

Application Number	Date of Appln	Committee Date	Ward
123744/FO/2019	3rd Jun 2019	22nd Aug 2019	Chorlton Park Ward

Proposal Change of use from shop (Class A1) to restaurant/cafe (Class A3) and installation of flue to the side and a retractable awning to the front

Location 559A Barlow Moor Road, Manchester, M21 8A

Applicant Ryan Singh , C/o Agent,

Agent Mrs Becki Hinchliffe, Eden Planning, Office 1 Owen House Farm, Wood Lane, WA16 7N

Description

The application site relates to a vacant ground-floor shop formerly a delicatessen known as Hickson and Black's. The site has been used more recently as a premises known as Lord of the Pies, which was a café/bar, but did not benefit from planning permission for this use. The property is located centrally within the Chorlton District Centre. Within this parade there are commercial premises used as Thai massage parlour, nail and beauty salons, a holistic health centre, and an estate agents. The property is two storeys in height and the upper floor is in use as a holistic health centre. The application site is on the western side of Barlow Moor Road. There is a bus stop with links to the city centre approximately 55 metres from the premises, and the property is a short walk away from the Chorlton Metrolink Stop.

The property is semi-detached and has a narrow passageway to the southern side elevation and a shared vehicular access to the rear yard area, adjacent to the adjoining semi to the north, which is shared with the neighbouring properties to the side and above.



The applicant is applying to change the use of the premises from a shop (Class A1) to a café/restaurant (Class A3). Together with the installation of a flue to the side of the premises and a retractable awning to the front, following removal of the pergola to the front. The applicant had installed the pergola to the front and the flue to the side, but removed the flue and ceased any further internal works to the premises once they were made aware that planning permission would be required for the works.

The applicant seeks opening hours of:
Monday to Thursday - 8am to 11pm,
Fridays and Saturdays - 8am to midnight,
Sundays and Bank Holidays 8am to 11pm.

Consultations

Local Residents – Local residents were notified and 3 letters of objection have been received, the comments are as follows:

- There is an uncertain planning history; the application form refers to the existing use being a café, whereas the Planning Statement states this was not the previous authorised use. Development has also started prior to the current application and the applicant has already shown a disregard to planning rules, it is therefore correct that a planning application should be required to fully assess the proposed change of use.
- The application site is shown edged red on the submitted location plan. Reference to this plan shows that it is right next to adjoining residential properties. The boundary of residential gardens backs directly onto the site and is approximately 1.5m from the building itself, not 8m as referred to in the planning statement. This is exactly the situation that Policy DC10, which says permission will not normally be granted where this is the case, is there to protect. The proposed use is contrary to policy.
- Very concerned about noise, fumes and visual impact of the proposed flue and the kitchen facility that is located at the rear of the unit in very close proximity to residential properties.
- Very concerned about the bin store that is proposed to be located in close proximity to residential properties and will itself give rise to noise, odour and general aggravation affecting the enjoyment of living in the area.
- The proposal for the unit to be open until 11pm during the week and midnight at the weekends means residents would be impacted until late into the night all through the week.
- Residential properties directly overlook the rear of the yard with bedrooms in close proximity.
- Given the very close proximity, the general enjoyment of rear gardens would also be impacted.

One letter making neutral comments has been received. The main comments are:

- Don't have any objections to the physical changes as proposed in the application, however, do have a concern about possible noise levels, as this may impact upon neighbouring businesses and the services they offer, which require a quiet and peaceful environment.
- Aware that the premises are on a busy high street and clients are used to the noise of traffic and passing pedestrians. However, loud music and or rowdy punters in the front beer garden would have a negative impact on the experience of customers of other businesses and will very likely lead to loss of business.

- Would like to know are there any measures in place to limit these potential noise levels.

Cllr Dave Rawson (Member for Chorlton Park Ward) - Would like to request that this planning application be heard before the Planning Committee.

Is very concerned about the impact of the proposed restaurant on the amenity of the nearby residents, particularly the residents of 2, 4 and 6 Napier Road and fully supports the letter of objection that has been submitted by these residents. Cllr Rawson states that he writes on behalf of his two fellow ward councillors.

Chorlton Voice – No comments received at time of writing report.

Environmental Health – recommend the addition of conditions relating to opening hours, deliveries, noise, waste management and fume extraction.

Highway Services – In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highway concerns are expected. The site is accessed by sustainable modes with regular bus routes along Barlow Moor Road and Wilbraham Road. The closest Metrolink facility is located at Chorlton tram stop. Pedestrian access to the site is taken immediately from Barlow Moor Road. Vehicle access to the rear of the property accessed on the northern side of number 559 via a narrow passageway. Only two on-site parking spaces are confirmed. All vehicular demands associated with the development are anticipated to contribute to the level of vehicles parked on-street. In light of this, it is likely that a significant proportion of visitors will arrive on foot from the surrounding residential area, this is accepted by Highways. It is recommended that the applicant confirms the amount of secure and sheltered cycle parking spaces that are available, within the curtilage of the site, for the accommodation of staff/visitors.

The proposed retractable awning and flue are not located on the adopted highway network. As such, a projection over license will not be required. Sufficient headroom clearance should be provided and the applicant is requested to confirm that the minimum clearance provided is 2.1m.

A designated bin storage area is noted to the rear of the site. This is considered to be appropriate in ensuring no obstruction on the adjacent highway. It is assumed that waste is collected from Barlow Moor Road which appears to be common practise for this area and would be acceptable from a highways perspective.

Policies

National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. 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, the NPPF 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.

National guidance can be found in the National Planning Policy Framework (NPPF). The central theme to the NPPF is to achieve sustainable development. The Government states that there are three overarching objectives to achieving sustainable development: an economic objective, a social objective and an environmental objective (paragraph 8).

Relevant to this application, Section 6 provides guidance in relation to 'Building a Strong Economy', Section 7 'Ensuring the vitality of town centres', Section 8 'Promoting healthy and safe communities', Section 11 underlines the need to 'Make Effective Use of Land, and Section 12 provides design guidance – 'Achieving Well-Designed Places'.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027, the policy states that all development in the City should:

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

Policy EN1 states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy DM1 seeks to ensure that new development contributes to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities and particularly by contributing to neighbourhoods of choice. This policy also seeks to protect the amenity of an area from the adverse impacts of development.

Policy C10 states that new development, and redevelopment that supports the evening economy, contributing to the vitality of district centres and supporting a balanced and socially inclusive evening/night-time economy will be permitted, subject to impacts on residential amenity, any cumulative impact or concentration of hot food take-aways and bars, and maintaining a balance between day-time and night-time economies.

Unitary Development Plan for the City of Manchester adopted 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are considered relevant:

DC10 'Food and Drink Uses'

Saved UDP Policies DC10.1 to DC10.4 sets out the considerations to be made when assessing proposals for food and drink uses.

Policy DC10.1 states that in determining planning applications for developments involving the sale of food or drink for consumption on the premises, or for hot food to be consumed off the premises (whether or not other activities, such as a nightclub, are included), the Council will have regard to:

- a. the general location of the proposed development, including any reference to the area in other policies in the Plan;
- b. the effect on the amenity of neighbouring residents;
- c. the availability of safe and convenient arrangements for car parking and servicing;
- d. ease of access for all, including disabled people; and
- e. the storage and collection of refuse and litter.

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.

Policy DC10.3 states that development will not normally be permitted where:

- a. it is proposed outside the general locations mentioned above, or
- b. there is a house or flat on the ground floor next to the proposed business, or only separated from it by a narrow street or alleyway.

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. These conditions may, amongst other things, include limitations on the hours of opening, and the need to deal satisfactorily with noise, fumes, smells, the storage of refuse and the collection of litter.

Policy DC26 'Development and Noise'

DC26.1 The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

the effect of new development proposals which are likely to be generators of noise; and the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 New noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

DC26.3 Developments likely to result in unacceptably high levels of noises will not be permitted:

- in residential areas;
- near schools, hospitals, nursing homes and similar institutions;
- near open land used frequently for recreational purposes.

DC26.4 Where the Council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following:

engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers;

layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it; and screening by natural barriers or other buildings or noncritical rooms within a building; and

administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all of these factors will be considered appropriate for inclusion in conditions on any planning permission.

DC26.5 The Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

DC26.6 Exceptions to the general policy will be considered on their merits. The Council accept, as an example, that the occasional use of outdoor facilities such as sports stadia for concerts can be acceptable in certain circumstances. Any such proposal will be considered in the light of consultation with local residents and others, and the practicability of appropriate conditions on any approval.

Issues

Principle – As the application site is within a district centre that contains a variety of commercial uses the principle of the use of the premises as a restaurant is considered to be acceptable.

Policy C10 of the Core Strategy requires that new development, and redevelopment that supports the evening economy, contributing to the vitality of district centres and supporting a balanced and socially inclusive evening/night-time economy will be permitted, subject to impacts on residential amenity, any cumulative impact or concentration of hot food take-aways and bars, and maintaining a balance between day-time and night-time economies.

Matters that will require consideration, in order to assess the acceptability of any proposal are impacts on residential amenity, hours of use, fume extraction, parking, servicing and refuse.

The Use - In 2015 changes were made to the Town and Country Planning (General Permitted Development) (England) Order 2015 that allow a change of use from a use in class A1 (retail shop) to a use falling within Class A3 (restaurants and cafes) for units with a cumulative floor space of the existing building of 150 square metres or less. In order to do so the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required.

In this instance there is a fall-back position where permitted development rights could be utilised for the use of the property as an A3 café/restaurant use. As the unit has an existing floor space of 65 square metres the applicant could apply for the change of use using this route. In this instance the proposed conditions would allow the local planning authority greater control through the planning permission process.

It should be noted that the previous tenant of the property, did make an application for prior approval of the premises under the GPDO 2015. The only reason this was refused permission was because the applicant applied for permission to operate as a café/bar. The use of the property as a café/bar would not fall within the remit of Class A3.

It is understood that in this instance the current applicant believed permission had been granted to the previous tenant for the use of the property as a café/restaurant. The applicant had carried out internal refit work and had installed a pergola to the front and a flue to the side. Once the applicant was made aware that this was not in fact the case, they stopped works immediately and applied for planning permission, which are now subject of this application. The applicant had already removed the flue and is proposing to remove the pergola and install a retractable awning. The decking and outdoor seating area to the front were installed by the previous tenant, but the applicant is seeking to retain these.

The applicant seeks to change the use of the currently vacant premises (Class A1) into a restaurant use (Class A3). As with any proposal that results in the loss of a retail unit in a shopping parade consideration has to be given to its impact on the vitality and viability of the parade. Both policy C10 and saved policy DC10 seek to protect, support and promote the role of existing shopping parade. In particular to achieve a balance of retail and non-retail uses on the parade. This is further reinforced by the NPPF which requires that decisions should be taken to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs;

In considering applications policy C10 advises that on balance, new uses in centres should support both the day time and evening/night-time economies whilst not undermining the role of the primary shopping area.

Balance of uses – It is not considered that this proposal would have a detrimental impact upon the vitality and viability of this part of the Chorlton District Centre, as the surrounding properties in this instance are still predominantly in Class A1/2 use, with an estate agents, nail and beauty parlours and holistic health centre. In addition properties on the opposite side of Barlow Moor Road whilst accommodating a bar, restaurant and hot food takeaway also contain a broad range of services including beauticians, hairdressers and estate agents.

Furthermore, the applicant is proposing to open throughout the day which would provide daytime activity.

Therefore the principle is considered to be in general accordance with the criteria set out in Policy C10 and would support the vitality and viability of Chorlton District Centre.

Parking – The applicant has indicated that there would be two parking spaces to the rear of the property. The site is close to good public transport links such as buses into the City Centre and the Metrolink network. Highways Services have raised no objection to the proposal on these grounds and anticipate that the proposed use would see a similar level of activity as the previous use with the majority of users arriving on foot.

Residential amenity – The parade of shops that include the application property are located within the heart of the district centre which is commercial by its nature. However, there are a number of residential properties to the rear and side of the

parade on Napier Road and it is noted that numbers 2 and 4 Napier Road have small rear yards that directly back onto the application properties rear yard area.

Concerns have been raised by local residents regarding the additional noise and disturbance especially late at night. The proposed use could result in up to 30 customers at any one time. However, on balance and given the number of customers the unit could accommodate it is considered that the proposed restaurant would not give rise to greater impacts than other similar existing uses within the district centre. Furthermore, the opening hours for the premises as applied for are in line with the existing food and drink uses within the centre.

The existing relationship of the site is that it has a shared rear yard with the other businesses, which is currently used to park vehicles and store refuse and recycling bins to the businesses located within the building. The property does not have an alleyway separating it from neighbouring properties, therefore, bins and parking are all contained within the site. The application site is not a corner property and is not located on the side of a residential side street, but is located in the middle of a parade of commercial premises. The neighbouring residential properties on Napier Road have rear gardens which abut the rear yard of the application site. Therefore, given this relationship the proposal is not found to be contrary to the provisions of saved UDP Policy DC10.

The application includes an outdoor seating area to the front, however, an appropriately worded condition should be attached to any approval to ensure that area is not used beyond the hours deemed acceptable, which are 9am to 10pm. It should be noted that the applicant has stated that the external area to the rear is not be used for outdoor eating or drinking, and a condition is suggested to prohibit this directly.

Environmental Health, whilst not objecting to the proposals in terms of noise impacts, have requested that a number of conditions be attached to any approval including to acoustically insulate the premises prior to first use and any associated external equipment. They have indicated that the proposed extraction system would need to comply with the proposed condition.

Activity associated with the use would generally be limited to the front of the property with customers coming and going from the front entrance located on the Barlow Moor Road frontage and the associated front external area. Given the relationship to properties on Napier Road to the rear it is recommended that conditions be attached to any approval to limit the times for the disposal of waste including bottles into external waste receptacles and to ensure that installed extraction systems do not give rise to unacceptable noise levels.

It is therefore considered that the proposed development subject to the recommended conditions accords with Core Strategy policies DM1 and C10 and Saved Unitary Development Plan policies DC10 and DC26.

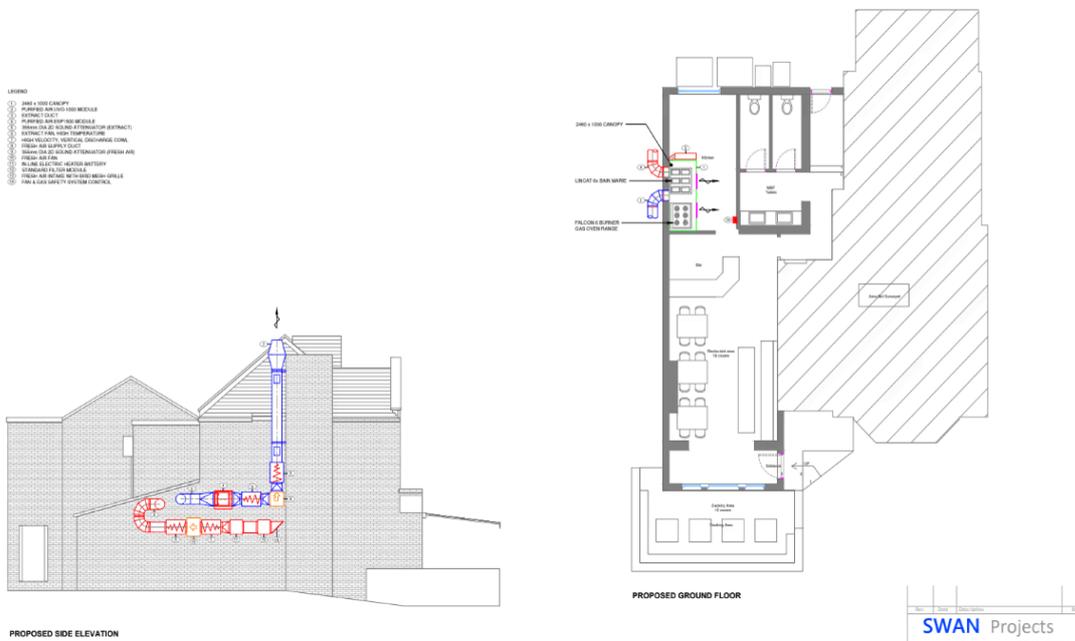
Hours of Use – The proposed hours of use are as follows:

Monday to Thursday - 8am to 11pm,

Fridays and Saturdays - 8am to midnight,
Sundays and Bank Holidays 8am to 11pm.

The hours proposed are considered to be acceptable for a district centre location and area similar to other Class A3 uses within the district centre. As such the proposed use is not considered to give rise to significant adverse impact on the character of the area or residential amenity. In addition the proposals have been assessed by the Council's Environmental Health officers who raise no objection to these proposed hours of use. It is therefore considered that the use accords with Core Strategy Policies C10 and DM1 and Saved Unitary Development Plan policies DC10 and DC26.

Fume Extraction – Residents on Napier Road have raised concerns regarding the appearance of, and odours and smells emanating from the flue, particularly due to how close the flue would be to neighbouring residential properties.



Amended flue design

Environmental Health initially stated that the traditional cowl shown in the submitted drawings was unacceptable as this would prevent adequate dispersal of the kitchen emissions. Following receipt of these comments the applicant has amended the design of the extraction flue and added further to the extraction system, Environmental Health have reviewed the amended extraction system and are satisfied subject to a condition specifying that the works be carried out in accordance with the submitted scheme, as shown above.

Appearance – The proposal includes the removal of the pergola to the front and the installation of a retractable awning. It is not proposed to alter the existing shop front, which features stone sills and lintels. The removal of the pergola and replacement with a retractable awning would allow for this attractive feature to be more readily visible within the street scene.

See below:



Proposed and existing front and side elevations

The proposed flue, whilst large would be somewhat screened by the chimney stack to the side of the premises. A suitably worded condition is proposed requiring that the flue be painted black.

There are no elevational alterations proposed to the rear of the property. It is proposed to store the bins to the rear of the property as shown below. However, it is recommended that a suitably worded condition be added to require a bin store to screen the bins from neighbouring occupiers.

Servicing/Refuse – The applicant has submitted a waste management strategy following comments made by Environmental Health. This details the waste collection and disposal requirements for the proposed restaurant.

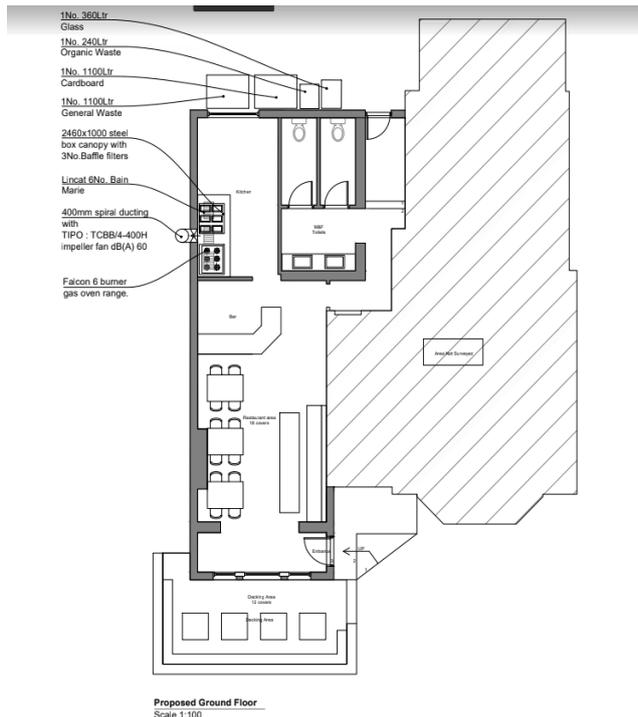
The waste management strategy shows that there would be four receptacles for waste:

1. Mixed Municipal Waste (General Waste);
2. Organic Waste (Food Waste),
3. Glass Waste and;
4. Cardboard.

Four individual bins for each of the above waste streams will be located in the rear yard area. Waste and recycling will be put straight in to the appropriate containers.

The waste containers would be stored within the rear external yard and would be collected three times per week, and processed as follows:

- MMW would be taken to a Materials Recycling Facility in Salford where it is processed and any recoverable or recycling material is removed;
- Food waste is segregated at source. It is then sent to an Anaerobic Digestion Facility to be processed. Energy (gas) is produced to power the national grid. The residual waste is turned to livestock feed and sent to local farms;
- Glass is segregated at source and processed locally to reproduce glass;
- Cardboard waste is segregated at source and processed locally back into cardboard.



Proposed layout

In addition it is recommended that the servicing hours are restricted to Monday to Saturday 7.30 am to 8.00 pm with no deliveries or waste collections on Sundays or Bank Holiday Mondays and a further condition, as indicated above, to prevent the refuse, glasses or glass bottles being disposed of in outside receptacles between the hours of 21:00 and 08:00 to further protect the amenities of the nearby residents.

Resident's comments – Concerns have been raised by residents with regards to the potential for impacts on residential amenity arising from the proposed use and in particular on those properties to the rear that adjoin the rear yard to the application property. As detailed above it is acknowledged that these residential properties adjoin the rear yard to the property and mitigation is proposed in the form of conditions to ensure: activity related to the disposal of waste in the rear yard is limited to certain times of the day; that installed extraction equipment is acoustically insulated in accordance with a scheme to be submitted and approved; and that the rear yard not be used for the consumption of food and drink by customers. On this

basis the proposals are considered to accord with national and local planning policies.

Conclusion – It is considered that on balance the proposed change of use would not give rise to unacceptable impacts to warrant refusal of the application. The use would introduce additional activity to this parade within the district centre, and would bring a currently vacant unit back in to use, leading to employment opportunities. It is not considered that the proposed use would give rise to unacceptable impacts in terms of residential amenity either by way of noise, odours or an increase in comings and goings within a commercial parade. The scheme is considered to be in accordance with the guidance contained within saved policies DC10, DC26 and Core Strategy policies DM1, C10 and SP1

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the 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

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.

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:
Proposed plans and elevations PL001 rev B, received by email 5th July 2019;
Proposed plan and elevation of flue C515/1, received by email 8th July 2019;
Proposed design brief and manufacturer's specifications by Swan Projects, received by email 8th July 2019.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

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

Monday to Thursday - 8am to 11pm,
Fridays and Saturdays - 8am to midnight,
Sundays and Bank Holidays 8am to 11pm.

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.

4) 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 - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with the submitted scheme by Swan Projects dated 8th July 2019, and shall be implemented before first occupation of the premises and maintained in place as long as the use is in operation. The scheme shall be maintained in accordance with the manufacturer's specification.

Reason - In the interests of the amenities of occupiers of nearby property pursuant to Core Strategy policies DM1 and C10 and Saved Unitary Development Plan policy DC10.

6) Prior to first occupation, the premises 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.

7) The external area of the premises to the front shall not be used for the consumption of food or drink outside the following hours and shall not allow for the use of amplified sound or any music in these external areas at any time:-

09:00 - 22:00hrs Monday to Sunday including Bank Holidays.

The external area to the rear of the premises shall not be used at any time by customers including for the consumption of food or drink.

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.

8) Notwithstanding the approved plans and documents before first use of the development any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme to be submitted and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The equipment shall be operated in accordance with the approved scheme whilst the use is in operation.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

9) The development shall be carried out in accordance with the submitted scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed in the email and drawing PI001 rev B received by email 5th July 2019, and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health and residential amenity pursuant to policy DM1 of the Core Strategy.

10) Notwithstanding the approved plans, details of a bin store shall be submitted to and approved in writing by the City Council as local planning authority. The bin store shall be installed within 1 month of the completion of building works and shall remain in situ whilst the use is in operation.

Reason - To maintain the quality of the street environment in the locality of the development in order to comply with policies SP1 and DM1 of the Core Strategy.

11) No disposal of refuse, glasses, or glass bottles in externally sited receptacles shall take place outside the following hours:

08:00 to 21:00 hrs Monday to Sunday including Bank Holidays

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

12) Prior to the hereby approved extraction flue being installed a scheme to enhance its visual appearance shall be submitted and approved in writing by the City Council as local planning authority. The approved scheme shall be installed in full and remain in perpetuity.

Reason - In the interests of visual amenity pursuant to policies SP1 and DM1 of the Core Strategy.

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: 123744/FO/2019 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.

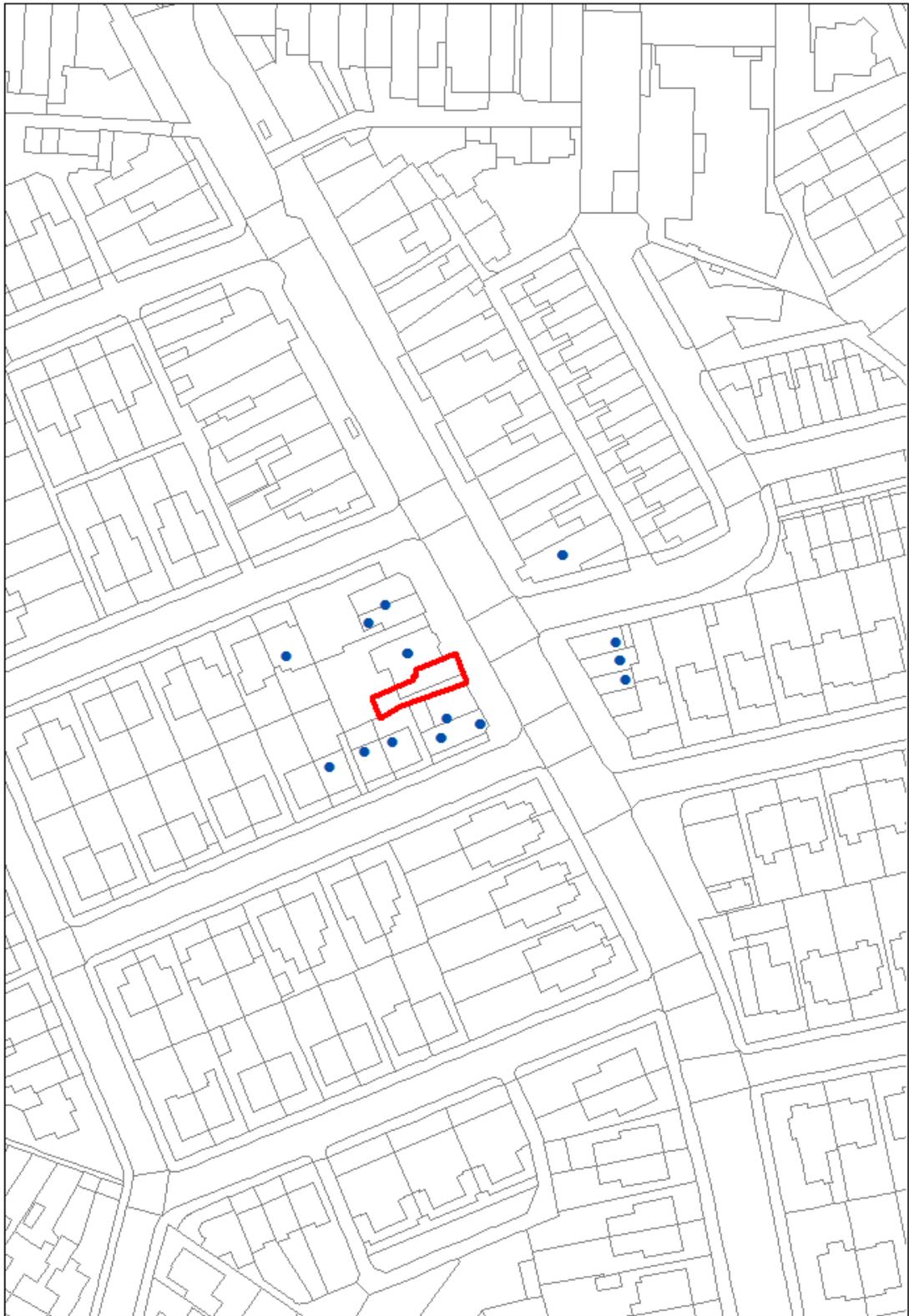
The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Highway Services
Environmental Health
Chorlton Voice**

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

Representations were received from the following third parties:

Relevant Contact Officer :	Melanie Tann
Telephone number :	0161 234 4538
Email :	m.tann@manchester.gov.uk



 Application site boundary  Neighbour notification
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