

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134078/FO/2022

Date registered valid: 25 July 2022

Proposal: Creation of a drinking establishment (Sui Generis)

Address: Arch 4 , Sheffield Street, Manchester, M1 2ND

Ward(s): Piccadilly Ward

Applicant: Mr Michael Forde Sureshot Brewery Co Ltd Arch 4 Sheffield Street, Manchester, M1 2ND

Agent (if any): Mr Jeff Cowan Building Design Services 10 Harpford Close, Brightmet, Bolton, BL2 6TN

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 September 2022

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit:

Standard consultations:

Printed: 2 August 2022 Expired: 23 August 2022

Neighbour notifications

Printed: 29 July 2022 Expired: 19 August 2022

Site notice

Posted: Expired:

Press advert

Published: 2 August 2022 Expired: 23 August 2022

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

This application relates to Arch 4 on Sheffield Street within the City Centre. The premises is a unit within the railway arches that run east from Piccadilly Train Station. The area surrounding the application site is commercial/industrial in nature.

The site is located within the Mayfield SRF area of Manchester City centre, the vision for Mayfield is to deliver a world class, transformational, distinctive and imaginative commercially led neighbourhood, anchored by Mayfield Park, which will become a powerhouse of socio-economic productivity.

The Mayfield site is also part of the 'Manchester Piccadilly Strategic Regeneration Framework (Piccadilly SRF), which was endorsed by the Council in 2014 with an update endorsed in June 2018. This followed the UK Government's announcement, in January 2013 of their commitment to Phase 2 of High Speed 2 (HS2).

Description of Development

The submitted application seeks planning permission for a Change of Use of Railway Arch to Create a Bar.

Relevant Planning History:

App ref. 112283/FO/2016 Change of use from Use Class B1 to Use Class D2 (Assembly and Leisure) to allow use of premises for live escape gaming rooms APPROVED 08 August 2016

Consultations & Notification Responses

Local residents/business were consulted, and a site notice was displayed for 21 days. No representations have been received as a result of this.

Highways – no objections

Environmental Health – The proposed hours and submitted waste strategy are acceptable.

Design for Security at GMP – made a number of recommendations with regards to security measures.

Greater Manchester Ecology Unit – no comments.

Policies

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

Policy SP 1 Spatial Principles - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. The policy states that the Council will support proposals that, amongst other things:

- i. Improve choice by developing alternatives to the car;
- ii. Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car;
- iii. Improve pedestrian routes and the pedestrian environment;

iv. Reduce the negative impacts of road traffic, for example, congestion, air pollution and road accident casualties.

Policy DM1 Development Management - States that all development should have regard to the following specific issues, which are considered to be relevant to the consideration of this application:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- d. Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

Saved Unitary Development Plan (UDP) Policies -The following saved UDP policies are also considered to be relevant:

The following policies are relevant to the proposed development:

Policy 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.

Issues

Principle of the Development

The site lies within the City Centre and within the Piccadilly SRF area. The Piccadilly states that the regeneration of the area provides the opportunity to strengthen the presence of the railway arches and bring them into public life. Transforming these heritage assets into animated public spaces such as bars, cafes, restaurants, shops, cafe and workshops will bring another realm of activity to the park, contributing to its overall character as the focus of leisure and recreation in Piccadilly Central (page 49). There are similar uses surrounding the application site including those on the nearby Piccadilly Trading Estate.

Visual Amenity

Arch 4 of the Sheffield Street railway viaduct is currently vacant however has recently been used as a 'Breakout Room' Entertainment Facility. The Front of the Arch will remain as Existing, with the interior fitted out. Overall the impact of the proposal on visual Amenity will be minor however the additional activity within the unit will bring activity to the area.

Residential Amenity

The proposed use is located within a railway arch which does not have any units above and therefore there are no associated concerns with regards to noise transfer to residential units. The closest residential uses are approximately 160 metres away, Environmental Health have confirmed that given the location and construction of the unit, it is not considered that noise assessment would be required as noise transfer would not be an issue.

Waste

The submitted waste management plan has been assessed by both highways and environmental health and is considered to be acceptable and in accordance with core strategy policy EN19. A condition will be attached to ensure the refuse arrangements are carried out in accordance with the submitted details.

Highways Issues

Highways were consulted as part of the application and have confirmed due to the likely level of trip generation and the sustainable location of the site, the traffic impact will be minimal given the hours of operation and the availability of both on and off-street car parking in the locality.

A condition will be applied to ensure details of secure cycle parking / storage are submitted for approval to encourage the uptake of sustainable transport by staff in accordance with Core Strategy Policy T1.

Security and Crime Prevention

Design for Security at Greater Manchester Police were consulted as part of the application and have made a number of recommendations with regards to the security of the site and external areas. The recommendations have been forwarded to the agent who has confirmed that these will be implemented as part of the proposed use.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be in accordance with the development plan and therefore determine in a timely manner.

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:

Received by the City Council, as Local Planning Authority on the 16 June 2022:

-Location Plan ref. 03

Received by the City Council, as Local Planning Authority on the 25 July 2022:

Drawings and documents referenced:

-Existing & Proposed Ground Floor Plan ref. 01 REV C

-Site Plan ref. 02 REV A

-Waste Management Proforma

Email from Agent dated 12.09.2022

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 development is to be undertaken in accordance with the waste management strategy comprising the documents referenced: -Existing & Proposed Ground Floor Plan ref. 01 REV C and Waste Management Proforma received by the City Council as Local Planning Authority on 26 July 2022. The agreed arrangement including the associated bin storage structures shall be implemented in full prior to the first occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

4) The premises shall not be open outside the following hours -

12:00-23.00 Monday to Friday

11:00-23.00

11:00- 21:00 Sundays and Bank Holidays

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.

5) Within one month of the date of this approval, details of the specifications, elevations, siting and appearance of the secured cycle storage and shelter for the proposed 2 no. Cycle spaces shall be submitted for approval in writing by the City Council as local planning authority. The agreed details shall be fully implemented prior to the first use of development, retained and maintained thereafter.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

6) For the avoidance of doubt, the commercial unit hereby approved shall be used as a Drinking Establishment (Sui Generis) and no other use.

Reason - To ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Manchester Core Strategy.

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited
Arch Co
Environmental Health
Highway Services
Greater Manchester Police
MCC Flood Risk Management
Network Rail
Greater Manchester Ecology Unit

Parcel Force, Travis Street, Manchester, M1 2NG
Arch 14, Sheffield Street, Manchester, M1 2ND
Arch 9, Sheffield Street, Manchester, M1 2ND
Arch 13, 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 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 - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
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 (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Area Team Boundary - Name: CENTRAL