

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 132403/FU/2021

**Date registered valid:** 14 December 2021

**Proposal:** Change of use of 2nd floor from offices (Use Class E) to a language school (Use Class F1).

**Address:** Second Floor Wellington House, 39 Piccadilly, Manchester, M1 1LQ

**Ward(s):** Piccadilly Ward

**Applicant:** Mr Imad Ahmed MC Academy 2nd & 3rd Floor Royal Buildings, 2 Mosley Street, Manchester, M2 3AN

**Agent (if any):** Mr Dan Whitney Sixteen Real Estate Byron House, 10-12 Kennedy Street, Manchester, M2 4DE

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

**Recommendation:** Approve

**Date of recommendation:** 10 February 2022

## **Application details**

**Type of application:** Full Application Consent

**Development type:** Change of use

**Date of site visit:**

**Standard consultations:**

Printed: 22 December 2021

Expired: 12 January 2022

**Neighbour notifications**

Printed: 22 December 2021

Expired: 12 January 2022

**Site notice**

Posted: Expired:

**Press advert**

Published: 11 January 2022

Expired: 1 February 2022

**Departure from Development Plan:** No

**Environmental Statement:** Not required

**Listed building:** Not applicable

**Conservation area:** Stevenson Square Conservation Area 1987

**Tree Preservation Order:**

## **Description of Site/Area**

The application relates to Wellington House is located at 39 Piccadilly and consists of a six-storey mixed-use property, with the second floor subject to this application being former offices which have been vacant for at least three years.

To the ground floor there is an amusement centre, while the third and fourth floors have most recently been occupied by Rathbone Training under Use Class F1. There is also a basement car park access from Back Piccadilly to the rear.

The second floor subject to the change of use has a floorspace of 365.7sq.m and is served by ,ground floor access from the main frontage onto Piccadilly.

## **Description of Development**

The submitted application seeks planning permission for a change of use of 2nd floor from offices (Use Class E) to a language school (Use Class F1).

## **Consultations & Notification Responses**

Local residents and businesses were notified however no responses were received.

Environmental Health - the Waste strategy submitted is acceptable.

## **Highways**

Highways sought clarification on typical daily occupation of students and staff together with an estimate of arrivals and departures and confirmation on how the applicant / occupier intends to manage and mitigate potential for any obstructive congregation of students outside the main entrance.

It was requested that as part of the Travel Plan information about public car parks, car club bays and pay and display bays be detailed. It is requested that this information is made available to students, staff and visitors to the site.

Clarification was sought on arrangements for servicing the premises, including information on type of vehicles, times, frequency and duration of activity, and intended locations for compliant unobstructed loading / unloading.

The existing bin storage arrangement and collection will remain as existing. Bins are stored in the basement of the property. Bins will be taken to/from the bin store to the collection point on Back Piccadilly on collection day. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.

## **Policies**

Relevant Saved UDP Policies

Policy DC18.1: Conservation Areas

Relevant Core Strategy Policies

Policy SP1: Spatial Principles

Policy CC1: Primary Economic Development Focus: City Centre and Fringe

Policy CC9: Design and Heritage

Policy EC8: Central Manchester

Policy EN3: Heritage

Policy DM1: Development Management

## **Issues**

### **Amenity**

The building consists of a six-storey mixed-use property, with the second floor subject to this application being former offices which have been vacant for at least three years.

To the ground floor there is an amusement centre, while the third and fourth floors have most recently been occupied by Rathbone Training under Use Class F1. There is also a basement car

park access from Back Piccadilly to the rear. The proposed use is not considered to give rise to any significant impacts on amenity which are greater than the existing use class.

### **Access**

There is direct and level access into the ground floor of the building and throughout for disabled persons. A lift allows disabled and able-bodied people to move between floors within the building, including to the 2nd floor. The proposal is therefore in accordance with

## **Highways**

The site is well accessed by sustainable modes. Regular bus services are routed along Piccadilly and provide connection to Sale, Manchester Royal Infirmary, Worsley,

Spinningfield, Shudehill, Middleton, Hattersley, Gee Cross. Stockport and Dane Bank. Manchester Piccadilly Gardens offers regular bus services and connections across Manchester.

The closest Metrolink facility is located at Piccadilly Gardens providing connections to Manchester Piccadilly railway station, Ashton-under-Lyne, Bury, Eccles and Altrincham. Market Street Metrolink station is located within close proximity of the site and provides connections to Manchester Airport, Manchester Victoria, Manchester Piccadilly and Bury.

A travel plan was submitted alongside the application that includes information regarding the objectives, targets and indicators, management strategy, measures to encourage sustainable travel, marketing strategy and the monitoring and review plan.

Further information was requested by highways regarding staffing and student numbers and anticipated shift patterns, public car parks, car club bays and pay and display bays nearby and refuse and servicing.

Further information and an updated travel were provided by the agent on 19.01.2021 which has been accepted by highways. A travel Plan condition is recommended to ensure that within six months of the first use of the building, an updated Travel Plan which takes into account the information about travel patterns gathered ensuring the first six months of the use is submitted.

Given the above considerations the proposal is considered to be acceptable and in accordance with policies SP1 and DM1 of the Core Strategy.

### **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) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Received by the City Council as Local Planning Authority on 03 December 2021:

- Location Plan
- Existing Floor plan ref. 2F-001
- Proposed Floor plan ref. SK01
- Waste Management Proforma

Received by the City Council, as Local Planning Authority, on the 19 January 2022.

-Travel Plan project no. J324935 version 4 dated January 2022

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 development hereby approved shall be carried out in accordance with the Travel Plan project no. J324935 version 4 dated January 2022 stamped as received by the City Council, as Local Planning Authority, on the 19 January 2022.

In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

4) The development shall be carried out in accordance with the submitted scheme for the storage and disposal of refuse as detailed in the approved documents 'Waste Management

Proforma' received by the City Council as Local Planning Authority on 03 December 2021. 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.

### **Informatives**

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health  
Greater Manchester Police

Third Floor, Wellington House, 39 Piccadilly, Manchester, M1 1LQ  
First Floor, Wellington House, 39 Piccadilly, Manchester, M1 1LQ  
DATASYS LIMITED, Fifth Floor, Wellington House, 39 Piccadilly, Manchester, M1 1LQ  
Ground Floor, Wellington House, 39 Piccadilly, Manchester, M1 1LQ  
Second Floor Rear, 47 Piccadilly, Manchester, M1 2AP  
Second Floor Front, 47 Piccadilly, Manchester, M1 2AP  
First Floor, 47 Piccadilly, Manchester, M1 2AP  
47 Back Piccadilly, Manchester, M1 1HP  
Wellington House, 39 Piccadilly, Manchester, M1 1LQ  
8 Lever Street, Manchester, M1 1LN  
Second Floor 12, 8 Lever Street, Manchester, M1 1LN  
Second Floor 11 And 15, 8 Lever Street, Manchester, M1 1LN  
Basement, 8 Lever Street, Manchester, M1 1LN  
Second Floor 14, 8 Lever Street, Manchester, M1 1LN  
Ground Floor Showrooms 1 And 4, 8 Lever Street, Manchester, M1 1LN  
First Floor Store 1, 8 Lever Street, Manchester, M1 1LN  
Second Floor Unit 13, 8 Lever Street, Manchester, M1 1LN  
Ground Floor Showrooms 2 And 3, 8 Lever Street, Manchester, M1 1LN  
First Floor Office 2, 8 Lever Street, Manchester, M1 1LN  
47 Piccadilly, Manchester, M1 2AP  
Fourth Floor, Wellington House, 39 Piccadilly, Manchester, M1 1LQ  
Ground Floor, 47 Piccadilly, Manchester, M1 2AP  
Basement, 47 Piccadilly, Manchester, M1 2AP  
Fifth Floor, 33 - 35 Piccadilly, Manchester, M1 1LQ  
33 - 35 Piccadilly, Manchester, M1 1LQ

## **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 - Stevenson Square Conservation Area 1987  
Area Team Boundary - Name: CITY2