

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
120507/FO/2018	13th Jul 2018	20th Sep 2018	Levenshulme Ward

**Proposal** Change of use of former post office and sorting office to a mixed use licensed food hall, grocery shop and deli, microbrewery, community space and associated offices with installation of photo voltaic panels to flat roofs and elevational alterations to rear outbuildings

**Location** 30 Albert Road, Manchester, M19 2FP

**Applicant** Mr Kit & Mrs Ellie Knowles , 3 The Thorns, Manchester, M21 8GB,

**Agent** Miss Claudia Gilbert, Creative Planning, JDA, 21 Little Peter Street, Manchester, M15 4PS

## **Description**

This application relates to a former retail post office and associated postal sorting depot constructed in the 1920's. The site has a rectangular configuration running from south to north. The application building presents its frontage to Albert Road with access to a rear service yard also taken from Albert Road and positioned adjacent to the western boundary of the application site. The site is close to the eastern boundary of Levenshulme District Centre. A launderette is located at 36 Albert Road and design and craft shop is located at 38 Albert Road. However, the surrounding area is predominantly residential comprising family type houses, flat conversions and shared housing. The site is serviced by local bus services and located approximately 135 metres from Levenshulme Railway Station.

The applicant has indicated that the former retail post office was used as a restaurant for 8 years. This use was undertaken without planning permission and has recently ceased. The sorting depot was vacated by Royal Mail in April 2017 and was subsequently acquired by the applicant along with the former retail post office. The proposal therefore seeks the comprehensive development of the entire site.

The application site comprises:

- i. A hipped roof 2-storey building with an adjoining single storey extension projecting from its side elevation and terminating at the western boundary with 36 Albert Road. The single storey extension has a flat roof with a parapet;
- ii. The Albert Road elevation (south) to both parts of the building at ground floor level are characterised by a series of recessed arched shaped windows with glazing set within lattice frames. The arch and frame detailing is reflected with the fan-light above the respective doorways to the main building and its extension. At first floor level 4 uniformly spaced elongated sash windows are positioned within glazing positioned in a squared cross member frames. The style of ground and first floor windows is repeated within the eastern elevation (side) at ground and first floor and the western elevation at first floor level;
- iii. The main building and extension are constructed in brown textured brickwork relieved at ground floor level with a stone plinth and matching encasement to

- the principal entrance. Stone cills are also incorporated to the base of windows. The main building has a distinctive pantile roof;
- iv. The single storey extension returns into the site along the entire length of the western boundary where it adjoins a second single storey garage extension that continues along the northern boundary and terminates at the eastern boundary with a neighbouring residential use. Buildings therefore enclose the site on 3 sides. Windows to the single storey extensions face inwards into the service yard with additional light to the interior gained via roof-lights;
  - v. Externally, the application buildings are separated from Albert Road by a forecourt demarcated by brick walls to the southern boundary, which are punctuated by two access points defined by stone pillars. A ramped access the doorway the front elevation of the single storey extension. The entrance to the rear service yard is recessed and gated;
  - vi. The main building was originally used as the retail post office with the single storey extension used in connection with the sorting depot and mail collection point.

The proposed development comprises:

- i. A food hall would be located in the single storey extension (sorting depot) with capacity for 90 covers. The use would consist of 6 vendor units, i.e., 4 independent hot food retailers, a café and bar adjacent to a communal seating area with staff providing table service;
- ii. A microbrewery would be also located within the sorting depot. Beer brewed on site would be tapped directly to the proposed bar;
- iii. A delicatessen / grocery store would be located in the former retail grocery store. As well as operating as a local store it would also rent shelf space to local independent traders to enable them to sell goods and produce;
- iv. Community space would be formed in the first floor of the post office building providing space for community activity, training, business meeting and supper clubs;
- v. Management office would be located in the rear garage extension.

The applicant has sought to minimise interventions to the existing building but the development would involve the following works:

- i. The removal of the existing access ramp and the formation of raised surfacing to allow the formation of a level threshold to the main entrance from Albert Road. This entrance would provide an atrium providing shared access to the proposed food hall and delicatessen / grocery. The secondary door to the front elevation would be retained as a fire exit;
- ii. Existing windows, stone work and brickwork to boundary walls would be retained and refurbished;
- iii. The flat roof to the sorting depot (side) extension would be refurbished to facilitate installation of photovoltaic (PV) panels, replacement insulated roof lights and extraction flues. These works would wholly or partially screened (in the case of the extraction flues) by the parapet to the perimeter of the roof;
- iv. The eastern elevation of the sorting depot elevation would retain existing windows and double doors, which would form a fire exit;

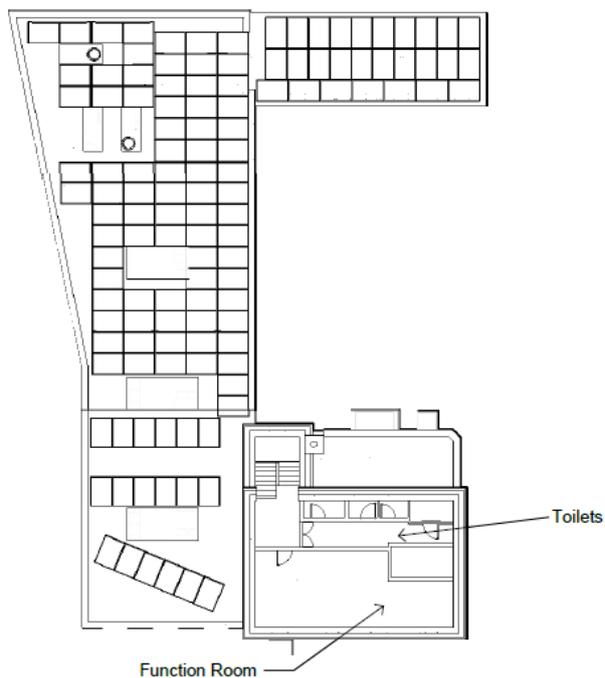
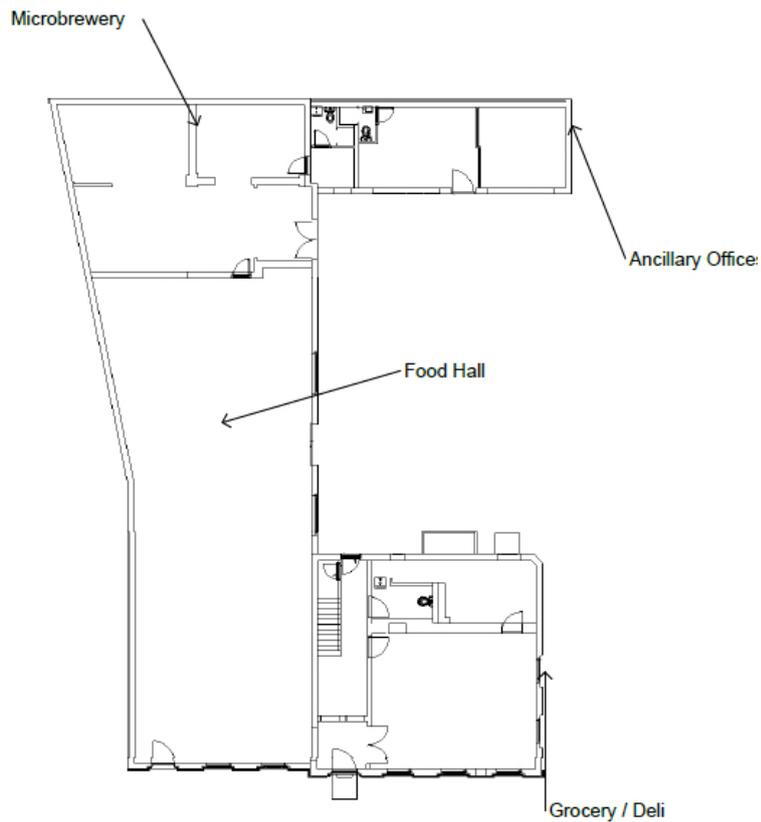
- v. The garage extension would incorporate a monopitched roof sloping inwards towards the service yard and incorporate PV panels. The elevation to the service yard would incorporate new double doors, contemporary cross member window frames, timber cladding and a planted living wall;
- vi. Internally, first floor WCs would be formed. An accessible WC would be formed at ground floor level adjacent to a corridor separating the food hall and eh delicatessen / grocery and leading the stairway to the first floor. Within the building ancillary service areas, kitchens and storage facilities would be provided;
- vii. The basement area would be retained for storage;
- viii. The front forecourt area would be retained as an external seating area but would be partially screened with timber fencing to allow the formation of an enclosed bin store;
- ix. The rear yard would be retained for servicing and deliveries but would incorporate an accessible car parking space.

The proposed Albert Road elevation and building surrounding the service yard are shown at Fig. 1. The ground and first floor layout is shown at Fig.2.



Fig 1 – Elevations to 30 Albert Road.

Fig. 2 – Ground and first floor layout



The proposed opening hours are:

- i. Food hall – Monday to Sunday: 8.00 am to 11.00 pm;
- ii. Delicatessen / grocery – Monday to Saturday: 8.00 am to 9.00 pm, Sunday: 10.00 am to 6.00 pm;
- iii. Microbrewery – Monday to Saturday: 8.00 am to 5.00 pm.

## **Consultations**

Local Residents – No comments received.

Councillor Dzidra Noor – Fully supports the proposed development and believes the use would be a great asset to Levenshulme.

Councillor Bernard Stone – Has expressed his support for the proposed development.

Highway Services – The following comments have been received:

- i. The proposal includes one accessible bay located within the rear courtyard of the property. Given the accessible location of the site and physical site constraints this provision it is deemed to be acceptable. Public car parks and on street parking bays can accommodate the lack of overall parking provision within the planning application site;
- ii. 10 cycle parking spaces would be provided, which is considered to be acceptable. However, the occupancy of the cycle stands should be monitored and additional capacity supplied if necessary;
- iii. Deliveries would be made within the rear service area and a swept path analysis has been submitted, which demonstrates that a delivery vehicles would not impact upon a vehicle parked in the accessible bay. This arrangement is acceptable;
- iv. Refuse would be stored to the front of the property within a dedicated bin store and will be collected from Albert Road, which is acceptable;
- v. Clarification of construction management details should be provided to determine potential impacts on the highway.

Environmental Health - Request that a series of conditions are included in relation to the following, should planning permission be granted:

- i. Deliveries, servicing and collections, including waste collections should not take place outside the following hours: 7:30 am to 8:00, Monday to Saturday with no deliveries/waste collections on Sundays / Bank Holidays;
- ii. Opening hours should be agreed following the submission and approval of a satisfactory acoustic report and an agreement to undertake any agreed acoustic attenuation;
- iii. If a satisfactory noise attenuation scheme cannot be agreed prior to determination the following conditions area requested in relation to the submission, approval and implementation of schemes for noise insulation to the building and any externally mounted equipment;
- iv. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted, approved and implemented;
- v. External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties;
- vi. The approved scheme for the storage and disposal of refuse shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

United Utilities - Have requested that any planning permission be conditioned to ensure that foul and surface water shall be drained on separate systems.

Greater Manchester Ecology Unit – Have assessed the proposed development. The only building on site that appears to have potential to support bats is the main building, the sorting office. The other buildings appear to have flat roofs and limited bat roosting potential. Therefore given the nature of the works an informative would be appropriate relating to safeguarding measures should bats be found on site on commencement of the development.

## **Issues**

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted. The Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 7 Ensuring the vitality of town centres – States that planning policies and 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 (paragraph 85).

It also states that 'local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available should out of centre sites be considered' (paragraph 86).

Chapter 7 requires that 'when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate

flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored (paragraph 87).

In this case, the applicant has justified the proposed use on the basis of the synergy between the space required to deliver the proposed development and the availability of a building with an appropriate configuration, close proximity to the district centre and access to public transport. The district centre does not currently have available buildings that would facilitate the delivery of the proposed development. It is therefore considered that the proposals would meet the required tests of Chapter 7. Furthermore, given the very close proximity of the district, it is considered that the development would enhance rather than undermine the retail offer within Levenshulme.

Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to:

- Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other;
- Achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion;
- Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs, including the provision of local shops, access to healthier food and layouts that encourage walking and cycling (paragraph 91).

It also encourages social, recreational and cultural facilities and services to enhance the sustainability of communities and residential environments and improve health, social and cultural well-being for all sections of the community (paragraph 92).

It is considered that the development responds positively to chapter 8, through providing opportunities for social and community interaction and the provision of local shops and facilities.

Chapter 9: Promoting sustainable transport – States that in assessing specific applications for development, it should be ensured that:

- a. Appropriate opportunities to promote sustainable transport modes in relation to the proposed type of development and its location;
- b. Safe and suitable access to the site can be achieved for all users; and
- c. Any significant impacts from the development on the transport network (or on highway safety, can be effectively mitigated to an acceptable degree (paragraph 108).

Notwithstanding the above, chapter 9 also states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe' (paragraph 109).

It is not considered that proposed development would have an unacceptable on highway safety as the development can be readily accessed by public transport and other sustainable transportation modes. Furthermore, traffic generated by the use could be accommodated through public parking provision within Levenshulme District Centre. The proposed development would thereby positively respond to chapter 9.

Chapter 12: Achieving well-designed places – States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 124). It also states that planning decisions should ensure that developments:

- a. Will function well and add to the overall quality of the area;
- b. Are visually attractive as a result of good architecture, layout and landscaping;
- c. Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
- d. Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials;
- e. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (paragraph 127).

It is considered that the development would utilise the configuration of the existing building thereby ensuring that the characteristic relationship of the building to the local area is maintained. Where intervention to the exterior of the building have been proposed, it is considered that the design would be of high quality and informed by important features of the existing buildings. The development would therefore accord with chapter 12.

Planning Practice Guidance (PPG) - On 6 March 2014, the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters - The PPG reasserts that local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application.
- ii. Design - Good quality design is considered to be an integral part of sustainable development;
- iii. Flood Risk Planning and Flood Risk - The proposed development has been assessed to determine if it represents a flood risk;
- iv. Health and well-being - States those local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in planning decision making;
- v. Noise - Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. The PPG sets out the potential approaches to responding to noise and

appropriate mitigation, which have been applied in the consideration of the proposed development and the intensification of the residential use.

It is considered that the development accord with the above guidance.

Manchester's Local Development Framework: The 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.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles)

Policy SP1 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.

It is considered that the development would provide a new use for a building of character and local interest. It would also present opportunities for social and community interaction and would enhance the recreational amenities of the area The food hall would have a manageable (90 cover) capacity and the nature of the retail use is likely to attract passing trade rather than bulk sopping. On this basis it is considered that activity would be predictable and manageable through the recommended schedule of conditions and car parking capacity in the local area. On balance, it is considered that the development would not accord with policy SP1.

Policy C 1 (Centre Hierarchy)

Policy C1 states that development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres. Notwithstanding the above, the applicant has demonstrated the strong linkage

between the site and Levenshulme District Centre and that suitable alternative sites are not available within the district centres. It has therefore been necessary to consider the proposed development with regard to policy C9 that deals with out-of-centre retailing.

#### Policy C 9 (Out-of-centre development)

Policy C9 states that development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses will be inappropriate unless it can meet the following criteria:

- i. There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable
- ii. The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated district and local centres. An assessment of impacts will be required for retail developments of more than local significance;
- iii. The proposal is appropriate in terms of its scale and function to its location.
- iv. Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

Levenshulme District Centre is characterised by relatively small retail units that would have a size and configuration that would be incapable of accommodating the proposed mix of uses. The unique retail offer, within close proximity to the district centre, would potentially enhance the visitor / customer experience; thereby contributing positively to the vitality of the district centre. It is not considered that the development would undermine existing or approved retail of food and drink uses in the district centre. This assessment reflects the justification statement provided by the applicant. On this basis it is considered the development has been satisfactorily related to policy C9.

#### Policy C 10 (Leisure and the Evening Economy)

Policy C10 states that new development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

- i. Cumulative impact – in areas where there is already a concentration of bars (A4), hot food takeaways (A5) and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities;
- ii. Residential amenity – the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance;
- iii. Balance - new uses in Manchester centres should support both the day-time and evening / night-time economies whilst not undermining the role of the primary shopping area.

In this case, it is considered that the proposed food hall would present a different customer experience and would not, therefore, adversely impact on existing restaurants, bars and pubs in the district centre. Moreover, it is likely that visits to the food hall would be linked to other food and drink uses within the district centre thereby enhancing its viability and vitality. It is considered that the site is located in an active urban area with a related level of night-time activity. It is considered that any impact on residential amenity is capable of being managed through appropriate operational conditions. The development would also secure a sustainable use that would positively contribute to both day-time and night-time economy, which would be beneficial to local regeneration, employment and the provision of local facilities. The development has therefore been appropriately related to policy C10.

#### Policy EC 2 (Existing Employment Space)

Policy EC2 states that the Council will seek to retain and enhance existing employment space and sites. In this case, the development would bring the site back into active economic use thereby securing compliance with policy EC2.

#### Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN 1 states that opportunities for good design to enhance the overall image of the City should be fully realised through the implementation of detailed design principles that reinforce and enhance the local character of that part of the City and support the achievement of the Core Strategy Strategic Objectives.

In this case, it is considered that the development would involve limited interventions to the existing building thereby retaining its architectural character and quality. The alterations to the garage extension would enhance the appearance of the building with a contemporary elevational treatment that has been informed by the characteristic window design of the original materials. Policy EN1 would thereby be complied with.

#### Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development)

Policy EN4 has been related to the assessment of the submitted statement detailing measures to reduce CO2 emissions and to secure energy efficiency. The applicant has brought forward a comprehensive scheme to improve the energy efficiency of the building and to reduce carbon emissions. It is considered that these measures have been related to the construction of the original building and it is considered that considerable improvements would be achieved in respect of its environmental performance. Policy EN4 would therefore be complied with.

#### Policy EN 8 (Adaptation to Climate Change)

Policy EN8 states that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In this case of this application reference has been given to the adaptability of the development to climate change with particular reference to:

- i. Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rain water permeability;
- ii. The need to control overheating of buildings through passive design;
- iii. The opportunity to provide linked and diverse green space to enhance natural habitats, which will assist species adaptation.

The applicant has indicated that new hard surfacing would be appropriately designed to ensure sustainable drainage, new heating systems would be provided that have enhanced environmental performance with related reductions in carbon emissions and the development would incorporate green / living walls to enhance the character of the development and aid bio-diversity.

#### Policy EN 14 (Flood Risk)

Policy EN 14 states that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The application site is located in Flood Zone 1 and is therefore not in an area of significant risk of flooding.

#### Policy EN19 (Waste)

Policy EN19 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 EN19 has been related to the proposed waste management arrangements, which are considered to be acceptable in terms of capacity and storage.

#### Policy T1 (Sustainable transport)

Policy T1 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. Policy T1 also requires giving consideration to the reduction of the negative impacts of road traffic, for example, congestion, air pollution and road accident casualties.

The application site is located in a highly sustainable location in relation to access to public transportation terms and is located on a direct route to and from Levenshulme Railway Station thereby reducing reliance on private car usage. The site is also conveniently located to Levenshulme District Centre and its related car parking provision: the availability of which is likely to increase when during busy evening period when visits to the food hall are likely to be more significant. The proximity the district centre is also likely to encourage visits to the site on foot. Adequate cycle provision (10 spaces) has been provide for the magnitude of the use. On balance, it is considered that policy T1 has been appropriately responded to.

### Policy T2 (Accessible areas of opportunity and need)

Policy T2 states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the regional centre and to ensure good national and international connections; is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. As stated the site is in a sustainable location of the application site, in terms of access to public transport and proximity to services within local centre. This strong connectivity to the district centre and public transport would reduce reliance on private car usage and would thereby ensure that the development would be suitably related to policy T2.

### Policy DM1 (Development Management)

Policy DM1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- 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.

Policy DM1 points a - h (inclusive) have been related to the assessment of the proposals with regard to its potential impact on residential amenity and the contextual relationship of the site to the local built environment and highway network. It is considered that, for the reasons set out in this report, the above points have been positively and satisfactorily responded to by the applicant. The magnitude of the development and the potential impact of the use have been satisfactorily related to the constraints of the site and Policy DM1 would, therefore, be positively responded to.

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

### Policy 10 (Food and drink uses)

Policy DC10.1 – States that in determining planning applications for developments involving the sale of food or drink, the Council will have regard to:

- i. The general location of the proposed development;
- ii. The effect on the amenity of neighbouring residents;
- iii. The availability of safe and convenient car parking and servicing;
- iv. Ease of access for all, including disabled people; and
- v. The storage and collection of refuse and litter.

The location of the use and the impact on residential amenity has been assessed with regard to the historic use of the site and the submitted mitigation measures that seek to reduce any potentially harmful impact on neighbouring residents. The impact of traffic generation has been assessed with regard to the availability of public transportation and public car parking provision in the district centre. Inclusive access would be secured to the ground floor but upper access would be limited by the constraints of the existing building. It is considered that segregated waste is capable of being appropriately managed. It is therefore considered that the development would relate positively to policy DC10.1

Policy DC10.2 - States that the Council will normally accept the principle of developments of this kind in the City Centre, industrial and commercial areas, in shopping centres and, at ground level, in local shopping parades of more than 8 shops or offices. As previously stated the unique nature of the development, lack of alternative sites within the district centre and positive benefits of the development would justify its exception to policy DC10.2.

Policy DC10.4 – States that where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents. In this case appropriate conditions have been recommended pursuant to policy DC10.4.

Policy DC10.5 – States that the Council will consider on their individual merits proposals for larger, free-standing restaurants, public houses, clubs etc. which require a main road location and do not clearly meet the locational criteria set out in policy DC10.2. For reasons set out in this report it is considered that the proposed development can be viewed as justified exception to policy DC10.2.

#### Policy DC26 (Development and noise)

Policy DC26 - Requires that consideration be given to the potential for new development to generate noise to the detriment of residential amenity and the extent to which it might be attenuated. In this case, it is acknowledged that that insulation could be incorporated within the building to attenuate against the transfer of noise within it. Whilst clarification has been sought to determine the effectiveness of proposed measures it is considered that noise impacts area capable of being managed and attenuated. The restriction of car parking with the service yard and servicing hours conditions would reduce noise to neighbouring houses. The proposed opening hours are not considered to be excessive and measure can be put in place to secure appropriate site management at the conclusion of trade. On balance, it is considered that policy DC26 would be complied with.

Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on-going shaping

of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principle have not been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case, 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 and the applicant undertook pre-application discussions to identify potential issues that would need to be addressed as part of the proposed development. Further requests for additional information have been made following the submission of the planning application. However, it is considered that sufficient information was presented to allow the development to be appropriately assessed.

Principle of the development and justification of the propose use outside Levenshulme District Centre – The applicant has undertaken an assessment of premises and uses within Levenshulme District Centre. It has been demonstrated that premises capable of accommodating the proposed range of uses are not available within the district centre on a daily basis. It is therefore considered that the proposal would enhance the greater retail offer in the locality and given the proximity to the district centre it is likely that linked trips to the established high street would potentially occur. The proposal would provide trading space local businesses that may otherwise have difficulty in acquiring suitable premises and would thereby increase their potential to emerge as high street traders to the benefit of the future viability and vitality of the district centre. In addition to business opportunities, the development would also provide a new source of local employment and thereby would facilitate the economic use of the site.

The development would provide an active and sustainable use for a non-listed building of local historic interest and architectural merit. It would also provide a local venue for community interaction and activity. It is acknowledged that activity in around the site may have some impact on residential amenity. However, the historic use of the site as a sorting depot involved continuous from the early morning and into the later evening period. It is considered that the use of the premises and its external areas is capable of being managed to reduce potentially harmful noise and disturbance to the neighbouring residents.

Statement of public engagement – The applicant has undertaken public consultation including several visits to neighbouring properties and has indicated that, where contact was made, with residents the response has been positive. Consultations with local businesses and stakeholders has also resulted in positive feedback. The applicant also held a public meeting attended by 86 residents again with a positive responses regarding the benefits of the development to Levenshulme, in relation to the expansion to the existing retail offer and the formation of a family and community friendly space.

Accessibility – The main entrance would amended to secure inclusive access. The ground floor achieves level access and a WC that could be available for use by people with disabilities. Appropriate access to the ground to the ground floor would be achieved. Inclusive access to the first floor cannot be achieved due to the configuration of the building and the provision of a lift would not be financial viable.

Design of external alterations – Limited interventions are proposed to the exterior of the building thereby retaining its character and relationship to the streetscene. The PV panels to the side extension would be screened by the roof parapet and thereby not visible from the highway. The most notable intervention related to the re-roofing and elevational alterations to the garage extension. The replacement roof would be related to that of the existing and thereby maintain at a single storey. The elevational alternations would involve a high quality contemporary design response, square cross member windows reflecting the design of existing upper floor windows. It is considered the proposed design has been satisfactorily related to the existing building. A condition is recommended that relates works to the exterior of the 2-storey former Post Office building and its western extension to the materials and specification set out within the submitted drawings. This condition also requires the approval of materials to the exterior of the former garage extension as greater clarity is required to ensure a high quality elevational treatment to this building.

Environmental statement of sustainable development - The applicant has sought to upgrade the environmental performance of the existing building to reduce its carbon emissions and generation of waste. The submitted environmental statement sets out the following measures to be implemented as part of the development:

- i. PV panels to the single storey roofs and related energy management systems;
- ii. Renewable heat recovery, ventilation and hot water systems;
- iii. Energy efficient lighting;
- iv. Water saving technology;
- v. Replacement hard surfacing designed to achieve sustainable urban drainage.

These measures are welcomed interventions to the building to improve and effectively maximise its environmental performance.

Noise insulation – The submitted noise assessment does not fully meet the requirements with ventilation, noise outbreak and the operation of the external seating area. The applicant has responded to the comments of Environmental Health whose comments are awaited. It is considered that the issues raised by Environmental Health are capable of being resolved and any further comments will be reported. At this stage, it is recommended that the conditions requested by Environmental Health are related to the development sought that satisfactory noise attenuation can be achieved.

Fume Extraction – The applicant has been advised of the comments of Environmental Health. A further response been received and referred to Environmental Health and any further comments will be reported. Again, at this stage, it is recommended that the conditions requested by Environmental Health are related to the development sought that satisfactory fume extraction attenuation can be achieved.

Opening hours – The proposed opening hours are considered to be acceptable in relation to the following:

- i. Delicatessen / grocery – Monday to Saturday: 8.00 am to 9.00 pm, Sunday: 10.00 am to 6.00 pm;
- ii. Microbrewery – Monday to Saturday: 8.00 am to 5.00 pm.

It is recommended that these opening hours are conditioned to the related aspects of the development. The proposed opening of the food hall between the hours of: 8.00 am to 11.00 pm (Monday to Sunday) is potentially acceptable subject to resolution of Environmental Health concerns regarding the management of noise outbreak and the management of external drinking areas. A condition has therefore been recommended to ensure the agreement of opening hours to the food hall and extended areas prior to the commencement of its use. A condition has been recommended to secure the appropriate management of the external seating area and transit of waste on conclusion of trade each day to avoid undue disturbance to residents.

Servicing hours – The applicant has agreed to a condition limiting deliveries, serving and collections to the following hours:

Monday to Saturday: 7.30 am to 8.00 pm, with no deliveries and waste collections on Sundays and Bank Holidays.

The development has been conditioned accordingly.

Use of the external yard – A condition has been recommended to ensure that the external yard is only accessed by the general public between 8.00 am and 6.00 pm. Public access to these areas outside shall only be permitted for emergency access and egress. This condition is considered to be necessary to ensure that appropriate management of external areas and reduce potential noise disturbance to neighbouring residents.

External lighting – The applicant has agreed to a condition to ensure that any external glare is designed to prevent glare and overspill onto nearby housing. The development has been conditioned accordingly.

Car parking and servicing areas – The previous and historic operation of the sorting depot involved vehicular movement throughout the day. Given the scale of the development it is not anticipated that the number of deliveries, including waste collection, would exceed the traffic associated with the former use. The application has been accompanied by transport statement that identifies the site as sustainable location in transport terms due to its accessibility by walking, cycling, bus and train. The statement includes a transport survey of customers to the former restaurant, which indicates that the majority of customers are drawn from the Levenshulme area and travelled to the premises by foot. It is considered that an expansion to the customer base can be incorporated through access to public transport, with customers using cars being able to utilise the district centre car park, unrestricted on-street car parking and parking bays along Stockport Road. It is proposed that the yard area be used for servicing and staff car parking, which is considered to be an appropriate arrangements to secure the operation of the site. Limitations to the use of the yard for such purposes is related to the development by recommended condition. It is considered that the local highway network is capable of accommodating ant additional traffic generated by the proposed use.

Cycle storage - The applicant has indicated the provision of 10 cycle spaces in the front forecourt area and related cover by a retractable awning. Whilst the number of cycle spaces is considered to be acceptable, the applicant has been asked to confirm the specification of the cycle racks and awning.

Waste Management – The applicant has submitted a waste management plan that reflects an objective of ultimately securing a zero-waste food hall. It also includes arrangements for waste minimisation, recycling and composting, which would be related to the overall operation of the premises. The applicant proposes the following segregated waste management provision within the forecourt storage enclosure:

- General waste           1 x 360 litre bin;
- Glass                     2 x 360 litre bins;
- Dry mixed recycling (paper / waste / plastic) 1 x 1100 litre bins

Each food hall vendor would have receptacle for segregated waste and recyclables. In addition, the applicant proposes the provision food waste composters and related bins for collection by local horticultural nurseries. The applicant has been asked to clarify the location of compostable bins within the site. The applicant proposed that spent hops and barley from the brewing process would be collected by farmers for use as animal feed. The clarification of the arrangements for the storage of this waste has also been sought. It is considered that, subject to the satisfactory clarification of the above points, the submitted waste management plan would be acceptable and capable of being implemented through condition and maintained as part of the on-going use of the premises.

Crime and security – A condition has been included to ensure that the development is fully implemented in accordance with the submitted crime impact statement, which

informed the proposed security arrangements. These measures ensure limited public access to the main entrance to the building and also allows monitoring of activity in the building by staff. CCTV cameras and an alarm system would be provided. New windows would incorporate laminated glass. New and retained windows would incorporate securely designed locking mechanisms. The service yard would be gated outside opening hours. On this basis, it is considered that satisfactory security measures would be incorporated into the development and subsequently maintained.

Construction Mangement – A condition has been recommended to ensure the managed undertaken in accordance with a condition plan to reduce impact on residential amenity and the highways network.

Conclusion – It is considered that the introduction of the proposed uses outside Levenshulme District Centre is justified given its close proximity to the established high street and potential for the development to positively contribute to the vitality of the retail offer and local regeneration. Any impact on residential amenity would be capable of being satisfactorily managed the proposed schedule of conditions.

**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 polices of the Unitary Development Plan, the Head 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 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**

### **Article 35 Declaration**

In this case, 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 and the applicant undertook pre-application discussions to identify potential issues that would need to be addressed as part of the proposed development. Further requests for additional information have been made following the submission of the planning application. However, it is considered that sufficient information was presented to allow the development to be appropriately assessed.

## **Reason for recommendation**

### **Conditions to be attached to the decision**

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:

Planning application forms received 2 July 2018

Drawings received on 2 July 2018:

Location plan (Map) Ref: 1.1 Rev. 1

Existing site plan Ref: 3.1 Rev.1

Proposed site plan Ref: 4.1 Rev.1

Proposed roof plan Ref: 5.1 Rev.1

Proposed zones ground floor Ref: 6.1 Rev.1

Proposed zones first floor Ref: 7.1 Rev.1

Proposed zones basement Ref: 8.1 Rev.1

Existing and proposed ground floor Ref: 9.1 and 9.2 Rev.1 (Site ground floor plans)

Existing and proposed first floor Ref: 10.1 and 10.2 Rev.1 (Site first floor plans)

Existing and proposed ground floor Ref: 11.1 and 11.2 Rev.1 (Site basement floor plans)

Existing and proposed ground floor Ref: 12.1 and 12.2 Rev.1 (Post Office ground floor plans)

Existing and proposed ground floor Ref: 13.1 and 13.2 Rev.1 (Post Office first floor plans)

Food Hall & Brewery Floor Plan Ref: 14.2

Extraction System (Proposed) Ref: 15.1

Existing Storage Plan and Proposed Ancillary Office Plan Ref: 16.1 and 16.2 (Offices Plan)

Existing and proposed south elevations Ref: 17.1 and 17.2 Rev.2 (South Elevations)

Existing and proposed east elevations Ref: 18.1 and 18.2 Rev.2 (East Elevations)

Existing and proposed west elevations Ref: 19.1 and 19.2 Rev.2 (West Elevations)

Existing and proposed north elevations Ref: 20.1 and 20.2 Rev.2 (North Elevations)

Existing and proposed storage elevations Ref: 21.1 and 21.2 Rev.2 (South Elevations)

PV Study Study 1 and 1 Ref. 22.1 and 22.2 Rev. 1

Planning application written statement 20 Albert Road Manchester M21 8GB by Ecospheric and Creative Planning dated June 2018 received 2 July 2018

Crime Impact Statement 30 Albert Road Levenshulme Manchester for Ecospheric Ltd Version B: 29.06.2018 2008/0673/CIS/06

Transport Statement Proposed Mixed Use Development 30 Albert Road for Ecospheric dated July 2018 Doc Ref: CT/18/63/TS104

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 for the City of Manchester.

3) The development shall be undertaken in accordance with the materials and specifications as indicated on the following drawings in relation to the former Post Office building and adjoining side extensions:  
Existing and proposed south elevations Ref: 17.1 and 17.2 Rev.2 (South Elevations)  
Existing and proposed east elevations Ref: 18.1 and 18.2 Rev.2 (East Elevations)  
Existing and proposed west elevations Ref: 19.1 and 19.2 Rev.2 (West Elevations)  
Existing and proposed north elevations Ref: 20.1 and 20.2 Rev.2 (North Elevations)  
Existing and proposed storage elevations Ref: 21.1 and 21.2 Rev.2 (South Elevations)

The development shall be fully implemented in accordance materials shall be maintained in situ thereafter.

Notwithstanding the above, no works shall be undertaken in relation to the exterior of the former garage extension 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.

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 policies SP1 and DM1 of the Core Strategy for the City of Manchester .

4) The development is to be undertaken in accordance with the waste management strategy comprising documents and drawings referenced: Waste Management Proforma dated 2 July 2018, Planning application written statement 20 Albert Road Manchester M21 8GB by Ecospheric and Creative Planning dated June 2018 received 2 July 2018 (page 11) and Proposed site plan Ref: 4.1 Rev.1. The agreed arrangement including the associated bin storage structures shall be implemented in full prior to the first occupation of the authorised houses and maintained in situ thereafter. Before the commencement of any part of the authorised delicatessen / grocery / microbrewery /food hall uses details of the appearance, specification and location of composter units to be installed as part of the development, along with any related means of external enclosures, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be undertaken in accordance with approved details prior to the commencement of any part of the authorised delicatessen / grocery / microbrewery /food hall uses and maintained in situ thereafter.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester and chapter 8 of the National Planning Policy Framework.

5) Before any use hereby 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 policies SP1 and DM1 of the Core Strategy for the City of Manchester and chapter 8 of the National Planning Policy Framework.

6) Before any use hereby approved commences, the premises and any external mounted equipment shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and chapter 8 of the National Planning Policy Framework.

7) The delicatessen / grocery and microbrewery hereby approved shall not be open outside the following hours:

- i. Delicatessen / grocery – Monday to Saturday: 8.00 am to 9.00 pm, Sunday: 10.00 am to 6.00 pm;
- ii. Microbrewery – Monday to Saturday: 8.00 am to 5.00 pm.

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 for the City of Manchester

8) Before the commencement of the use of the authorised food hall, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the associated opening hours of the food hall and external forecourt adjacent to Albert Road. The hours shall be agreed on the basis of a noise report identifying the impact of the development on the nearest noise sensitive uses. The authorised development shall be operated in accordance with the agreed hours upon implementation of the Class A4 use, which shall remain in place thereafter.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 of the Unitary Development Plan and chapter 8 of the National Planning Policy Framework.

9) No loading, unloading, deliveries, serving and collections shall be carried out on the site outside the hours:

Monday to Saturday: 7.30 am to 8.00 pm, with no deliveries and waste collections on Sundays and Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and chapter 8 of the National Planning Policy Framework.

10) No amplified sound or any music shall be produced or played in any part of the site outside of the building.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, policy DC26 of the Saved Unitary Development Plan and chapter 8 of the National Planning Policy Framework.

11) The rear service rear shall only accessible to the general public between the hours of 8.00 am and 6.00 pm. Outside these times the yard shall only be accessed by staff and authorised personnel and shall remain gated and secured except in circumstances whereby emergency access and egress is required.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, policy DC26 of the Saved Unitary Development Plan and chapter 8 of the National Planning Policy Framework.

12) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and chapter 8 of the National Planning Policy Framework.

13) The proposed development shall be designed and constructed in accordance with the recommendations contained within sections 3 and 4 of Crime Impact Statement 30 Albert Road Levenshulme Manchester for Ecospheric Ltd Version B: 29.06.2018 2008/0673/CIS/06. The development shall only be carried out in accordance with these approved details and occupation or use shall not commence until the City Council as local planning authority has acknowledged, in writing, that it has received written confirmation of 'Secured by Design' accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

14) Before the commencement of the authorised development, a comprehensive construction management plan shall be submitted to and approved in writing by the City Council as local planning authority, which shall define and specify:

The undertaking of demolition within an area enclosed by hoardings, fencing and scaffolding around the building with debris netting: the position of which should be identified within an approved site management drawing;

- a. Defined access and egress routes for demolition and construction traffic, including staff, delivery and construction vehicles, including HGVs,
- b. Methodology for the undertaking of demolition and on-site processes, including crushing of materials removal of waste, delivery of materials, dust suppression and duration of noise generating activities;
- c. Identified measures to control dust and mud on the surrounding public highway including: details of how the wheels of contractor's vehicles / streets are to be cleaned and the sheeting of vehicles entering and leaving the site during the demolition and construction period;
- d. Identified measures for the management of on-site construction vehicles and plant machinery in order to reduce emissions. This shall include a detailed drawings demonstrate that vehicles can access and egress the site in forward gear. Where this is not possible arrangements for stewarding vehicles to and from the site would need to be provided;
- e. Measures for securing the site, including on-site security and lighting.

The approved scheme shall be implemented upon the commencement of work and thereafter maintained during the demolition/ construction phase of the development.

Reason - In the interest of pedestrian and highway safety and residential amenity, as specified in policies SP1, EN19, T1 and DM1 of the Core Strategy for the City of Manchester, policy DC26 of the Saved Unitary Development Plan and guidance contained within the National Planning Policy Framework (Chapters 8 and 9).

15) Before the commencement of the use of any part of the authorised use, a site management scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the arrangements for presenting waste and recycling containers / bins to a designated collection point and their return to the designated bin storage areas and for the sweeping and removal of litter from the frontage of the application site at the end of night-time trading (Monday to Sunday, including Bank Holidays). The approved scheme shall be fully implemented upon first occupation of any part of the authorised development and remain in place thereafter.

Reason - In the interests of residential amenity pursuant to policies SP1, DM1 and EN19 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

### **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: 120507/FO/2018 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  
United Utilities Water PLC  
Levenshulme Traders Association

**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:**

<b>Relevant Contact Officer :</b>	Carl Glennon
<b>Telephone number :</b>	0161 234 4530
<b>Email :</b>	c.glennon@manchester.gov.uk



 Application site boundary  Neighbour notification  
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