

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132116/FO/2021

Date registered valid: 10 November 2021

Proposal: Change of Use of Unit 1a from A1-A5/B1/D2 as approved under (114146/FO/2016) to Sui Generis (Tattoo Studio)

Address: Unit 1A, Transmission House, Tib Street, Manchester, M4 1SH

Ward(s): Piccadilly Ward

Applicant: Mr David Pratt Celebrity Ink Limited 71-75 Shelton Street, Covent Garden, London, WC2H 9JQ

Agent (if any): Mr Paul Shuker Lambert Smith Hampton 3 Hardman Street, Manchester, M3 3HF

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 December 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 15 November 2021 Expired: 6 December 2021

Neighbour notifications

Printed: 15 November 2021 Expired: 6 December 2021

Site notice

Posted: Expired:

Press advert

Published: 23 November 2021 Expired: 14 December 2021

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order:

Description of Site/Area

The application site relates to a ground floor commercial unit of a part 7 and part 10 story mixed use building within the Northern Quarter area of Manchester City Centre. The surrounding area is mixed in character with a multi-storey car park to the north of the site and a mix of commercial and residential uses.

Description of Development

The submitted application seeks planning permission for a change of Use of Unit 1a from A1-A5/B1/D2 as approved under (114146/FO/2016) to Sui Generis (Tattoo Studio)

Consultations & Notification Responses

Local residents were notified and a site notice was posted for 21 days however no responses were received.

Highways

Given its city centre location the site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities including bus, tram and train. It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns. No parking is being offered as part of this application.

The waste management arrangements are acceptable to us provided that it is confirmed that waste bins will not obstruct the footway on waste collection days. Pedestrian access arrangements are acceptable to Highways.

Environmental Health

Opening hours as applied for are acceptable

They are proposing 2x240l bins (general and mixed) which is acceptable, queried where the proposed refuse store was which was clarified by the agent.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Policies DM1, SP1, T2, EN19, EC1-3;
- Saved policy DC26 of the UDP;
- National Planning Policy Framework;
- Manchester Strategy (January 2016).

Principle

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

In this case, the use of this vacant commercial unit to a tattoo shop, within the city centre is considered to represent an effective and appropriate use of space which would contribute to the city's economic growth and employment priorities.

The host building and surrounding environment is commercial in context and together with existing levels of activity in the area, the number of staff/floorspace ratio and the proposed hours of use, it is not anticipated that the use would give rise to any negative effects upon amenity.

In light of the above, the proposed use is considered acceptable and an appropriate land use for a city centre location.

Waste Management

There is an existing separate refuse storage area and 2x240l bins (general and mixed) are proposed which is acceptable to Environmental Health and Highways are satisfied with the arrangement. On this basis, the waste management strategy is considered acceptable.

Impact on the Highway

In comparison with existing commercial uses within the application building and other nearby office uses, particularly those with the city centre, no off road parking is provided.

Despite the above, it is anticipated that most staff and customers will utilise public transport to travel to and from work, as is typical of city centre locations. Due to the sustainable location of the site, the site enjoys access to a host of public transport services including train, bus and tram stations which are all located nearby and within a short walking distance.

Highway Services do not envisage that the proposed use would generate any significant vehicle trips or parking issues. On this basis, the impact on the highway is considered acceptable.

Inclusive Access

The site is accessed from the ground floor and is immediately located onto Church Street, the unit is therefore accessible for all groups with adequate wheelchair access.

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 a right to a fair hearing and to this end the local planning authority 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 Director 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 recommendation given is proportionate to the wider benefits of 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 assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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) Received by the City Council as Local Planning Authority on 02 November 2021

- Location Plan
- Waste & Deliveries Information
- Waste Management proforma

Received by the City Council as Local Planning Authority on 02 December 2021

-Ground Floor Plan ref. 05-03-001 Rev O

3) The use hereby approved shall only be implemented in accordance with the submitted Waste & Deliveries Information and Waste Management proforma received by the City Council as Local Planning Authority on 02 November 2021 and Ground Floor Plan ref. 05-03-001 Rev O received by the City Council as Local Planning Authority on 02 December 2021.

The waste bins should not obstruct the footway on waste collection days.

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 residential amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

4) No part of the premises shall be open outside the following hours:-

08.00 and 24.00 Monday to Saturday

10.00 to 20.00 on Sunday and 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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

28 Church Street, Manchester, M4 1PN
26 Church Street, Manchester, M4 1PN

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Smithfield Conservation Area 1987
Area Team Boundary - Name: CITY2