extension of opening hours and delivery hours at Unit 1 Harpurhey Shopping Centre to allow Tenpin to occupy the site are entirely acceptable.

It is respectfully requested that the variation of hours as set out above is granted.

Application Package

In addition to this cover letter/planning statement, the following documents are submitted in support of the application. The application fee has been paid via the Planning Portal:

- Completed application form
- Noise Impact Assessment prepared by RBA Acoustics
- Copy of decision notice 101457/JO/2013/N1 (for information)

We trust that the information submitted is sufficient for the determination of the application and we look forward to receiving confirmation the application has been validated in due course. Should you have any queries, please do not hesitate to contact us.

Yours sincerely,

Planning Potential

Harrogate

Enc.