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Ref; 22/1279/301 – Supporting statement

Supporting statement

Extension of opening hours to Cosalea, existing cafe use and restaurant
at Walshaw Park House, Walshaw Road, Bury, BL8 1PY

Applicant: Cosalea (Mrs Moore)

Date: 29th March 2022

This statement has been produced to accompany a planning application for a variation of condition 5 of consent ref; 66758 to request an extension of the approved opening hours to the cafe and restaurant premises (Cosalea) located to the ground floor of Walshaw Park House.

Photographs of the existing site are included in appendix 1.

1 – Existing use

Formally the building had been used for many years for an industrial use by Rayhome Ltd for the manufacture of pre-cut shims for machinery adjustment and alignment. By January 2019 Rayhome had relocated to new premises and the building was vacant and in need of significant repairs and investment.

The property had been purchased by a new owner who found that there was no interest from any parties in leasing the building for an engineering/office use. The premises were in a poor state of repair and ill-suited to modern day requirements for light industrial use.

Planning consent (ref;63857) was granted in November 2019 for a change of use of existing business and general industry use (Class B1 & B2) to mixed use leisure (Class D2), cafe (Class A3), partial retention of office use (Class B1), and pedestrian access and parking works.

The planning consent was implemented and the building owner has made a significant investment in the premises with a full programme of repair and refurbishment having been completed. As part of their planning consent the owner has formed a new parking area to the frontage of the building (a nett increase of 4 parking spaces), and this includes a parking space suitable for people with a disability, and a new access ramp to the main entrance resulting in the ground floor cafe premises being accessible to all.

In March 2021 an application for variation of conditions (ref;66758) was submitted to request an extension of opening hours for the ground floor cafe use and this included opening in the evenings as a restaurant and introduction of their extended food menu with light bites, tapas, sharing plates and Sunday roasts. This application was granted and in respect of opening hours condition 5 allows;

- Cafe (ground floor)
 - Monday to Thursday - 07:30 to 22:30
 - Friday - 07:30 to 23:30
 - Saturday - 08:00 to 23:30
 - Sunday -08:00 to 23:00

2 – Proposed use

The cafe premises have been leased by Lisa Moore on a long term tenancy. In addition to the refurbishment works undertaken by the building owner Mrs Moore has invested in the premises to create a cafe facility of a high specification, providing quality facilities to visitors and an attractive destination for customers.

The opening of the cafe premises in September 2020 was successful, attracting a strong level of custom and there being clear demand in the area for a cafe, and the food and refreshments offering by Cosalea, and a destination for local people to meet and socialise.

As a result of the lockdown restrictions during the Covid-19 pandemic the cafe had to close in early November 2020 and was required to remain closed to the visiting public up to relaunch the premises on the 17th May 2021 (in accordance with the Government's road map).

Following relaunch the applicant was keen to press on and re-establish their business. The cafe use has been successful and is proving popular, with a large proportion of customers being local residents or people employed in the neighbouring business premises.

Cosalea was granted a premises licence by Bury Council on the 20th August 2021 and permitted activities include the performance of live music, any playing of recorded music, and the supply of alcohol.

The premises licence permits the following opening hours;

Cosalea, Walshaw Park House, Walshaw Road, Bury, Lancashire, BL8 1PY			
The opening hours of the premises;			
Description	Time From	Time To	
Monday - Thursday	7:30am	11:00pm	
Friday	7:30am	Midnight	
Saturday	8:00am	Midnight	
Sunday	8:00am	11:30pm	
Day preceding a Bank Holiday	Noon	12:30am	
Non Standard Timings	Noon	1:30am	Public holidays

Following the granting of consent for evening opening (June 2021) and granting of a premises licence (August 2021) Cosalea closed for a 2 week refit and reopened on the 11th October with evening opening as a restaurant and introduction of their extended food menu including light bites, tapas, sharing plates and Sunday roasts.

Since the relaunch in May 2021 the daytime cafe use has proved very popular with strong trade through the day and good demand from local residents and employees of neighbouring business for the cafe facility. The evening restaurant use is also proving to be popular and the applicant is building up this trade since the refit and

launch of the evening opening in October 2021. The applicant finds that the current opening hours are restricting their trade and preventing them from providing the offering that their customers would like to be available.

Feedback from some customers is that they would like to have a table at a later time, or would like to be able to spend more time at Cosalea in the evenings when currently the premises are required to close.

The approved opening hours (planning consent) do not match the permitted opening hours to their premises licence and Cosalea would like to extend the opening hours to provide the flexibility that would benefit their business and allow them to provide the offering that their customers are requesting.

To support the expansion of their business and provide greater flexibility Cosalea are seeking an extension of opening hours to the following times;

Description	Time From	Time To	
Monday - Thursday	7:30am	Midnight	
Friday	7:30am	1:00am	
Saturday	8:00am	1:00am	
Sunday	8:00am	Midnight	
Day preceding a Bank Holiday	Noon	1:00am	
Non Standard Timings	Noon	2:00am	Public holidays

This extension of opening hours would be more in line with the permitted opening hours to the premises licence and would allow the later opening for which there is a demand from customers.

From an operational prospective it should also be noted that Cosalea's staff need to tidy and clean the premises, undertake their closing procedures and checks and that this process can take up to 1 hour to complete. Customers would not continue to be served with food and drinks right up to the opening hours requested on any given day and the closing time needs to account for the 'closing up procedures' and staff leaving the premises.

The Cosalea business has now operated successfully during both the day and evening opening, and without difficulties with parking availability for customers. The applicant has found that there is sufficient parking in and around the premises for their customers with no significant congestion or complaints. From speaking with their customers it is evident that a significant proportion of customers are walk-ins (estimated at up to 60%). These are customers that have walked from their homes in the Walshaw area to use the cafe, or customers who are working at the adjacent business premises and would already be in the area.

3 - Cosalea's role in the community

In a previous application for a variation of planning condition (ref; 66758) information was provided to demonstrate how the applicant seeks to support the local community. These initiatives continue and the information provided previously is still relevant (information included in appendix 2).

The applicant has a record of supporting the local community and charities and takes a proactive role in engaging in community initiatives and charitable work. The applicant's other business (The Victoria Public House, Walshaw) won a Community Impact Award at the Made In Bury Awards 2018, and a similar approach to supporting the local community is now being taken forward with Cosalea.

This has included the following initiatives:

- The applicant currently provides 100 meals a week to three local food banks (This is a joint effort from the Victoria, Walshaw and Cosalea);
 - The Attic Project, Russell Street, Bury.
 - Trinity Foodbank, Westminster Avenue, Radcliffe.
 - Caritas Red Door, Bury.
- Further meals provided to vulnerable people in the community through the charity Eat Well MCR.
- They host a support group which meets every two weeks (support for people who have a loved one in addiction).
- Fundraising for NHS Charities Together and donations to Fairfield Hospital.
- Support of two local care homes (Elizabeth House and Sunny bank) through their May Music Matinee where a virtual link of live entertainment and cakes were provided.
- Donation of a Fish and Chip supper to Ramsbottom Ward and provision of an iPad so patients could talk to their families who were unable to visit during the pandemic.
- Provision of meals for hospital staff within North Manchester, Bolton, Fairfield Hospital and Rochdale Infirmary.
- Hosting regular meetings including Book Club, Craft Club, PTA meetings, mums and tots group, and Bible study groups. These events are all run by local individuals and provide opportunities for local people to get together.
- The Company supports Annabelle's Challenge, a UK charity for Vascular Ehlers-Danlos Syndrome (vascular EDS), a rare life limiting genetic disorder.

Further information about these initiatives is provided in appendix 2.

Part of the Company's business objectives is to have an outreach in the local community, and providing volunteer opportunities for staff to go out and support vulnerable people. The Company encourages at least one day of paid volunteering leave per year.

By virtue of the business being a cafe and restaurant it is a facility where people can meet and socialise, and it is expected that a significant proportion of visitors will be

walk-ins from the local area (estimated at up to 60% of custom). There is a large housing stock in the area along with the adjacent business premises and there are very few cafes or dining facilities where people can meet in the immediate area.

The Cosalea venue performs an important function in the local area by providing a place for people to meet and socialise, and facilitating community spirit. It is evident to the applicant that the facility is popular with a large number of people in the Walshaw area, and that the opportunity to meet and socialise locally is important to them.

4 - The Cosalea business

Cosalea is owned and managed by Lisa Moore who operates the business alongside being involved with the running of her other business, the Victoria Public House located nearby at Hall Street, Walshaw.

Cosalea opened at Walshaw Park House in September 2020 as a community cafe/hub, and has been established as 'a place to eat, meet and create'. Cosalea offers an extended breakfast menu from simple toast and crumpets, to cooked breakfasts (including vegan options) and eggs benedict. Through the day there is also a wide choice of sandwiches, toasties, salads and jacket potatoes, and children's meals. Afternoon tea, cakes and refreshments are also available.

Evening opening was launched in October 2021 and has proved to be popular with a large proportion of customers being local people who enjoy the venue and find it convenient to visit with many customers being able to walk to the premises from their homes. Many customers visit the premises regularly and the owners and staff talk to them, build up a rapport and get to know that they are indeed people from the local area and that they value having the Cosalea venue.

Customer feedback had been that they value the evening opening and extended food menu because there are very few hospitality venues in the immediate area and they would generally need to drive into Bury Town Centre or travel further afield to visit a hospitality venue. Feedback is that many customers would like to see later opening hours at Cosalea so that they can arrive and stay until a later time, or be able to stay for a longer time when currently they are required to vacate due to the approved opening hours (consent ref;63857).

At the time of opening Cosalea employed 4 full time staff and 6 part time staff, providing much needed employment in the local area. As the day time trade has built up and become established and the evening opening has been introduced there has been an increase in employment to 6 full time staff and 10 part time staff.

With the extension of opening hours that is now requested it is expected that employment will increase to 8 full time staff and 12 part time staff.

5 - Collaboration between Cosalea and adjacent businesses

Since setting up the cafe through the summer of 2020 and opening in September 2020 Cosalea have developed good relations with other business owners/employees at the adjacent premises.

The local businesses provide an important source of custom for the cafe, and the cafe provides a facility for the employees of the neighbouring businesses to take a break, and refreshments. There is a collaborative approach where the different business are developing links and assisting each other.

Lisa has built up good relations with the staff at the adjacent day care nursery (Educare for Early Years) and has obtained an informal agreement from the manager to utilise their car parking spaces outside the opening hours of the day care nursery.

The day care nursery opens between 07:30 to 18:00 on weekdays only, and they have allowed Cosalea to use their parking area outside these times with another 11 car parking spaces during the evenings on weekdays, and through the day and evenings at weekends. These car parking spaces have been utilised by Cosalea since the relaunch in May 2021. Signs have been erected at the entrance to the car park to clarify when Cosalea customers may use these spaces (Image 5, Appendix 1).

6 – The need for an extension of the opening hours

Planning consent is already in place for the following hours;

- Cafe (ground floor)
 - Monday to Thursday - 07:30 to 22:30
 - Friday - 07:30 to 23:30
 - Saturday - 08:00 to 23:30
 - Sunday -08:00 to 23:00

Cosalea has now traded for a reasonable length of time and the applicant has found that there have been no significant issues in respect of the availability of car parking, noise disturbance or incidents of anti-social behaviour. This is evidenced by what the applicant has observed from being on-site and operating the facility, and from their customer's testimony.

The applicant wishes to apply for an extension of the opening hours as follows:

Description	Time From	Time To	
Monday - Thursday	7:30am	Midnight	
Friday	7:30am	1:00am	
Saturday	8:00am	1:00am	
Sunday	8:00am	Midnight	
Day preceding a Bank Holiday	Noon	1:00am	
Non Standard Timings	Noon	2:00am	Public holidays

Cosalea have expanded their offering into the evenings as a restaurant with the introduction of their extended food menu including light bites, tapas, sharing plates and Sunday roasts. Separately a premises licence has been granted that authorises the serving of alcohol and the permitted opening hours are later than those allowed under condition 5 of planning consent ref; 66758.

During the evening opening the primary function of Cosalea remains as a food offering with the service of drinks alongside this, the primary function is not proposed to be a drinking establishment.

The extended opening hours requested are at least half an hour later than the time that food and alcohol would be served to customers. This allows at least a half hour period for customers to finish their food and drinks and to leave the premises.

From an operational prospective it should also be noted that Cosalea's staff need to tidy and clean the premises, undertake their closing procedures and checks and that this process can take up to 1 hour to complete. Customers would not continue to be served with food and drinks right up to the opening hours requested on any given day and the closing time needs to account for the 'closing up procedures' and staff leaving the premises.

The extended opening hours requested provide the business with greater flexibility to complete the closing up procedures and allow staff to leave the premises by the permitted opening times.

The applicant is finding that the current opening hours are restricting their ability to expand the business. They are unable to provide the evening offering that there is a clear demand for from their customers. Many customers reside in the local area and would appreciate a well-managed venue that is within their neighbourhood and doesn't require them to travel out of the area.

7 – Parking assessment

We have assessed what the required parking standards would be for both the existing approved opening hours for the different uses at Walshaw Park House, and the extension of the opening hours requested (tables 3.1 and 3.2 included to appendix 3).

Of course the existing opening hours are lawful and so there isn't a requirement to provide assessment on that aspect but we consider it useful to demonstrate parking demand and availability across the full opening of the Walshaw Park House premises.

The assessment is based upon the **maximum** standards for car parking provided in SPG 11 – Parking Standards in Bury – May 2007.

Existing use

As part of the planning consent granted a parking area was incorporated to the frontage of the building. Entry was made from the existing access to the adjacent day nursery where the applicant has a right of access and use of 4 parking spaces. Five new car park spaces were created, a net increase of 4 parking spaces as one existing space was lost to enable access.

Five new car park spaces were provided, the use of 3 parking spaces were retained to the adjacent day nursery premises, the parking of 5 cars to the side of the building was retained, and there is the parking of two cars adjacent to the gable of the existing building. The existing use has a maximum of 15 parking spaces available within the ownership, or right of access of the building owner.

In addition there is informal parking to the side of the access road adjacent to the Walshaw Park House premises and extending alongside the Bolholt Hotel and leisure complex.

The building owner had previously met with the owner of the side access road who had confirmed that the building owner could utilise the informal parking to the side of the access road (up to 9 car park spaces).

The applicant has obtained an informal agreement with the adjacent children's day nursery to utilise their car park spaces in the evenings (from 18:30) and weekends when the day nursery does not open (11 additional car parking spaces). This arrangement has been implemented since the relaunch of the premises in October 2021 and has worked effectively.

Proposed extension of hours

Now that the Walshaw Park House premises have opened and have operated for a period of time it is evident that based on the approved opening hours there is sufficient parking for the leisure use (lower ground floor), and the cafe (ground floor). A tenant has moved into the first floor office premises and this is a relatively low intensity use, and has not increased parking demand significantly.

In respect of the proposed extension of the opening hours for the Cosalea, the increased opening would take place when the other uses at Walshaw Park House are closed (first floor offices closed by 18:30, and lower ground floor leisure use closed by 20:30). This 'frees' up the parking provision available for the use of the overall use of the Walshaw Park House premises for sole use by Cosalea.

The owner of the overall premises has found that parking demand is much reduced after 18:30 in the evenings. This is well outside school pick up time in the afternoon when traffic is at a peak, and most of the adjacent business premises have closed by that time.

By 18:30 the offices will have closed, and the leisure use only operates with small class sizes and is closed by 20:30. For the extension of the opening hours that have been requested there will be no demand for parking from the other uses at Walshaw Park House.

In the evenings when the extension of opening hours is proposed the majority of the adjacent commercial premises will be closed and demand for parking from businesses in the area will have reduced considerably.

Customers attending the Cosalea premises have to access the premises via the front entrance. For people attending by car the natural choice is for them to park to the new car park spaces directly at the front entrance. During the proposed extended opening hours these spaces will be available for the sole use of Cosalea (from 20:30).

If the spaces to the frontage are taken then there will be 11 further car park spaces available to the adjacent day nursery (from 18:30), and then there are the further spaces to the side of the building (from 20:30), and the 9 additional spaces to the side road. This provides far in excess of the assessed level of parking.

From the applicant's experience of running Cosalea and talking to their customers they have found that a significant number of customers are walk-ins (estimated at up to 60% of customers) and the property has good public transport links. It is therefore considered that it would be reasonable to allow a reduction in the assessed parking standard, even though a sufficient provision of off-street parking is demonstrated.

It is assessed that the parking to the frontage of Walshaw Park House and to the adjacent day nursery will be more than sufficient to serve the needs of Cosalea during both the current permitted hours and the extended evening opening hours that have been requested.

8 - Management of Cosalea

Lisa Moore is the Licensee and Designated Premises Supervisor for Cosalea. She is also the co-proprietor and the Designated Premises Supervisor of The Victoria public house, Walshaw and has a proven record of managing a hospitality business in a responsible manner. Lisa helps to co-ordinate the Tottington and Walshaw Pub Watch Scheme demonstrating her commitment to good practise and work towards the prevention of crime and dis-order.

In addition seven other members of the Cosalea staff are licence holders and are trained and assessed as being suitable for this responsibility by Bury Council Licensing Panel. This means that if Lisa is not working at the premises there are other members of staff with adequate training and experience to ensure adequate supervision and implementation of procedures.

The internal and external areas of Cosalea are monitored with CCTV and this helps to ensure the safety and supervision of the premises (image 4, appendix 1).

The premises are managed in a responsible manner with procedures in place to prevent noise disturbance being encountered beyond the building. A dispersal policy is in place for customers leaving the premises so that they are encouraged by staff to leave in a quiet and considerate manner (appendix 4).

For those customers leaving by taxi Cosalea offer to book a taxi for them from a local company and customers receive a text message when the taxi arrives. Customers are encouraged to remain inside the building whilst they wait for the taxi and once they are notified of its arrival they are encouraged to depart in a responsible manner.

Dispersal of customers will take place from the front or rear door (from back room onto Day Nursery car park) as appropriate. Signage has been put in place to remind customers to leave the premises quietly, to not congregate outside and to respect the neighbours (image 6, appendix 1). At dispersal time music is turned off and a member of staff is allocated to each exit to reinforce and remind customers to leave quietly.

There have been no incidents of anti-social behaviour during the time that Cosalea has opened in the evenings. Procedures have been put in place to manage noise disturbance and any impact to neighbours and these procedures are subject to constant monitoring and review. Cosalea use a system called 'Trail' a digital checklist that guides the Cosalea team through their day. This includes opening up and closing procedures, compliance and noise checks.

9 – Assessment of impact of extended opening hours

It is worth noting that the Cosalea premises are fronting Walshaw Road, a busy main highway, and that the premises are surrounded by commercial and industrial uses to the north, east and west.

There is residential development to the south of Cosalea this being the northern edge of a residential estate including properties at Walshaw Road and Chiltern Drive. There is significant separation between the front of Cosalea and these residential properties by Walshaw Road, a busy main highway connecting Walshaw and Bury town centre.

There are commercial premises directly to the west and north (Educare Childrens Day Nursery and the Bolholt Country Park Hotel). Directly east to the opposite side of the access road there is longstanding commercial/industrial use at Bolholt Industrial Estate (buildings dating back in excess of 100 years).

Bolholt Terrace is located 50metres to the north (closest points of the respective buildings) further along the side access road and separated from the subject premises by the commercial/industrial buildings.

There is significant separation between the subject premises and residential use, and the extent of residential use in close proximity is limited.

We consider that the setup of the Cosalea premises with direct access off Walshaw Road, sufficient off-street car parking, a well contained building that is located a sufficient distance from other residential and commercial properties is such that any significant disturbance or inconvenience to other occupiers in the area can be sensibly discounted.

The following uses are located in the area of the subject premises;

Other tenants in Walshaw Park House

The tenants with an office use (ground floor and first floor) have approved opening hours until 18:30 in the evenings and so the proposed extension of the opening hours beyond this will have no impact on their use.

The tenants with the leisure use (lower ground floor) have opening hours until 20:30 and so the proposed extension of the opening hours beyond this will have no impact on their use.

Residential properties to opposite side of Walshaw Road

These dwellings (2 Chiltern Drive, 325, 327 & 329 Walshaw Road) are located to the opposite side of Walshaw Road, and so separated from the subject premises by a busy main highway connecting Walshaw with Bury Town Centre. The properties are located 30 metres from the front entrance to Walshaw Park House. The Cosalea premises are well contained and there is reasonable separation to the residential properties by virtue of both the distance to the buildings, and the separation by the main highway.

We have demonstrated that there is adequate off-street parking provision for Cosalea during the opening times that have been requested and we assess that there would be very little impact on these existing dwellings as a result of the extended opening hours that have been requested.

Residential properties at Bolholt Terrace

These properties are located around the corner from the main entrance to Walshaw Park House and a minimum 50 metres from the Cosalea premises. The cafe use is well contained in the building and the rear elevation closest to Bolholt Terrace is a blank elevation with no windows.

Parking for Cosalea during the extended opening hours will be either to the frontage (sole use of these spaces before 08:30, and after 20:30 in the evening), or the applicant will also have the use of 11 additional car park spaces to the car park of the adjacent children's day nursery should these be needed.

These are the parking bays located to the front of the Cosalea premises, nearest to the main entrance and the parking bays that customers would naturally use. Bearing in mind the convenient parking available close to the main entrance we consider it unlikely that customers visiting by car would choose to park to the side road nearer to Bolholt Terrace.

We assess that there would be no significant impact to the residents of Bolholt Terrace in terms of noise/disturbance, parking or vehicle movements as a result of the extended opening hours requested.

Adjacent business users

We have demonstrated that there is adequate parking for the Cosalea premises during the extended opening hours requested. The adjacent business premises will not be open during the extended opening hours that are requested and there will be no impact on them.

Summary of impact of extended opening hours

During the consideration of the original change of use application (ref: 63857/FULL) officers concluded that the separation to the neighbouring properties and scale of development would not be significantly harmful to local residents in terms of noise, disturbance, traffic and parking. This has proven to be the case in the time that Cosalea has opened.

As part of the determination of a previous variation of condition application (ref: 66758/FUL) officers considered that the proposals to extend the opening hours would not have a detrimental harm or impact to residential amenity and would therefore be acceptable and comply with Policies EC4/1, EN1/2, S2/6, HT2/4 and HT6/2. It is considered that the policy consideration for the latest request for an extension of opening hours would be the same (as the consideration in granting the previous consent) and therefore there is no reason why planning consent should not be granted.

In view of how these premises are managed and the procedures that have been put in place we do not consider that there should be any significant noise or disturbance as a result of the extended opening hours that are requested.

10 – Summary of application to extend opening hours

Significant investment has been made to the Walshaw Park House premises by the building owner and the applicant as tenant of the ground floor premises. Since its relaunch Cosalea has traded successfully and has proven to be a popular destination both during the day and during the evening as a restaurant with an extended menu.

Cosalea is a much needed hospitality venue in Walshaw that provides people with a place to meet, eat and socialise. A significant proportion of the customers are walk-ins who live or work in the local area and this results in a highly sustainable form of development where people do not have to use their car to travel out of Walshaw to a cafe/restaurant use.

The proposed extension of the opening hours later into the evening would allow customers to book a table at a later time (as many have indicated that they would like to), and to stay at the premises until a later time to complete their evening out. This avoids the need for customers to end their evening early or to have to travel further out of the Walshaw area to move on to another hospitality venue. There is great benefit to local people being able to meet up at a local venue to relax and socialise with other members of their community.

The extended opening hours would allow Cosalea to expand their business and provide greater flexibility where there is a demand for later opening. The extended hours also provide the business with time to undertake their closing up procedures after the serving of food and drinks and tidying and cleaning of the premises once customers have left.

The Cosalea facility has created employment and the proposed extension of the opening hours would further strengthen this and create more jobs.

We consider that there is sufficient parking provision for the premises by virtue of the additional parking spaces that have been provided to the frontage of Walshaw Park House (a nett increase of 4 parking spaces), and an agreement with the adjacent day nursery to use their parking spaces in the evenings and at weekends when the day nursery is closed (11 additional parking spaces).

The extended opening hours are proposed for later in the evening when demand for parking is the least intensive. The other facilities at Walshaw Park house and the adjacent business premises will be closed and after 20:30 all of the parking to Walshaw Park House becomes available for the sole use of Cosalea.

The applicants wish to create a facility for dining and refreshments that will allow people to meet and socialise. They have a commitment to creating a community hub and supporting people in the area where they trade. Expanding the offering of Cosalea with later evening opening would bring the benefit of providing a place for local people to meet and dine, and would provide a facility for hosting local groups and community events in the evenings.

Procedures are in place to prevent incidents of noise disturbance or anti-social behaviour. The applicants have a proven track record of managing a hospitality venue in a safe and responsible manner, ensuring the safety of their customers and showing consideration to their neighbours.

Date of issue: 29th March 2022