

Planning**Growth & Development****Delegated officer report for planning application**

Application no. 130481/FO/2021

Date registered valid: 27 July 2021

Proposal: Change of use for Units 12 & 13, from Temporary (5 year) Class B8 (storage and distribution) use, to sui generis mixed use comprising Storage and Distribution, shop use (for off sales) and area with external pop up food trailer and seating (for maximum 100 customers) to include ancillary structures (toilet and host stand) for on site sales (pub or drinking establishment).

Address: Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP

Ward(s): Piccadilly Ward

Applicant: Dianne Tanner Unit 9 Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP

Agent (if any):

Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Temporary approval

Date of recommendation: 16-08-21

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 6 August 2021

Standard consultations:

Printed: 6 August 2021 Expired: 27 August 2021

Neighbour notifications

Printed: 6 August 2021 Expired: 27 August 2021

Site notice

Posted: 6 August 2021 Expired: 27 August 2021

Press advert

Published: 17 August 2021 Expired: 7 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to units 12 and 13 within a wider site comprising 7 industrial units with auxiliary office floorspace at the first floor. The site is lies at the junction of Adair Street and St Andrews Square.

The site is in a highly accessible location, approximately 500m east of Piccadilly train station. The inner ring road Great Ancoats Street is approximately 100m to the north providing convenient access to the highway network. Great Ancoats Street is a bus route with services to Ashton-under-Lyme and Manchester City Centre

Description of area

The wider area is characterised by employment provision. The employment provision to the north and east of the site is of a comparative size and scale to the units at the application site. The site is located within the Manchester Piccadilly Strategic Regeneration Framework (HS2 SRF) (2018) area. The SRF identifies Piccadilly Trading Estate as a major development and regeneration opportunity located within the 'Piccadilly Central' character area.

It is envisioned that Piccadilly Central will become a dense, mixed-use district focused around high-quality open space. The long-term vision for the application site is for residential development of up to 12 storeys.

The indicative phasing strategy put forward in the Manchester Piccadilly SRF anticipates the site being developed prior to the construction of HS2 as part of Phase C.

Description of development

Consent was granted in 2020 for a Temporary Change of use for a period of 5 years at Units 12-16 to mixed use Class B8 (storage and distribution); and at Units 17-18 to use class B2 (Microbrewery) and class B8 (storage and distribution). This partly regularised existing uses within the units. Given the above context and to enable the future delivery of the redevelopment proposals for the wider site within the context of the above consent was only sought for a temporary 5 year period.

A separate change of use for Units 12 & 13 is now sought for a sui generis mixed use comprising Storage and Distribution, shop use (for off sales) and area with external pop up food trailer and seating (for maximum 100 customers). Consent is also sought for include ancillary structures (toilet and host stand) for on site sales (pub or drinking establishment).

Consultations & Notification Responses

Publicity – Occupiers of neighbouring properties were notified about the application and a site notice displayed at the site. No representations were received.

Head of Environmental Health – Have no objections but have recommended conditions in relation to hours, acoustic insulation of plant and storage and disposal of refuse.

Head of Highways – Have no objections but have requested the inclusion of cycle parking facilities

Greater Manchester Police – Have no objections subject to the recommendations of Crime Impact Assessment being implemented as part of the proposals.

HS2- No representations received.

Issues

National Planning Policy Framework – The following Policies are of relevance to this application:

Section 1 - Building a strong and competitive economy- which is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future and places significant weight on the need to support economic growth through the planning system.

Section 2 Ensuring the Vitality of Town Centres, - which promotes competitive town centre environments

Core Strategy - The following policies are considered to be most relevant to the proposed development:

Policy CC1 (Primary Economic Development Focus: City Centre and Fringe) –which identifies that City Centre as a strategic economic location and focus of employment growth encouraging a variety of high quality accommodation types, sizes and foot-plates to boost investment by local, national and international businesses and supports the provision of a range of economic development uses, such as retail, leisure, entertainment, cultural and tourism facilities within the City Centre to support the development of a vibrant employment location attractive to businesses, employees and visitors to the City Centre.

Policy SP1 (Spatial Principles),- which guides the strategic development of Manchester identifying the Regional Centre as the focus for economic and commercial development, leisure and cultural activity, alongside high quality city living. It states that all development within the

City Centre regeneration area should have regard to the character and issues as identified in the Manchester City Centre Strategic Plan and outlines the following core development principles:

Development 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 DM1 (Development Management) – Which states that all development should have regard to a number of specific issues the following of which are relevant to this application and for which more detailed guidance may be given within a supplementary planning document:-

Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.

- Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Refuse storage and collection.
- Vehicular access and car parking.

Policy CC7 Mixed Use Development - identifies the City Centre as presenting the most viable opportunities for mixed-use development, and states that active ground floor uses (shops, food and drink and leisure) will be appropriate in locations which have an established public function, or as part of a mixed-use development which will create such an environment.

Policy T2 (Accessible Areas of opportunity and need)- which states that the Council will actively manage the pattern of development to ensure that new development is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport.

The Unitary Development Plan for Manchester – Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

DC26.1 Development and Noise - which details how the development control process will be used to reduce the impact of noise on people living and working in the City and states that this

will include consideration of the impact that development proposals which are likely to be generators of noise will have on amenity.

DC26.5 Development and Noise – which states that 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

Principle of the Use

The units that are the subject of this application is located within a part of the City where this type of use would normally notwithstanding the longer terms plans for the area be acceptable in principle. The consent would ensure that the units can continue to generate employment opportunities as a meanwhile use on a temporary basis (aligned with the previous 5 year consent) until longer term plans for the site aligned with the SRF are brought forward.

Regeneration is an important planning consideration and there is a need to build on the regeneration that has already taken place within the Piccadilly Gateway area and the investment and environmental improvements which are continuing there. The proposed use would be increase activity and footfall within the area and be complementary to the existing and emerging uses within the area, subject to appropriate control of in terms of the hours of operation and the need to deal satisfactorily with noise and storage and disposal of refuse.

In view of the above it is considered that the proposal has the potential to add to the area's vibrancy and contribute to the character of the emerging Mayfield Area. The proposals are therefore considered to be in accordance with Core Strategy policies CC1, SP1, CC7, T2 and DM1 and saves UDP DC26.

Residential Amenity / Hours of Operation

Pre-application discussions took place which established that an Acoustic Assessment was not required to support the application in this location on the basis of the proposed hours of operation as they were satisfied that for an external area at this capacity in this location there was no potential for disamenity from noise levels.

An Operating and Smoking Management Strategy submitted with the application will be a condition of any consent and ensure that potential for anti social behaviour is management appropriately.

The Head of Environmental Health has also recommended a condition limiting the hours during which the building can be serviced. This will ensure that any disturbance from such activity is confined to acceptable hours of the day.

Given the above it is considered that subject to conditions, controlling the acoustic insulation of the premises, the hours of operation and the hours during which deliveries can take place and the storage and disposal of refuse the proposals would be acceptable and consistent with Core Strategy Policies SP1 and DM1 and saved UDP policies DC26.1 and 26.5.

Crime and Disorder

Greater Manchester Police Design for Security have advised that they are happy to support the proposals provided the recommendations within the Crime Impact Statement are implemented on site. It is also felt that an increase in the use of vacant properties has the potential to increase the level of natural surveillance.

In view of the above it is considered that the proposals are consistent with Policy DM1 of the Core Strategy.

Car Parking/Highway Safety - The site is in an area that is well served by various methods of public transport including buses, trains and the Metrolink and the proposals for servicing and waste collections are considered to be acceptable. Given the above, the proposals are considered to be in accordance with Core policies DM1 and T2.

Disabled Access

There is level access to the premises and the seating area and some seating is specially design for disabled patrons. Given this the proposals would be consistent with Core Strategy Policy DM1.

Highways comments – Cycle parking and marking are now included in the plans.

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: Temporary Approval

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application.

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

1) The permission hereby granted is for a limited period only, expiring on 15-01-26; and the use and structures comprising the development for which permission is hereby temporarily granted is required to be discontinued on that date and removed from site within one month of the use ceasing.

Reason - To tie in with the time period for the temporary change of use granted under application ref no 128054. The site and wider area are expected to undergo significant changes

as a result of regeneration being promoted by the City Council and it will be necessary to reconsider the suitability and acceptability of the use of this site following this temporary period. This temporary permission will allow the City Council to reconsider the consequences of development on the site which are not foreseeable beyond the expiry of this temporary permission, pursuant to the Manchester Core Strategy policies SP1, CC1, CC10, CC8 and DM1.

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

(a) Location Plan Site Plan stamped as received on 19-05-21 and Rev 2 stamped as received on 27-07-21;

(b) Dwgs External Elevations 20-08-21 and General Arrangement Plan Ground Floor 20-08-21;

(c) Furniture schedule 20-08-21;and

(d) Section on Equipment , Operations and Ancillary Bar Operations within Cloudwater Brewery letter dated 17-05-21.

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

3) The units shall not operate outside of the following hours:

Shop use (for off sales) and area and external pop up food trailer and seating area:
Monday to Sunday (inclusive) 09:00 - 22:00

Storage & Distribution activities:
Monday to Friday (inclusive) 08:00 - 18:30

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 and 10.00 to 18.00 on Sundays/Bank Holidays with the exception of distribution which can take place between 6am to 7pm seven days a week.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

5) Consent is granted on the basis that there will be no playing of live or amplified music on the premises.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1, C10 and DM1 of the Core Strategy and saved Unitary Development Plan policies DC10 and DC26.

6) The development hereby permitted shall be carried out in accordance with the security measures as outline in sections 3.3 and 4 of the Crime Impact Assessment Version A dated 14-07-21.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

7) The scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed within the Waste Management Strategy Pro-forma dated 14-05-21 shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

8) The premises shall be managed and operated in accordance with the following:

(a) Cloudwater Unit 12 Management Strategy; and

(b) Cloudwater Brew Co - Unit 12-13 - Smoking Policy;

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 and saved UDP Policy DC26.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
GM Fire Rescue Service
High Speed Two (HS2) Limited

Land Adjacent 52, Heyrod Street, Manchester, M1 2WW
Unit 12 To Unit 13, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2DX
Unit 14, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2DX
Unit 15, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2DX
Unit 17 To Unit 18, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2DX
Unit 16, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2DX
P A Metals, Travis Street, Manchester, M1 2NQ
Unit 9, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP
Unit 10, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP
Unit 11, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP
Units 7 To 8, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP
Unit 6, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP
Ground Floor, Aeroworks, Adair Street, Manchester, M1 2NQ
Lower Ground Floor, Aeroworks, Adair Street, Manchester, M1 2NQ
First Floor, Aeroworks, Adair Street, Manchester, M1 2NQ

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: CITY2