

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
086683/FO/2008/N1	28th Jul 2008	23rd Oct 2008	Cheetham Ward

**Proposal** Change of use from offices and warehouse to banquet hall and restaurant with internal refurbishment and associated elevational alterations and erection of canopy to front entrance.

**Location** 29 Bury New Road, Cheetham Hill, Manchester, M8 8EQ

**Applicant** Mehan Bros, 29 Bury New Road, Cheetham Hill, Manchester, M8 8EQ,

**Agent** Aaron And Co 13 West Street, Tintwistle, Glossop, Derbyshire, SK13 1LS

### Description

This application relates to a vacant two storey building on Bury New Road situated between Irwell St / Chetwood Street and Overbridge Road. The building is slightly set back from Bury New Road with parking available for four cars at the front. There is also a car park available at the rear for 34 cars which is enclosed by a 2m high palisade fence. The surrounding area is commercial in character with both large and small warehouses and cash and carry units. Overbridge Road, Cheetwood St and Irwell Street operate as one way streets, whilst Overbridge Road forms the boundary with Salford City Council.

The proposal involves creating a restaurant on part of the ground floor with 100 covers. The remainder of the ground floor will be used for banqueting facilities with 360 covers and a small dance floor and wedding stage. There will also be ancillary uses such as kitchens, washing areas, cold store, fridge /freezers and food preparation areas on the ground floor. It is also proposed to increase the floorspace available at first floor level and utilise part of this to provide additional 140 covers that will have a viewing area. The main use of the first floor will be storage and office use, with a prayer room and brides room also being provided.

A canopy is now proposed at the main entrance at the front of the building over their private forecourt to provide a covered area for guests when they arrive at the venue. A new porch and entrance is also proposed at rear with a canopy over a new ramp.

### Consultations

**Local Businesses** Six letters of objection have received from local businesses and from a governor at Strangeways Prison.

A business on Broughton Street considers that the number of off-street parking available is not adequate for the 500 covers proposed for the banqueting facility and are concerned that many cars will park in surrounding area and on the other side of Bury New Road. This raises

**safety issues as guests including children will have to cross a busy road. It is considered that public transport facilities are a considerable distance away from the venue and concern about peoples safety walking in the area in evening are raised and it is considered that use of Overbridge Road by guests would make them vulnerable. A business on Sherborne Street operates during office hours ,however, their warehouse section operates into the late evening and sometimes in the early mornings and container consignments can take 4-6 hours to load /unload and therefore do not wish to see large volumes of traffic being generated on nearby roads. A company located on Bury New Road also raises concerns about traffic congestion, parking and crime, and particularly concerned about vehicles using the one -way system causing backlogs on Bury New Road. They support the concept of a hall due to a shortage in the community, but do not consider this location to be suitable for such a proposal. However, it is acknowledged that a busy restaurant would increase security in the area and give the area a much needed facelift but feel the disadvantages far outweigh the advantages. A second business on Bury New Road has raised similar concerns about undesired traffic, excess parking and additional car crime for the area. A business on Harris Street who are located next to the application site , are concerned that the opening of the restaurant and banqueting would lead to a build up of cars on Cheetwood Street and Harris Street and are concerned that the entrance to their car park could be obstructed. They have concerns about traffic and parking to both sides of the building and consider that overall it would have a negative impact on their business . A business on Harkness Street also has concerns about congestion and anticipates problems with traffic flows on Bury New Road and considers that customers will disregard the parking restrictions in the area.**

**A governor at Strangeways Prison considers that the large volume of traffic would have an effect on Prison security as prisoner vehicular access remains on Southall Street. However, visitor and staff car park are in the immediate proximity of 29 Bury New Road. Concerns about build up of cars and congestion on Bury New Road.**

**Engineering Services - Usual car parking provision would be about 90 spaces maximum, based on about 640 sq.m. public area.This leaves about 55 -60 needing on street parking. The surrounding streets would seem to accommodate this, although there may be benefit in negotiating for car parking spaces with nearby commercial car park operators. It is very likely that coaches would bring a significant number of guests to the site, which lessens the above problem.The scheme therefore should be amended to accommodate coach drop-off (and possibly parking, although this could be remote).Footway crossings at the accesses will need amendment/lengthening. Pedestrian visibility splays will be required, which may require slight relocation from envisaged locations. Redundant footway crossings must be reinstated to footway. Accesses should be checked to ensure that envisaged vehicles can enter - the Irwell Street access looks too narrow.**

**It could be wise to extend security to the above car-parked streets. It would be of benefit if non-local guests received information prior to their journey. A Travel plan is required.**

**Environmental Health - Has recommended that the following condition be attached;-**

**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.**

**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; any works approved shall be implemented before the use commences.**

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

**Sunday to Thursday, 8.00 a.m. to 11.30 p.m. Fridays and Saturdays, 8.00 a.m. to midnight.**

**North Manchester Regeneration Team - have no objections to the proposed change of use but are disappointed that only very minor changes are proposed to the front elevation given that it occupies a prominent location on a major radial route into the City .**

**Environment Agency - no objections**

**Greater Manchester Police - have confirmed that a Crime Impact Statement (CIS) for this scheme was prepared prior to the submission of this planning application. They are happy with the proposed use, however, stress that crime analysis has highlighted specific problems that could render this development vulnerable and highly recommend that the advice given in the CIS is taken on board, and that the scheme be constructed in line with Secured by design standards.**

**Following concerns raised by the Prison, the Police have confirmed that they look at implications of the site on the surrounding area but cannot suggest any additional security measures that can be incorporated. They consider that the increase in legitimate users to this area using the facility would provide increased surveillance.**

**Travel Change Team - The Framework Travel Plan is fine to be approved for discharge. There are a few comments that the developer should consider adding to the document including ; list the bus numbers of the nearest stops and details as to where they go, Travel information needs to be promoted, a specific address, contact number and email address of the Travel Plan Coordinator should be provided.**

**Salford City Council - no objections**

## **Issues**

**Unitary Development Plan .**

**Policy CC1 - encourage and promote the enterprise skills which exist especially in Strangeways and Cheetwood , because of their contribution to the City's economic health,**

**Policy CC4 The Council intends to enhance the character of Cheetham Hill Road, Bury New Road/Great Ducie Street, and the Metrolink line. A high standard of design will be expected from new developments in order to restore the unity and particular character of the roads, and to improve the setting of listed and other important buildings. In addition, the Council will encourage the conservation and refurbishment of buildings of character and quality.**

**Policy CC10 The Council will encourage the continued high level of economic activity in Strangeways and lower Cheetham Hill Road areas, recognising particularly the needs of the wholesale trades which dominate these areas. The Council recognises the regional role played by this locality and will pursue policies designed to improve the efficiency of existing businesses (notably wholesale cash and carry and bulk distributive trades), by environmental improvements and better parking and servicing. Permission will be granted for the redevelopment of buildings or sites only where the proposals incorporate sufficient parking and servicing for their own needs, subject to a proper balance of other planning requirements contained in policies expressed elsewhere in the Plan.**

**Policy E3.3 The Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.**

**The Regional Spatial Strategy (RSS) for North West England - The RSS was adopted in September 2008 and replaces the previously published Regional Planning Guidance. The RSS provides a framework for development and investment in the region over the next fifteen to twenty years. The following policies are considered to be relevant to the proposals:**

**Policy DP 1 - Spatial Principles - Identifies the principles underpinning RSS (incorporating RTS). All may be applicable to development management in particular circumstances: promote sustainable communities; promote sustainable economic development; make the best use of existing resources and infrastructure; manage travel demand, reduce the need to travel, and increase accessibility; marry opportunity and need; promote environmental quality; mainstreaming rural issues; reduce emissions and adapt to climate change.**

**Policy DP 2 - Promote Sustainable Communities - Building sustainable communities - places where people want to live and work - is a regional priority in both urban and rural areas. Sustainable Communities should**

**meet the diverse needs of existing and future residents, promote community cohesion and equality and diversity, be sensitive to the environment, and contribute to a high quality of life.**

**Policy DP 5 - Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility - Development should be located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally.**

**Planning Policy Statement 1: Delivering Sustainable Development (PPS1) - Encourages the promotion of urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. In addition to this PPS1 clearly outlines the importance of creating sustainable communities.**

**Principle There are no objections in principle as it will help to retain employment uses in the area creating ten new full time jobs and 20 part time jobs.**

#### **Adequacy of Parking/ Traffic Impact.**

**The current number of off -street parking spaces available on the site should be sufficient to cater for the restaurant element of the business. However, the functions to be held at the banqueting hall will have to rely largely on street parking in the surrounding area, though it is fairly common for the larger weddings for guests to use coaches or mini coaches and a drop off point in the car park is to be provided. The applicant has identified that there are 77 spaces available on street within 50 metres of the premises. This meets the number put forward by the Head of Engineering for a facility of this size. A further 75 spaces are estimated to be available within 100 metres of the premises. The applicant has carried out a photographic survey at midday on a Saturday and a Sunday which demonstrates that very few cars are parked on street at this time. Due to the concerns expressed about parking the applicant has agreed to carry out a further survey to cover the whole of a Saturday afternoon to check that the parking situation does not change significantly in this period. The results of the survey will be reported to Committee. This is an important issue as the proposed opening times of the banqueting facility are at weekends and bank holidays from 11.00 am to 1.00am and from Mondays to Friday from 6.00pm to 1.00am. Consequently it will be operating at times when other commercial activities in the area are closed or not fully operational and should not therefore unduly affect existing businesses in the area. The initial survey has shown that a large number of on street spaces are presently available. A condition is recommended to restrict the proposed opening times of the banqueting hall to those applied for. A Framework Travel Plan has also been submitted in support of the application and it is important that this is implemented and enforced through a condition of planning permission.**

#### **Impact on Amenity.**

The opening times recommended by the Head of Environmental Health are those for hot food takeaways/ restaurants generally found in residential areas. This proposal is located in a commercial area and it is considered that the opening times applied for which is until 1.00am in the mornings should not have any undue impact on amenity and should be subject to a condition limiting the opening to those applied for. It is recommended that the other conditions recommended by the Head of Environmental Health to cover times for loading/unloading, submission of fume extraction details and a condition to cover storage and collection of waste should be attached to any approval in order to protect amenity.

#### **Elevations.**

Following concerns raised by the North Manchester Regeneration Team the applicant has amended the elevations to include a canopy at the entrance. This will project 4.8 m in front of the building over their private forecourt to allow a car to park underneath so that the bride and guests can enter the banqueting hall through the front entrance. It will have a shallow curved roof and supported by four steel columns to be painted white. The existing fascia will be re clad and painted in buttermilk. The existing render will also be painted in buttermilk colour and individual letters in aluminium with the name of the premises are proposed in three positions on the front elevation. It is considered that these alterations will give the property a much needed face lift.

#### **Crime and Safety.**

The Police have recommended that a number of measures are incorporated to improve security such as CCTV cameras at main entrances and circulating areas, lighting to be provided including the car park windows and doors should be fitted to appropriate BS standards. The applicant has confirmed that the security measures that have been advised by the Police will be included within the restaurant/ banqueting facility. It is recommended that a Secure by Design Condition is attached to any approval.

#### **Access for Disabled People.**

Four parking spaces for use by disabled people will be demarcated in the rear car park, close to the new entrance. There will be two disabled WC on the ground floor and one at first floor level with a lift to be provided. There will be a level threshold to front entrance, a ramp is shown at the new rear entrance.

#### **Conclusion**

This proposal is located in an important commercial area on a main radial route close to the city centre. It will bring back into use a vacant run down building creating new jobs and create more diversity of uses in the area. In particular it will bring activity and more comings and goings into the area in the evenings and at weekends thereby increasing safety and natural surveillance. Experience elsewhere has shown that often coaches/ mini coaches, taxis and car sharing are used to get guests to the venues for these large special family celebrations. It is acknowledged that on

**street parking will increase but this will be at times when most other business in the area will not be operating and it is considered that the benefits associated with the proposal outweigh any disadvantages.**

**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 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 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:**

**120-09/08A 120-10/08A (front entrance/ canopy) stamped as received on 9 October 2008, 120-06/08B site plan stamped as received on 16 September 2008, 120-05/08 A ( rear and side elevations) stamped as received on 22 July 2008 and 120-04/08A stamped as received on 22 July 2008.**

**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 H2.2 of the Unitary Development Plan for the City of Manchester.**

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

**Restaurant 11.00 am to 1.00am Monday to Sunday.**

**Banqueting Hall Monday to Friday 6.00pm to 1.00am  
Saturdays /Sundays and Bank Hollidays 11.00am to 1.00am**

**Reason**

**In order to protect the character of daytime activity in the area pursuant to policy CC10 of the City Council's Unitary Development Plan.**

**6) No development shall commence until details of the measures to be incorporated into the development ( or phase thereof ) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.**

**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".**

**7) 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 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.**

**8) Details of a Travel Plan with the objective of promoting use by public transport and including particulars of its implementation and monitoring of effectiveness and how measures to improve effectiveness shall be implemented shall be submitted to and approved in writing by the City Council as local planning authority by before development commences For so long as the use is in operation the local planning authority shall be provided with such information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority.**

**Reason - to encourage use of public transport pursuant to policy T1.1**

**9) 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, pursuant to UDP policy H2.2**

**10) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.**

**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, as specified in policy E3.3 of the Unitary Development Plan for the City of Manchester.**

**11) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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 interest of amenity pursuant to policy E3.3 of UDP**

## **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: 086683/FO/2008/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**  
**North Manchester Regeneration Team**  
**Environment Agency**  
**Greater Manchester Police**  
**Dennis Brogan, Crime Reduction Officer**  
**Travel Change Team**  
**Salford City Council**  
**29 Bury New Road, Manchester, M8 8EQ**  
**Europasonic (uk) Ltd, 11 Sherborne Street, Manchester, M3 1JS**  
**17-19, Bury New Road, Manchester, M8 8FW**  
**15 Bury New Road, Manchester, M8 8FW**  
**13 Bury New Road, Manchester, M8 8FW**  
**Paramount Sports, 9-11, Bury New Road, Manchester, M8 8FW**  
**S & M Hosiery Co Ltd, 5-7, Bury New Road, Manchester, M8 8FW**  
**Sharman Multicom Ltd, 3 Bury New Road, Manchester, M8 8FW**  
**International Traders & Exporters Ltd, 1 Bury New Road, Manchester, M8 8FW**  
**The Juice Corporation, 16 Bury New Road, Manchester, M8 8FR**  
**Beds Direct, 18-24, Bury New Road, Manchester, M8 8EL**  
**Asco Lighting, 26 Bury New Road, Manchester, M8 8EL**  
**R K Sports, 26 Bury New Road, Manchester, M8 8EL**  
**2 Dewhurst Street, Manchester, M8 8FT**  
**Westangle Ltd, 31 Bury New Road, Manchester, M8 8EQ**  
**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**  
**Bio Trading, 4 Dewhurst Street, Manchester, M8 8FT**  
**Xplicit Clothing, 4 Dewhurst Street, Manchester, M8 8FT**  
**28a, Bury New Road, Manchester, M8 8EL**  
**28b, Bury New Road, Manchester, M8 8EL**  
**28 Bury New Road, Manchester, M8 8EL**  
**5-6, Jury Street, Manchester, M8 8FN**  
**Unit 4, Jury Street, Manchester, M8 8FN**  
**Enkay Sports, 10-16, Harris Street, Manchester, M8 8EG**  
**J Milom Ltd, Springfield Mills, Sherborne Street, Manchester, M3 1ND**  
**Extra Range Ltd, Dickinson Street, Manchester, M3 7LW**  
**Dickinson Street Garage, Dickinson Street, Manchester, M3 7LW**  
**Esskay Textile Co, 25 Overbridge Road, Manchester, M7 1SL**  
**Sidhu Fashions (walsall) Ltd, 21 Overbridge Road, Manchester, M7 1SL**

**Rudolff International Ltd, Overbridge House 11a, Overbridge Road,  
Manchester, M7 1SL  
Surefire Protection, 11b, Overbridge Road, Manchester, M7 1SL  
London & Paris Fashions, 13 Overbridge Road, Manchester, M7 1SL  
Sheepland, 15-17, Overbridge Road, Manchester, M7 1SL**

**Representations were received from the following third parties:**

**Engineering Services  
Environmental Health  
North Manchester Regeneration Team  
Environment Agency  
Greater Manchester Police  
Travel Change Team  
Salford City Council  
MANAGING DIRECTOR, The Juice Corporation, 16 Bury New Road,  
Manchester, M8 8FR  
Zahid Masood, Dalberg House,, Harkness Street, Manchester  
Tilly Sawney, Enkay Sports, Unit 1, Harris Street, , Manchester  
Paramount Sports, 9-11 Bury New Road, , Manchester  
Eurosonic (europasonic Uk Ltd), 11 sherborne street/ Irwell street,  
Manchester  
M AFZAL, MANA ENTERPRISES, 41 BROUGHTON STREET,  
MANCHESTER, M8 8AN  
Paramount Sports, 9-11 Bury New Road, , Manchester  
HM Prison Service: Governor Richard Vince, 1 Southall Street, ,  
Manchester,**

**Relevant Contact Officer : David Hughes  
Telephone number : 0161 234 4636  
Email : d.hughes3@manchester.gov.uk**