

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136880/FO/2023

Date registered valid: 3 May 2023

Proposal: Change of use of the ground floor from a restaurant/cafe (Use Class E) to a hot food takeaway (sui generis) together with external plant, ventilation and extraction equipment and minor external alterations.

Address: Unit 33, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH

Ward(s): Harpurhey Ward

Applicant: DPSK Limited

Agent (if any): Pegasus Planning Group Ltd

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 July 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 24 May 2023

Standard consultations:

Printed: 12 May 2023 Expired: 2 June 2023

Neighbour notifications

Printed: 12 May 2023 Expired: 2 June 2023

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 site relates to Unit 33 Harpurhey Shopping Centre within the Harpurhey ward of north Manchester. The unit sits within a two storey brick built parade. The application site looks onto the main road and car park connected to the Harpurhey Shopping Centre. The site benefits from a small section of amenity space to the rear of the property which looks onto the communal courtyard for a number of units within the Centre. During the site visit, the property appeared to have been most recently used as a café (The Pasta Project).

Harpurhey District Centre incorporates a range of retail, commercial and other uses including Asda, Lidl, B&M, Iceland and Wilkos. The Site is located fairly centrally within the defined District Centre and is within the northern part of the shopping centre which forms part of the overall District Centre offer. There is a large car park for customers of the District Centre located adjacent to the north east of the Site.

Description of development

The submitted application seeks planning permission for a change of use of the ground floor from a restaurant/cafe (Use Class E) to a hot food takeaway (sui generis) together with external

plant, ventilation and extraction equipment and minor external alterations. The unit would measure 121 sq.m.

The submitted plans show the proposed layout for the unit. On the ground floor, the main (existing) entrance would be located on the northern elevation, leading into a customer waiting area. The food preparation area would be located behind this and then beyond this would be located the cold storage, back of house, staff and office facilities.

Servicing would take place from the rear of the building. Refuse would be stored externally in commercial bins stored to the rear in line with current practices and the adjacent units. Bins would be collected from the Site at a frequency to suit the needs of the occupier.

In order to facilitate the operation of the unit as a hot food takeaway, extraction and ventilation equipment would be installed. This includes the following:

- An extract duct would be installed above the oven, running horizontally internally, before penetrating the western elevation to the rear of the building. Fine filtration and carbon filters would be installed as set out in the accompanying odour mitigation details supplied. Via email on 26th May 2023, the agent confirmed the flue would be steel/silver in colouration.
- An air handling system would also be installed which would include a louvred air intake on the side (western) elevation and an internal air handling unit with silencers as required.
- Two air conditioning condensers and a cold room condenser would be floor mounted to the rear of the building (on the western elevation).

Aside from the installation of louvres associated with the extract and ventilation equipment described above, external alterations are minor in nature and include a new aluminium shopfront and entrance to be painted RAL7043. The agent has been advised the current application does not grant advertisement consent.

The hours of operation are listed as followed: Monday to Friday- 11.00 to 23.00, Saturday- 11.00 to 23.00, Sunday/ Bank Holiday- 11.00 to 23.00.

Planning history

065925/FO/NORTH1/02- Harpurhey District Centre, Rochdale Rd/Moston La/Church La/Upper Conran St, Harpurhey- The relocation of the existing market hall & police station. The redevelopment to form 21 no units for use within use classes A1, A2 & A3, a new market area & replan & refurbishment of car park & malls.
Approved 5 December 2002.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Highway Services

Highways were consulted on the application and provided the following response.
Highway Recommendation:
No objection

Highway Comments:

The site is part of a district centre with shared car parking for customers. There is a rear service yard, which can provide limited staff parking.

The existing use is a café and the proposed use is hot food take-away.

The main difference from a highway perspective is that the take-away would probably attract more single purpose trips, but there would be a very quick turnover of spaces with different peak times. However, many of the trips would still be "multi-purpose" that is they are visiting the centre anyway. As such we would not anticipate any significant impacts on parking or network traffic.

Refuse management and servicing activities are unlikely to change noticeably.

Cycle parking should be provided for all employment uses but there does not appear to be any suitable area to provide staff cycles.

Based on the above there are no objections on highway related grounds.

Environmental Health

We recommend the following conditions for the above application:

FUMES*

- a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.
- b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties.

**The submitted kitchen fume extract strategy report (document titled 'ANNEX B DOCUMENT – PROPOSED VENTILATION SYSTEM' dated 11 April 2023, author not stated) is inadequate. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated May 2022. For further details refer to MCC's Environmental protection information for developers (GD 03) document.*

HOURS1*

The premises shall not be open outside hours to be agreed in writing by the City Council as local planning authority.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

**Acceptable hours are dependent on the outcome of the revised Noise assessment - see recommended condition NSE6 below.*

HOURS2

Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

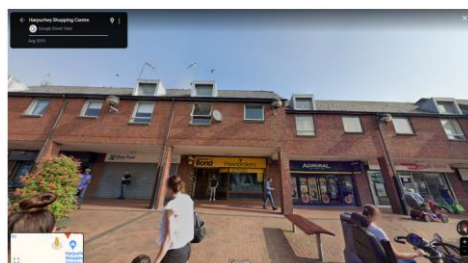
NSE6*

a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with 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. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

**The submitted Suono Plant Noise Assessment Report ref 2860.RP.1.1 dated 19 May 2023, does not consider the residential occupants of flats directly to the south of the application site, as indicated on the annotated plan and streetview image below, and should be revised accordingly.*



Greater Manchester Police

Greater Manchester Police were consulted on the application and provided the following comments:

Having looked at the proposals I am not too concerned. There are several similar premises in the local area and the opening hours seem appropriate. I would highly recommend that the new shopfront is to be Secured by Design standards and the premises is covered by a comprehensive CCTV system.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The document sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027. 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.

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principles) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (development management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy C1 (Centre Hierarchy) states development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres. District Centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. Manchester's 17 district centres are shown below including the newly designated district centre, Baguley (West Wythenshawe). Development in these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

Policy DC10 (Food and Drink Uses) 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, in this instance:

- 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.

Hot Food Take-Away Supplementary Planning Document (March 2017)

This document seeks to build on the objectives and policies in the Manchester Core Strategy, as set out above in order to promote a healthy population, sustainable communities and thriving district centres (in conjunction with Core Strategy policies SP1, C1, C2, C9 and C10).

The Core Strategy seeks to promote centres as locations for a mix of uses including food and drink, and as places that improve access to healthy food. Centres are identified as suitable

locations for the development of the night time economy, provided proposals meet policies controlling the harmful effects of uses on residential amenity and overall centre character.

The SPD has 3 policy objectives:

- i) To limit additional hot food takeaways within centres through the refusal of planning permission for new hot food takeaways where such uses already occupy 5% of the units within the centre. This figure is below the current average for the city and reflects the Council's desire to actively promote a more healthy food landscape across the city. The SDP also proposes that concentrations of hot food takeaways within centres should be avoided;
- ii) It includes a policy to manage the opening hours of hot food takeaways within 400 metres of a school, seeking to encourage children and parents to make healthy food choices;
- iii) There is also a proposed policy dealing with the range of amenity issues falling within the remit of planning, including noise, traffic and odours. Centres are the heart of our neighbourhoods and there is housing either within centres or immediately adjacent. It is important that development in centres does not compromise the attractiveness of the City's neighbourhoods as places to live.

ISSUES

Principle of Development

The suitability of the proposed development has been principally assessed with reference to the relevant policies of the Core Strategy, City Council policy and the guidance contained within the National Planning Policy Framework. In this instance the proposed hot food takeaway is considered acceptable, given its location within a District Centre and a lack of oversupply of hot food takeaways in the immediate area. As such, the proposal would not adversely affect the character and function of the area. However, matters that will require consideration, in order to assess the acceptability of any proposal, are listed within the Hot Food Take-Away Supplementary Planning Document (March 2017), and will be assessed in turn.

Impact on the Character and Amenity of the Area- Policy 1 (Vitality and Viability)

Policy 1 (Vitality and Viability) within Hot Food Take-Away Supplementary Planning Document (March 2017) considers the function of a district centre. The application sites within the Harpurhey District Centre and is acknowledged as a district centre within the Core Strategy. The Site is located fairly centrally within the defined District Centre and is within the northern part of the shopping centre which forms part of the overall District Centre offer. Harpurhey District Centre incorporates a range of retail, commercial and other uses including Asda, Lidl, B&M, Iceland and Wilkos. The introduction of a hot food takeaway is therefore considered acceptable in this location.

The policy also states hot food takeaways will not be supported in district and local centres where the cumulative impact of introducing the facility would be detrimental to the vitality and viability of a centre and would affect the balance between the day time and night time economy and the health of the population. When conducting a site visit, an assessment was undertaken of the Harpurhey District Centre and the existing amount of hot food takeaways in the Centre. Although both McDonalds and KFC provide a takeaway option, neither are considered of a sui generis use. No other hot food takeaways were identified during the site visit. As such, the introduction of a hot food takeaway in this location would not create an oversupply and is not considered to cause a detrimental effect to the vitality and viability of the centre. As such, the proposal is considered pursuant to Policy 1 of the SPD.

Impact on the Character and Amenity of the Area- Policy 2 (Amenity)

Policy 2 within Hot Food Take-Away Supplementary Planning Document (March 2017) considers impacts in terms of amenity.

Opening hours:

The proposed operating hours indicate that the hot food takeaway would be open Monday to Friday- 11.00 to 23.00, Saturday- 11.00 to 23.00, Sunday/ Bank Holiday- 11.00 to 23.00. Given McDonald's Restaurant which sits to the north west of the district centre is open 24 hours and KFC to the north of the District Centre is open 10.30am-11pm daily, the proposed hours are considered acceptable. The hours have also been confirmed as acceptable by Environmental Health.

Extraction of odours and noise abatement:

Environmental Health requested a fumes condition, external plant condition and two hours conditions were placed on any approval granted.

Information submitted during the course of the application was considered acceptable to discharge part A of the fume condition by Environmental Health and this would be reflected within the decision notice.

Environmental Health considered information submitted in respect of the external plant condition and subsequent information provided through the course of the application. Although additional information was submitted during the course of the application, Environmental Health requested the external plant condition have standard wording in the decision notice. This is because information within the kitchen extraction strategy suggested the noise assessment may need to be updated due to the high SEFR (specific extract flow rate) recommended in the odour assessment and an associated change in plant that is installed. Environmental Health recommended the NSE6 condition stays on to cover a potential change in plant and allow for an addendum assessment to be submitted if needed.

Environmental Health also considered the proposed hours of operation and considered them to be acceptable. The condition ensuring the hours of operation accords with what has been agreed on site would be attached to any approval granted.

Disposal of waste products and customer litter:

Servicing would take place from the rear of the building. Refuse would be stored externally in commercial bins stored to the rear in line with current practices and the adjacent units. Bins would be collected from the site at a frequency to suit the needs of the occupier. This would be in line with the existing arrangements for neighbouring units. Highways stated that refuse management and servicing activities are unlikely to change noticeably and were happy with the provisions in place. Environmental Health raised no comments in relation to waste. In relation to customer litter, customers could use the public bins along the road outside the unit. A condition would be placed on any approval granted, ensuring waste would be managed in accordance with the completed MCC Waste Proforma.

Highway safety:

Highways stated the main difference from a highway perspective is that the take-away would probably attract more single purpose trips, but there would be a very quick turnover of spaces with different peak times. However, many of the trips would still be "multi-purpose" that is they are visiting the centre anyway. As such, Highways would not anticipate any significant impacts on parking or network traffic and are happy with the proposal in relation to highway safety.

Visual /Residential Amenity

To the front of the property, external alterations are minor in nature and extend to a new aluminium shopfront and entrance to be painted RAL7043. The agent has been advised this application does not grant advertisement consent.

To the rear, the following equipment would be installed:

An extract duct would be installed above the oven, running horizontally internally, before penetrating the western elevation to the rear of the building. Fine filtration and carbon filters would be installed as set out in the accompanying odour mitigation details supplied. Via email on 26th May 2023, the agent confirmed the flue would be steel/silver in colouration.

Although the extraction duct would extend in height, it would not be easily visible from the publicly accessible part of the District Centre. It would however be visible from the flats sited to the south of the application site- which are sited at a first floor level and would look onto the structure. As such, the extraction flue would be conditioned to be black within the decision notice, to protect the visual amenity of the residents. Given the primary use of the District Centre is retail, the change of use to a hot food takeaway is not considered to give rise to any further residential amenity implications to the flats to the south.

In addition, an air handling system would also be installed which would include a louvred air intake on the side (western) elevation and an internal air handling unit with silencers as required and two air conditioning condensers and a cold room condenser would be floor mounted to the rear of the building (on the western elevation). Given these elements are small in nature and would mirror other extraction units within the commercial courtyard for the retail units, this element of development would be commensurate with the form of development in the courtyard and would therefore be considered acceptable.

In short, the proposal is not considered to create undue impact in terms of visual/residential amenity, in accordance with SP1 and DM1 of the Core Strategy.

Impact on the Character and Amenity of the Area- Policy 3 (Hot Food Takeaways and Schools)

Policy 3 (Hot Food Takeaways and Schools) within Hot Food Take-Away Supplementary Planning Document (March 2017) states that where a hot food take away is proposed within 400 metres of a primary or secondary school, and the proposal meets planning policy in other respects, planning permission will only be permitted subject to the condition that opening hours are restricted. In this case, although Manchester Youth Zone and The Manchester College-Harpurhey Campus are sited to the north and north west of the site, this policy does not require consideration as they are not primary or secondary schools. The property is also within a district centre which is an exception to the policy.

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

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the end of this report and the scheme is considered to be in accordance with the guidance contained within saved policy DC10 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.

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:

- Application Form, stamped as received by the City Council as Local Planning Authority on 3 May 2023.
- Drawing- Proposed- Elevation, numbered C5343-A5-06, stamped as received by the City Council as Local Planning Authority on 3 May 2023.
- Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 3 May 2023.
- Drawing- Site Plan, numbered C5343-BP09, stamped as received by the City Council as Local Planning Authority on 3 May 2023.
- Waste Management, stamped as received by the City Council as Local Planning Authority on 3 May 2023.
- Supporting Information- Air Handling Units, stamped as received by the City Council as Local Planning Authority on 7 June 2023.

- Supporting Information- CMS System, stamped as received by the City Council as Local Planning Authority on 7 June 2023.
- Supporting Information- Corona Ozone Unit, stamped as received by the City Council as Local Planning Authority on 7 June 2023.
- Supporting Information- External Condenser Unit, stamped as received by the City Council as Local Planning Authority on 7 June 2023.
- Supporting Information- Jasun Filtration Fresh Air Filters, stamped as received by the City Council as Local Planning Authority on 7 June 2023.
- Supporting Information- Jasun Filtration Model GF Standard Canopy Filters, stamped as received by the City Council as Local Planning Authority on 7 June 2023.
- Supporting Information- Vent Axia, stamped as received by the City Council as Local Planning Authority on 7 June 2023.
- Supporting Information- Mitsubishi Compressor Data Sheet, stamped as received by the City Council as Local Planning Authority on 28 June 2023.
- Supporting Information- Annex B Document, numbered REV B stamped as received by the City Council as Local Planning Authority on 28 June 2023.
- Plant Noise Assessment, numbered 2860.RP.1.3, stamped as received by the City Council as Local Planning Authority on 28 June 2023.
- Drawing- Proposed- Floor Plan, numbered C5343-A5-05B, stamped as received by the City Council as Local Planning Authority on 10 July 2023.
- Supporting Information- Control of Odour and Noise from Commercial Kitchen Exhaust System, numbered Appendix 2, Rev A, stamped as received by the City Council as Local Planning Authority on 10 July 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.

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

Monday to Friday- 11.00 to 23.00

Saturday- 11.00 to 23.00

Sunday/ Bank Holiday- 11.00 to 23.00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved UDP Policy DC26.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

07:30 to 20:00 on Mondays to Saturdays,

No deliveries/waste collections on Sundays/Bank Holidays.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved UDP Policy DC26.

5a) The development hereby approved shall be carried out in accordance with:

- Supporting Information- Air Handling Units, stamped as received by the City Council as Local Planning Authority on 7 June 2023,

- Supporting Information- CMD System, stamped as received by the City Council as Local Planning Authority on 7 June 2023,

-Supporting Information- Corona Ozone Unit, stamped as received by the City Council as Local Planning Authority on 7 June 2023,
-Supporting Information- External Condenser Unit, stamped as received by the City Council as Local Planning Authority on 7 June 2023,
-Supporting Information- Jasun Filtration Fresh Air Filters, stamped as received by the City Council as Local Planning Authority on 7 June 2023,
-Supporting Information- Jasun Filtration Model GF Standard Canopy Filters, stamped as received by the City Council as Local Planning Authority on 7 June 2023,
-Supporting Information- Vent Axia, stamped as received by the City Council as Local Planning Authority on 7 June 2023,
-Supporting Information- Mitsubishi Compressor Data Sheet, stamped as received by the City Council as Local Planning Authority on 28 June 2023,
-Supporting Information- Annex B Document, numbered REV B stamped as received by the City Council as Local Planning Authority on 28 June 2023,
-Drawing- Proposed- Floor Plan, numbered C5343-A5-05B, stamped as received by the City Council as Local Planning Authority on 10 July 2023, and
-Supporting Information- Control of Odour and Noise from Commercial Kitchen Exhaust System, numbered Appendix 2, Rev A, stamped as received by the City Council as Local Planning Authority on 10 July 2023,
in relation to fumes, vapours and odours extracted and discharged from the premises. These measures shall be implemented before first occupation of the premises and maintained in place as long as the use is in operation.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby property pursuant to Core Strategy policies DM1 and C10 and Saved Unitary Development Plan policy DC10.

6a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with 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. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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 Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

7) The development shall be carried out in accordance with the submitted scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed in the Waste Management Proforma, stamped as received by the City Council as Local Planning Authority, on 3 May 2023. The details of the approved scheme shall be implemented as part 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 SP1 and DM1 of the Core Strategy.

8) Prior to becoming operational, the fume extraction flue hereby approved 'Drawing- Proposed- Elevation, numbered C5343-A5-06', stamped as received by the City Council as Local Planning Authority on 3 May 2023, shall be painted black.

Reason- To safeguard visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Informatives

- 1) The proposed shop front should be designed and constructed to Secured by Design standards (please see www.designforsecurity.org/secured-by-design/ or www.securedbydesign.com for more information). Developments that are built to this standard are less likely to be susceptible to crime.
-Premises should be covered by a comprehensive CCTV system.
- 2) This consent does not give permission for advertisement consent- this should be applied for separately.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Pharmacy At ASDA, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DJ
Unit 31, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
KFC Restaurant, 10 Moston Lane, Manchester, M9 4DS
ASDA, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DJ
Betfred, Unit 35, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH
Unit 31A, Harpurhey Shopping Centre, Lee Road, Manchester, M9 4DH

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA