

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129556/FO/2021
Date registered valid: 1 March 2021
Proposal: Change of use from office to 24 hour private hire taxi base
Address: Room 3, 2-4 Nelrose, Princess Road, Manchester, M20 2LT
Ward(s): Chorlton Park Ward

Applicant: Mr Alan Barnett, 112 Georges Road, Heaton Norris, Stockport, SK4 1DN

Agent (if any):

Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 20 April 2021

Application details

Type of application: Full Application Consent

Development type: Change of use

Standard consultations:

Printed: 3 March 2021 Expired: 24 March 2021

Neighbour notifications

Printed: 3 March 2021 Expired: 24 March 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

2 storey building at the junction of Princess Road and Nell Lane. Currently home to a florists and a balloon shop. To the rear of the premises there are further commercial premises – a hand carwash operation, a car salesroom and a vehicle window tinting business. To the side of the property is a sub-station and beyond that lies a part of Southern Cemetery. The main part of Southern Cemetery is located on the opposite side of Nell Lane.

Listed building: no
Conservation area: no
Tree Preservation Order: no

Description of development

The applicant is applying to change the use of Room 3 in the building from an office to a private hire booking office. The booking office would operate on a 24 hour basis.

Planning permission to use Room 7 as a similar booking office, albeit not 24 hour, was granted in 2012 (ref. 099937/FO/2012/S1).

Consultations & Notification Responses

Local Residents/businesses – No comments received.

Highway Services – It is understood that the unit will operate solely for administrative purposes, with no public access, which is acceptable from a highway perspective. The minimal staff intake is not considered to pose any significant Highways implications. It is understood that taxis will not be loading/ parking on-site. Highways would not support any requirements for vehicles to park on-street on Nell Lane and Princess Road. Highways accept that the proposed development is unlikely to generate any significant, regular demands for parking on-street. As such, Highways have no objections to the development.

Environmental Health – As they do not intend to offer a walk in service or a rest area for the public or their drivers and the office will be used for admin purposes and for accepting online and telephone bookings there are no objections to the proposal.

Policies

Core Strategy Development Plan Document - The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below

Policy SP1, Spatial Principles, - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, Development Management - This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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, odours, litter, vermin, birds, 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.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.

Saved UDP Policy DC26, Development and Noise – This policy seeks to reduce the impact of noise generating development. It states that the Council will consider the effect of new development proposals and the implications of new development being exposed to existing noise sources. Developments likely to result in unacceptably high noise levels will not be permitted.

Issues

Principle – The proposal is considered acceptable in principle, particularly given the granting of planning permission to use Room no. 7 as a private hire booking office in August 2012 (ref. 099937/FO/2012/S1). The applicant is applying to use Room no. 3 as the size and lease arrangements better suite his business requirements than continuing to use Room 7. Notwithstanding this, consideration must be given to the proposal's impact upon pedestrian and highway safety and current levels of residential amenity.

Pedestrian and Highway Safety – Given the nature of the business, i.e. booking office only, it is not considered that the use will generate such additional levels of traffic in the vicinity of the site so as to prove detrimental to existing levels of pedestrian and highway safety. In addition, a condition designed to prevent private hire vehicles parking at the site will be attached to any consent granted.

In light of the above, it is not considered that the proposal will have a detrimental impact upon the current levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Residential Amenity – The proposed booking office would operate 24 hours a day, as opposed to the previous consent which operated on restricted hours as in that instance they only dealt with contract bookings. Despite the 24 hour operation, given there is considerable distance between the application property and the nearest dwellings, it is not believed that the proposal would impact upon the levels of amenity enjoyed by the residents of those dwellings.

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

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning 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 drawings and documents stamped as received on 1 March 2021.

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

3) The premises shall not be open to the public for the purpose of booking or waiting for private hire vehicles.

Reason - In the interests of residential amenity and pedestrian and highway safety, pursuant to Policy DM1 of the Manchester Core Strategy.

4) Private hire taxi drivers shall not:

a) return to the site for any reason other than administrative purposes.

b) use any adjoining car parking area or the highway within 100 metres of the premises, for the purposes of a taxi rank, for the collection of customers, as a waiting facility during quiet periods or for the repair, maintenance and valeting of vehicles at any time.

Reason - In the interests of residential amenity and pedestrian and highway safety, pursuant to Policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Unit 9, Nelrose, Princess Road, Manchester, M20 2LT
EPG Services, Unit 6, Nelrose, Princess Road, Manchester, M20 2LT
Unit 5, Nelrose, Princess Road, Manchester, M20 2LT
Magic Balloons, Units 2 To 4, Nelrose, Princess Road, Manchester, M20 2LT
Designer Flowers By Rodgers, Unit 1, Nelrose, Princess Road, Manchester, M20 2LT
New York New York Car Wash, Princess Road, Manchester, M20 2LT

Appendix 2 – Planning constraints

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
Area Team Boundary - Name: SOUTH