

Application Number	Date of Appln	Committee Date	Ward
133236/FO/2022	17th Mar 2022		Miles Platting & Newton Heath Ward

Proposal Change of use of part of the ground floor from a restaurant/bar (use class E(b)) to a place of worship (use class F1(f)).

Location Ground Floor, 371 Oldham Road, Manchester, M40 8EA

Applicant Mr Anjum Majid , The Sheridan Suite, C/o Agent,

Agent Mr Benedict Sacarello, WSP, 8 First Street, Manchester, M15 4GU

Description

The application site consists of a large two storey building on the corner of Oldham Road and Queens Road, including a car park for 300 cars. The site is situated on the western side of Oldham Road, with direct vehicular access from Oldham Road.

The building is currently known as The Sheridan Suite and is mainly used as an exhibition and conference venue. The application site is within the Miles Platting area of Manchester, approximately 1 mile from the City Centre.

The application site is located within a mixed-use area of Miles Platting, which is characterised by residential properties to the south and east of Oldham Road and a mix of commercial and industrial uses to the north of the site. The site is also bounded to the north by a railway line leading in and out of the City Centre.

Description of development

This application seeks consent for the change of use of part of the ground floor from a restaurant/bar (use class E(b)) to a place of worship (use class F1(f)).

The Sheridan Suite comprises of a large leisure facility with the ground floor consent for restaurant use. A local religious congregation has outgrown their current premises on Varley Street and wish to relocate to a nearby property.

The building measures approximately 36m x 90m and is largely constructed of brick with additional detailing surrounding the roofline.

The site extends to 1.64 Ha and comprises a 300-space car park and landscaping. Two-way access is taken from Oldham Road, with barrier control.

The changes being proposed seek to convert half of the ground floor of the building, which currently has permission to operate as a restaurant / bar, to a place of worship for the Mountain of Fire Church organisation. The restaurant / bar is currently vacant.

The church will use the space on the ground floor with the main activity being a Sunday morning service for 300 people. Outside of Sunday mornings, it would be used for general church activities (prayer meetings, training) throughout the week. The first-floor exhibition and function room would be used as a wedding venue with approximately 300 attendees from the church. The first-floor wedding function element of the scheme runs in conjunction with the ground floor church use.

The Hours of operation

Monday – Friday 09:00 – 02:00

Saturday 09:00 – 02:00

Sunday to Bank Holiday 09:30 – 23.30

Church Use Weekly Schedule

The church hosts a regular weekly schedule, including:

- Bible Study - a small gathering on Mondays at 18:00-19:30 attracting 40 members.
- Tuesday Prayer Meeting - weekly on Tuesdays at 13:00-14:00 which attracts 60 families and therefore, likely to be a maximum of 60 cars and approximately 150 people.
- Midweek service – every Wednesday at 18:00-19:30 attracting 50 members.
- Vocational training – every Saturday morning from 10:00-13:00 attracting 20-25 members.
- Sunday worship – as explained above, attracting 100 families in 100 cars and a maximum of 300 people.

The ground floor church use annual and monthly include late night finishes at 01:00 and 00:30 during the 'Cross-over night' and 'prayer meeting' events respectively.

The church host weddings which can attract up to 300 people and would take place within the first floor of the Sheridan Suite.

Related Planning Applications

111699/FO/2016/N1: Approved for proposed change of use of ground floor of building from exhibition and conferencing (Sui Generis) to a restaurant and bar (Sui

Generis) including a single storey extension to the front and side of the building and associated boundary treatments.

131574/FO/2021 Creation of a place of worship (Use Class F1(f)) to part of the ground floor. The application was withdrawn, and the current application submitted containing further information in relation to the scheduling of the banqueting facility and church activity which will operate in unison.

Consultations

The occupiers of the surrounding properties were consulted, and one councillor objection was received and one neighbour objection. The comments received are outlined below:

Resident Comments-

- Unacceptable levels of noise are experienced when wedding functions leave the Sheridan Suite. This includes cars revving their engines and noise from fireworks.
- Oldham Road tends to get blocked, with cars turning right into the venue which impact on the existing bus lane.
- As a result of the proposal there would be an increased number of cars in the area when there are already heightened levels of traffic activity due to the Etihad Stadium and likely more during the week when the new Arena opens for Concerts.

Councillor John Flanagan- Objected to the proposal on the grounds that the proposal would it lead to the over intensification use of the site, with the existing facilities and car park inadequate to host a church service and function, on the upper floors, at the same time. This would result in the overflow of cars and dangerous parking on both Oldham Road and surrounding residential estates.

Highway Services- Highways have strong concerns that the existing site generates significant requirements for parking on-street with limited capacity to support any further increase. The proposed development will see an increase in visitor size, therefore generating additional vehicles requiring parking. This is likely to exacerbate pressures on local streets and increase local congestion which Highways cannot support.

Environmental Health- Recommended subject to the proposal being supported that an acoustic condition be attached to the consent.

MCC Flood Risk Management- Raised no objection to the proposal and confirm no condition was necessary.

Greater Manchester Police- Recommend should the proposal be supported the security measure outlined below be incorporated into the proposal.

- Any new external doors/windows/glazing/shutters should be certified to Secured by Design standards.
- The building should be covered by a monitored intruder alarm with a panic alarm function for lone works/out of hours staff.
- Consideration should be given to the installation of a CCTV system.

Network Rail- No representation has been received.

Policy

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 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 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 T2 looks to manage the pattern of development to ensure that new development is located in accessible locations. Particular emphasis is given to the need to ensure residents are able to live in locations accessible to employment health, education, open space and leisure opportunities. The policy also states that all new development should provide appropriate car parking facilities.

In addition, the following saved policy of the UDP is also considered relevant:

National Planning Policy Framework - The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Relevant to this application, Section 9 relates to ‘Promoting Sustainable Transport’.

Principle

The principle of the proposed change of use of the ground floor to a place of worship, combined with the first-floor events venue, is not acceptable as it would result in the over intensive use of the Sheridan Suite. The proposal would result in increased comings and goings particularly from vehicular traffic and patrons together with pressure and demand for in curtilage parking. In addition, with both premises in use, together with other event and entertainment venues in the locality, there would be increased congestion on the local highway network. The proposal would also exacerbate on-street car parking within the Miles Platting Neighbourhood which would have an unduly harmful impact on residential amenity. This is contrary to the provisions of policy SP1, T2 and DM1 of the Manchester Core Strategy (July 2012) and the National Planning Policy Framework.

Issues

The proposal includes the downstairs use as a church and the existing upstairs use as a wedding/events venue. Concerns relating to the proposal is the combined use and the impact on car parking provision, due to the amount of car parking required and the unacceptable impact it would have on the highway network within the area. The reason being during the busy times, the Sheridan suite would host both church

and wedding/events activities. The wedding activities can attract up to an estimate of 300 people which is a significant amount of people congregating at any one time and further concerns arise due to the crossover of the two uses, as the church use finishes at 12 midday on Sunday, whilst the wedding reception use would begin at the same time. This has led to concerns regarding the level of car parking and travel to and from the site, as 300 wedding attendees could arrive at the same time as 300 church attendees leave. Resulting in on-street parking and congestion. In addition, there is a potential crossover period at the end of the weekly Sunday service when the banquet hall can be open from midday.

In this case, whilst it is acknowledged that the application site is situated within an accessible location and does provide some off-road parking provision, the level of provision is not considered sufficient given the nature of the use and level of parking demand.

The proposal includes 300 off road spaces for general use within the car park.

Whilst there is no defined parking ratio for the proposed use enshrined within policy, it is considered that amount of parking spaces would not be sufficient or allow for an acceptable level of provision for the demand.

The proposed use includes activities that generate significantly more than potentially 600 vehicles.

Given the large capacity of the building and the numbers anticipated to attend each service/activity, particularly the cross over on Sundays and during wedding events, it is inevitable that overspill parking demand would be generated, and this would take place on surrounding roads. The impact is heightened given the commercial location of the site, and the associated high levels of vehicular activity and on-street parking and servicing requirements. Moreover, the site is situated opposite on a busy arterial route where no car parking is allowed and therefore it is anticipated that the proposal would also exacerbate on-street car parking within the Miles Platting Neighbourhood which would cause undue harm for the residents.

On balance, it is believed that the proposed use would attract a significantly greater number of cars to the immediate area than would ordinarily be the case. This coupled with the lack of off road parking provision would in turn, increase competition for spaces, cause localised congestion, increase disturbance, jeopardise the safety of pedestrians and lead to frustrations and noise nuisance to local business and residential occupiers, to detriment of their economic function and amenity.

Equality Act

Section 149 of the Act imposes a duty on 'public authorities' and other bodies when exercising public functions to have due regard to the need to:

a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act

b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Whilst it is acknowledged that the proposal will result in the loss of a place of worship, it is not considered that this outweighs the harm that the use has on surrounding amenity in terms of the impact on the highway, which is a material planning considerations.

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 the right to a fair hearing and to this end the Committee 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 of the application 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 Refuse

The proposed change of use of the ground floor to a place of worship, combined with the first-floor events venue, would result in the over intensive use of the Sheridan Suite. The proposal would result in increased comings and goings particularly from vehicular traffic and patrons together with pressure and demand for in curtilage parking. In addition, with both premises in use, together with other event and entertainment venues in the locality, there would be increased congestion on the local highway network. The proposal would also exacerbate on-street car parking within the Miles Platting Neighbourhood which would have an unduly harmful impact on residential amenity. This is contrary to the provisions of policy SP1, T2 and DM1 of the Manchester Core Strategy (July 2012) and the National Planning Policy Framework.

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. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 133236/FO/2022 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Network Rail**

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer :	Janine Renshaw-Livesey
Telephone number :	0161 234 4555
Email :	janine.renshaw-livesey@manchester.gov.uk

