

List No.

Cheetham Ward	Application Number 083849/FU/2007/N1	Date of Appln 31st Aug 2007	Committee Date 20th Dec 2007
Proposal	Change of use to a health club (D2) from a bank (A2) including ancillary cafe facility		
Location	54 Bury New Road, Cheetham, Manchester, M8 8FJ		
Applicant Agent	Stefan Kurpas, Acre Nook Farm, Turn Village, Edenfield, BL0 ORN		

Description

This application relates to a two storey flat roof building built in the 1960/70's and was previously used as a bank. There are other businesses occupying the building at the present time. It is located in a commercial area of Strangeways. There is a small car park to rear . The health club will be primarily an evening nighttime activity. It will close 1.00am Sunday to Thursday and 2.00am Friday and 4.00am on Saturdays. It will employ 20 staff. The ground floor will have a cafe / coffee shop and video area. Upstairs there will be a wet room male/female changing rooms, toilets.

Consultations

Local Residents/ Businesses No objections

Ward Councillors A verbal objection has been received from Councillor Pagel as he considers the proposal would blight the area and work against the high profile developments coming forward in the area such as at Boddington's brewery

Engineering Services - Nine parking spaces under their control is adequate.

Environmental Health - wish to have conditions to cover, delivery times, fume extraction, noise insulation of external equipment, refuse storage.

North Manchester Regeneration Team - objections are raised to this application as it is not considered that this an appropriate use of the premises as this is an industrial/ commercial area where, demand for premises are high - and this proposal gives only a small employment potential offer.

If the sauna is open late night early morning - concerns are expressed about the safety of the users and workers leaving the premises in the early hours in this predominantly industrial area.

Licensing Unit - no application for a licence has been submitted.

Environment Agency - no objections.

Greater Manchester Police - recommend glazing at ground floor to have minimum thickness 7.5 mm, fire escape should be enclosed at ground level with 2.4 m high weld mesh fence, lighting should be provided within site especially to car park, bin store should be fully enclosed and be lockable.

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Crime Reduction Officer - ideally cctv both external (covering front entrance) and internal (as patrons enter) would be a bonus and an anti-robbery measure. Similarly ground floor windows and doors should be protected by roller shutters, as an anti- burglary measure.

Issues

U.D.P. Policy CC10 To encourage the continued high level of economic activity in the area particularly the needs of the wholesale trades which dominate the area. Adequate parking/servicing provision must be made for redevelopment sites.

CC4 High standard of design will be expected in this area to restore the unity and character of the main radial roads.

The proposal generally accords with policy CC10 in terms of providing employment . There is parking available for 9 cars at the rear, and as the club will be open when daytime uses have ceased , there should also be spaces on street available. It is close to good bus services.

Impact on Amenity. There are no residential properties close by and therefore there should be little or no impact. The conditions recommended by Head of Environmental Health should be imposed.

Crime and Safety Given the late hours of opening and the area this will be an important issue and an Secure by Design condition is recommended. A condition requiring Installation of cctv surveillance is considered to be merited in this case.

Visual Impact No external changes are proposed . However, it is considered that an obscure glazing condition is merited in this case given the proposed use. However , it is not considered essential to have roller shutters here as the glazing will need to be 7.5 mm and laminated to meet Secure by Design Accreditation. Advertising of the facility will need to be at an appropriate level and this will be subject of separate advert controls

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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of

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approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and country Planning Acts.

Recommendation APPROVE

APPROVE on the basis that the proposal accords with the development plan in particular policy CC10 of the City Council's Unitary Development Plan in that it will create employment in a commercial area and has off-street parking provision and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

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 unless otherwise agreed in writing by the City Council as Local Planning Authority: CS/SK-PL-01 stamped as received on 28 August 2007

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy CC10 of the Manchester Unitary Development Plan.

3) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy CC10 of the Unitary Development Plan for the City of Manchester.

4) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme 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 equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

5) No loading or unloading shall be carried out on the site outside the hours of 7.30 am to 8.00pm Monday to Saturdays daily.

Reason - In order to protect the amenity of local residents and in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester.

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6) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. 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 pursuant of policy E3.3

7) The windows in the all elevation shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

8) The development shall not be occupied unless accreditation, confirming achievement of the Secured by Design standards in respect of the development has been issued by Greater Manchester Police, unless otherwise agreed in writing by City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

9) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the club is open to the public. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

10) The premises shall not open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

Before 12.00pm and after 1.00am Sunday to Thursdays,

Before 12.00pm and after 2.00am Fridays.

Before 12.00pm and after 4.00am Saturdays.

Reason

In the interest of amenity pursuant to policy H2.2 of the City Council's Unitary Development Plan.

11) The development hereby approved shall include a building lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as

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local planning authority. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the development is first occupied unless otherwise agreed in writing by the local planning authority and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in Planning Policy Statement 1 and Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

12) The development hereby approved shall include the installation of CCTV both internal and external to cover front entrance and as patrons enter. Full details of such a scheme shall be submitted to and approved in writing by the City Council as local planning authority prior to the health centre being opened to the public. The approved scheme shall be implemented in full in accordance with the approved details and shall remain in operation for so long as the development is occupied.

Reason

In the interest of amenity, crime reduction and personal safety of those using the proposed development in order to comply with the requirements of government guidance in Planning Policy Statement 1 and Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

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: 083849/FU/2007/N1 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:

Engineering Services
Environmental Health
Environment & Operations (Refuse & Sustainability)
North Manchester Regeneration Team
Licensing Unit
Environment Agency
Greater Manchester Police
Dennis Brogan, Crime Reduction Officer
S J Cellular Ltd, 58 Bury New Road, Manchester, M8 8FJ
K C Weathergear, 11 Lockett Street, Manchester, M8 8EE
6 Howard Street, Manchester, M8 8EN
The Toolbox (mcr) Ltd, Sagar House, 7 Sagar Street, Manchester, M8 8EU
6a, Moulton Street, Manchester, M8 8FQ
22 Moulton Street, Manchester, M8 8FQ
Athletic Sports, 41 Bury New Road, Manchester, M8 8EF
Cheetham Hill Clothing Co, 49 Bury New Road, Manchester, M8 8EF

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Meritsmart Ltd, 55 Bury New Road, Manchester, M8 8FX
Handsar Ltd, 50 Bury New Road, Manchester, M8 8EL
Colourfones, 25 Moulton Street, Manchester, M8 8FQ
Electrical Appliances Spare Parts, 29 Moulton Street, Manchester, M8 8FQ
Dreamwise Bedding, 2 Howard Street, Manchester, M8 8EN
Enkay Sports, 10-16, Harris Street, Manchester, M8 8EG
Crestmoor Imports & Exports Ltd, 3-7, Harris Street, Manchester, M8 8EG
Sports Trader, 9 Harris Street, Manchester, M8 8EG
21 Moulton Street, Manchester, M8 8FQ
Liberty Distributors, 23 Moulton Street, Manchester, M8 8FQ
I Q R A Ltd, 24 Moulton Street, Manchester, M8 8FQ
27 Moulton Street, Manchester, M8 8FQ
Vicway Ltd, 3 Moulton Street, Manchester, M8 8FQ
Fizza, 31-32, Moulton Street, Manchester, M8 8FQ
Mark Up Tools Ltd, 1 Jury Street, Manchester, M8 8FN
Mughul Taste, 53 Bury New Road, Manchester, M8 8FX
8 Howard Street, Manchester, M8 8EN
A & A Fashions, 2 Sagar Street, Manchester, M8 8EU
Truwear Sports, 33 Bury New Road, Manchester, M8 8EQ
35 Bury New Road, Manchester, M8 8EQ
Enkay Sports, 37-39, Bury New Road, Manchester, M8 8EQ
Lawrayne, 13 Lockett Street, Manchester, M8 8EE
Pro-circuit Sportsworld, 10 Lockett Street, Manchester, M8 8EE
S P Clothing, 10a, Lockett Street, Manchester, M8 8EE
Calculus Leathers, 43 Bury New Road, Manchester, M8 8EF
Multigoods Ltd, 47 Bury New Road, Manchester, M8 8EF
Mr Sport, 51 Bury New Road, Manchester, M8 8EF
46 Bury New Road, Manchester, M8 8EL
Cheetwood Primary School, Waterloo Road, Manchester, M8 8EJ
A T S Euromaster, 20-28, Waterloo Road, Manchester, M8 8GJ
A D T Fire & Security Plc, Communications Centre, 36 Hoveden Street,
Manchester, M8 8ET
5-6, Jury Street, Manchester, M8 8FN
Shahjee Electronics, 34-35, Moulton Street, Manchester, M8 8FQ
Advanced Fashions, 1 Sagar Street, Manchester, M8 8EU
5 Sagar Street, Manchester, M8 8EU
50a, Bury New Road, Manchester, M8 8EL
Jean Image-wellington`s Bar, 61 Bury New Road, Manchester, M8 8FX
Mr Mobile, 63 Bury New Road, Manchester, M8 8FX
Paul Bros, 65-67, Bury New Road, Manchester, M8 8FX
Sana Electrical, 77 Bury New Road, Manchester, M8 8FX
Shipping & Trading Co (manchester) Ltd, 79 Bury New Road, Manchester, M8
8FX
83 Bury New Road, Manchester, M8 8FX
45 Bury New Road, Manchester, M8 8EF
Lucky Mobile, 7 Broughton Lane, Manchester, M8 9TY
Gordon Bennett International Ltd, 85 Bury New Road, Manchester, M8 8FX
54 Bury New Road, Manchester, M8 8FJ
Robinson Motors Ltd, Cheetham Service Station, Waterloo Road, Manchester,
M8 8GJ
Cheetham Service Station, Waterloo Road, Manchester, M8 8GJ
28 Bury New Road, Manchester, M8 8EL
Boogy, 26 Moulton Street, Manchester, M8 8FQ
Digital Electronics Centre, 52 Bury New Road, Manchester, M8 8EL
Imatex, 12 Lockett Street, Manchester, M8 8EE

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Westangle Ltd, 31 Bury New Road, Manchester, M8 8EQ
Printec Studio, 2 Moulton Street, Manchester, M8 8FQ
World Of Communications, 30a, Moulton Street, Manchester, M8 8FQ
Crown Sports, 57-59, Bury New Road, Manchester, M8 8FX
Stylechoice Ltd, 14 Lockett Street, Manchester, M8 8EE
T & T Textile, 2a, Moulton Street, Manchester, M8 8FQ
Skyline Accessories Ltd, 33a, Moulton Street, Manchester, M8 8FQ
Direct Clothing, 30 Moulton Street, Manchester, M8 8FQ
Unit 4, Jury Street, Manchester, M8 8FN
28a, Bury New Road, Manchester, M8 8EL
28b, Bury New Road, Manchester, M8 8EL
Yardlamb Ltd, 50 Bury New Road, Manchester, M8 8EL
9 Lockett Street, Manchester, M8 8EE
81 Bury New Road, Manchester, M8 8FX
28 Moulton Street, Manchester, M8 8FQ
48 Bury New Road, Manchester, M8 8EL
56 Bury New Road, Manchester, M8 8FJ
19 Moulton Street, Manchester, M8 8FQ
1-3, Howard Street, Manchester, M8 8EN
28 Vega Street, Manchester, M8 9TW

Representations were received from the following third parties:

Engineering Services
Environmental Health
North Manchester Regeneration Team
Licensing Unit
Environment Agency
Greater Manchester Police
Crime Reduction Officer

Relevant Contact Officer : David Hughes
Telephone number : 0161 234 4272
Email : d.hughes3@manchester.gov.uk