

Development Management
Manchester City Council
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Our ref EKPS/221103/ESK/PG

Submitted via the
Planning Portal

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Dear Sir or Madam,

Proposed Change of Use of 46 Henry Street, Ancoats, Manchester, M4 5DD: Application for Full Planning Permission

On behalf of our client, Fresh Fuel (Ancoats) Limited ('the Applicant'), we are pleased to enclose a full planning application for the change of use of the building at 46 Henry Street in Ancoats, Manchester City Centre, to create a new, high quality Class E healthy eating restaurant. The application has been submitted via the Planning Portal (Ref. PP-11924922).

The Applicant: Fresh Fuel (Ancoats) Limited

The Fresh Fuel Bar is a healthy eating restaurant company, established in 2015, which currently operates out of premises on Rochdale Road in North Manchester. The company specialises in the provision of fresh, healthy, high-quality food.

As part of the company's current growth strategy, it wishes to open a new restaurant facility within Manchester City Centre and the building at 46 Henry Street, which is presently vacant, has been identified as a suitable location for this restaurant.

The Site and its Surroundings

46 Henry Street is located within the Ancoats area of Manchester City Centre, which has been the subject of significant regeneration in recent years.

The building comprises of two storeys and was most recently used by a cleaning company as a workshop and storage area on the ground floor and offices on the first floor. Immediately to the west of the building is a single storey garage block and to the east is an eight-storey residential development.

The surrounding area comprises a mixture of residential and commercial developments, with various ground floor retail and restaurant uses also present.

The site is in a highly sustainable location with major transport interchanges in easy walking distance, providing access to train, tram and bus services across the City Centre and beyond.

The site falls within the boundary of the designated Ancoats Conservation Area.

The Proposed Development

The description of development that is proposed by the planning application is as follows:

'Change of use of ground and first floor to create a new restaurant (Use Class E), together with elevational alterations and other associated external works.'

Key elements of the proposed development include the following:

- Refurbishment of the interior of the building to accommodate the proposed restaurant, including:
 - at the ground floor level – provision of a level access from Henry Street, accessible seating areas, accessible toilet/changing room, serving area, storage/lockers/cleaners' space, refuse store and takeaway serving hatch; and
 - at the first floor level – additional seating area, kitchen, cold storage space and staff toilet.
- The creation of a new façade at the front of the building, which seeks to reference the industrial heritage of the Ancoats area, including the introduction of a 'chimney' feature.
- Installation of 2 no. rooftop condenser units and a rooftop extract fan.
- The replacement of the existing corrugated sheet metal roof with a raised flat roof, including a parapet to help screen the rooftop plant required.
- Building fabric enhancements, which would improve the overall energy efficiency of the building.

The takeaway serving hatch would allow for takeaway collections to be made. This facility would be ancillary to the building's main function as a restaurant.

A Signage Strategy prepared by Society Studios is being submitted with the application, outlining the indicative external signage proposals. External signage will be the subject of an application for advertisement consent, to be submitted separately to this planning application.

Relevant Local and National Planning Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise.

Local Planning Policy

The adopted Development Plan for Manchester City Council ("MCC") comprises the MCC Core Strategy 2012-2027, which was adopted on 11 July 2012, and the 'saved' policies of the Unitary Development Plan ("UDP").

The Core Strategy outlines the Council's vision and spatial principles for Manchester to 2027, along with the planning policies which will be used to deliver that vision. The policies of most relevance to the determination of the application are as follows:

- **Policy SP 1: Spatial Principles** – states that the Regional Centre (within which 46 Henry Street is located) will be the focus of economic and commercial development, retail, leisure and cultural activity, alongside high-quality city living.
- **Policy EC 3: The Regional Centre** – encourages development for employment-generating uses within the Regional Centre, including offices and other commercial development.
- **Policy CC 1: City Centre and Fringe** – encourages provision of a range of economic development uses in the City Centre, such as retail, leisure, entertainment, cultural and tourism facilities, to support the development of a vibrant employment location attractive to businesses, employees and visitors to the City Centre.
- **Policy CC 9: Design and Heritage** – requires development in the City Centre to preserve or enhance identified heritage assets, including conservation areas. Also states that new development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.

- **Policy CC 10: A Place for Everyone** – promotes the City Centre as a location which appeals to a wide range of residents and visitors, particularly through development comprising uses which increase the diversity of activity (with an emphasis on family-oriented activity), and which provides high standards of accessibility to buildings.
- **Policy C 10: Leisure and the Evening Economy** – promotes development that supports a balanced and socially inclusive evening/night-time economy.
- **Policy DM 1: Development Management** – requires all developments to have regard to a range of specific issues including: impact on the surrounding area in terms of design, scale and appearance; effects on amenity such as privacy, light, noise, odours, litter, road safety and traffic generation; accessibility (for disabled people and sustainable transport modes); community safety and crime prevention; refuse storage and collection; vehicular access; and green infrastructure.

The following ‘saved’ policies of the UDP are also relevant:

- **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, or for hot food to be consumed off the premises, the Council will have regard to:
 - a) the general location of the proposed development, including any reference to the area in other policies in the Development Plan;
 - b) the effect on the amenity of neighbouring residents;
 - c) the availability of safe and convenient arrangements for car parking and servicing;
 - d) ease of access for all, including disabled people; and
 - e) the storage and collection of refuse and litter.
- **Policy DC26: Development and Noise** – aims to reduce the impact of noise on people living and working in, or visiting, the City by considering both:
 - a) The effect of new development proposals which are likely to be generators of noise; and
 - b) The implications of new development being exposed to existing noise sources which are effectively outside planning control.

The Policy adds that where the Council believes that a new proposal might generate potentially unacceptable levels of noise, it will require the applicant to provide an assessment of the likely impact and of the measures proposed to deal with it satisfactorily. It goes on to state that the Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

The application site falls within the boundary of the Ancoats and New Islington Development Framework, which sets out a vision for the regeneration of this area. The Framework states that opportunities for a wide mix of uses (including retail and leisure uses) should be sought which will combine to create a distinctive sense of place and neighbourhood, ensuring life and vitality on weekdays and evenings. 46 Henry Street is located within Character Area 1 (‘Great Ancoats and Oldham Road Frontage’). One of the identified objectives for this area is to provide opportunities to create commercial space in order to support enterprise and economic growth.

National Planning Policy

The revised National Planning Policy Framework (‘NPPF’) was published by the Ministry of Housing, Communities & Local Government (‘MHCLG’) in July 2021 and is a material consideration in planning

decisions.

The NPPF identifies three overarching objectives for the planning system, namely an economic objective (to help build a strong, responsive and competitive economy), a social objective (which aims to support strong, vibrant and healthy communities, and to foster well-designed, beautiful and safe places with accessible services) and an environmental objective (aimed at protecting and enhancing the built and historic environment, including making effective use of land, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy).

The policies of most relevance to the determination of the application include the following:

- **The presumption in favour sustainable development (paragraph 11)** – states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
 - c) *‘approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole.’*
- **Section 6: Building a strong, competitive economy** – states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 80).
- **Section 7: Ensuring the vitality of town centres** – states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation, and promoting their vitality and viability (paragraph 86).
- **Section 8: Promoting healthy and safe communities** – promotes planning decisions which aim to achieve healthy, inclusive and safe places, such as through the provision of access to healthier food (paragraph 92).
- **Section 11: Making Effective Use of Land** – states that planning decisions should promote and support the development of under-utilised land and buildings (paragraph 120).

Justification for the Proposed Development

Having introduced the Applicant, the site and surroundings, the proposed development and the relevant local and national planning policies, it is now important to present the justification for the proposals.

Principle of Development

The proposed development would bring a vacant building back into use as a new, high quality healthy eating restaurant, which would enhance the mix of uses on offer within the Ancoats area, whilst also contributing positively to the economy of the City Centre and Regional Centre, in accordance with the objectives of Core Strategy policies **SP 1**, **EC 3**, **CC 1**, **CC 10** and **C 10**.

The new restaurant would align with the objectives of the Ancoats and New Islington Development Framework area, by promoting further activity and vibrancy within the local neighbourhood, including on evenings, further strengthening its distinctive sense of place.

The proposal also derives support from the NPPF, which highlights the need to take account of local business needs, to promote the vitality and viability of town centres, to improve the provision of access to healthier foods, and to promote the development of under-utilised buildings.

In view of the above, it is considered that the principle of the development proposed is entirely acceptable in planning terms.

Impact on Amenity

Noise Impact

The planning application is supported by a Noise Impact Assessment prepared by Jameson Acoustics. This was informed by a 5-day noise survey to establish baseline daytime and night-time noise levels during weekday and weekend periods. The Assessment concludes that, subject to the introduction of appropriate mitigation measures, the proposed development is not anticipated to generate unacceptable levels of noise.

The planning application is also supported by a proposed Operating Schedule and Smoking Policy, which contain additional measures aimed at minimising the noise that would be generated by the restaurant.

In view of the above, it is considered that the proposed development would be in compliance with UDP Policy DC26.

Ventilation Impact

The planning application is supported by a Ventilation Statement prepared by Novo, which demonstrates that the proposed development could be effectively ventilated without giving rise to any unacceptable effects. This Statement includes details of the plant equipment required.

Accessibility

The planning application is supported by a Transport Statement & Travel Plan document prepared by SK Transport Planning. This demonstrates that the site relates well to other areas of the City Centre, from which customers can be expected to walk, and relates well to public transport infrastructure that can be used by staff when travelling to work. The proposal would provide a complementary use that could be used by existing residents, visitors, and workers to reduce the need to travel. The document also proposes a series of Travel Plan type measures, aimed at encouraging staff to travel to and from the proposed restaurant by sustainable and active modes.

As explained previously, the proposed restaurant would be accessible to disabled users, with the provision of a level access from Henry Street, together with accessible seating areas and an accessible toilet/changing room at the ground floor level.

The proposed development would be serviced from the Henry Street kerbside, in accordance with current site servicing arrangements and existing Traffic Regulation Orders.

Refuse Management

A refuse store is proposed on the ground floor of the development. This would be enclosed by a vented roller shutter door. The collection of refuse associated with the proposed development would be undertaken by a licensed waste carrier. Further details are provided within the Waste Management Plan and completed Waste Management Strategy Proforma being submitted as part of the planning application.

Heritage / Visual Impacts

The planning application is supported by a Design, Access and Heritage Statement prepared by E3 Architecture, which appraises the historic context of the area surrounding the application site and demonstrates that the proposed development would enhance the character of the Ancoats Conservation Area.

Ecology

The planning application is supported by a Bat Roost Potential Survey Report, prepared by JCA Limited, to assess the potential impacts of the proposed development (in particular the works to the roof) on bats, which are a protected species.

The Report concludes that the building holds low roosting potential, but recommends that one additional dusk emergence survey be undertaken between 1st May to 31st August. The Applicant has arranged for this additional survey to be undertaken in early May and this can be submitted as supplementary information during the determination period, if required by the Local Planning Authority.

Pre-Application Consultation

Council Officers confirmed their agreement to the principle of converting 46 Henry Street into a restaurant during the pre-application correspondence that has taken place over the past few months. Correspondence has also been exchanged with Officers to agree on the scope of the planning application submission and the draft design proposals. The submitted documentation takes full account of the points that were raised by Officers during this pre-application process.

Summary and Conclusions

With regards to the above planning appraisal of the proposed development it is considered the principle of development would be acceptable and that there are no technical considerations which should restrict the proposed development.

The proposed development would enable Fresh Fuel Bar to develop their business operations and continue to encourage economic growth in the area – a local and national planning priority.

Supporting Plans and Documents

In addition to this covering letter, the planning application is supported by the following plans and documents:

- Planning Application Forms, Certificates and fee¹;
- Red-edged site location plan;
- Existing and Proposed Floorplans (Dwg No: 037/01(02)003);
- Existing and Proposed Elevations (Dwg No: 037/01(02)004);;
- Design, Access and Heritage Statement prepared by E3 Architecture;
- Fresh Fuel Signage Strategy prepared by Society Studios;
- Proposed Operating Schedule and Smoking Policy prepared by the Fresh Fuel Bar;
- Transport Statement & Travel Plan (incorporating proposed servicing arrangements) prepared by SK Transport Planning;
- Waste Management Plan (Dwg No: 037/01(02)010) and completed Waste Management Strategy Proforma;
- Ventilation Statement prepared by Novo Consulting;

¹ The required fee of £462 (+ £32.20 service charge) has been paid via the Planning Portal

- Energy Strategy Statement prepared by Novo Consulting;
- Noise Impact Assessment prepared by Jameson Acoustics; and
- Bat Roost Potential Survey Report prepared by JCA Limited.

I trust the submitted information is sufficient, however should you have any questions or require any further information, please do not hesitate to contact me by email or telephone (07943 195 984).

Yours faithfully,



Phil Grant
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