MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127024/FO/2020
Date registered valid:	2 July 2020
Proposal:	Change of use from shop (Use Class A1) to Nail and Beauty Bar (Sui Generis)
Address:	58 King Street, Manchester, M2 4LY
Ward(s):	Deansgate Ward
Applicant:	Mr Robert Bickley Janea Ltd International House, 61 Mosley Street, Manchester, M2 3HZ
Agent (if any):	Mr Freddie Evans AXI Suite 3, 41 South King Street, Manchester, M2 6DE
Case officer:	Emily Booth Tel: 0161 234 4193 Email: e.booth@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	25 August 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 29 July 2020

Standard consultations:
Printed: 7 July 2020 Expired: 28 July 2020

Neighbour notifications
Printed: 7 July 2020 Expired: 28 July 2020

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

Listed building: Not applicable

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area

This application relates to an historic building located at 64-66 King Street. The building is not listed, but is located in the St Anns Square conservation area and retains a majority of its original form and detailing at the upper levels and is considered to be a non-designated heritage asset by virtue of its age and design. It also forms part of the settings of a number of other listed buildings and non-designated heritage assets and makes a positive contribution to this setting and the conservation area. A number of Grade II Listed buildings are located on King Street.

This proposal relates to the ground floor of the property, which is currently vacant having most recently been used as a shop.

Surrounding uses include shops, restaurants, offices and banks.

Description of development

Planning permission is sought for the use of the property as a nail and beauty studio (Sui Generis). The proposed opening hours are:

Monday to Friday - 10:00 to 21:00
Saturdays - 10:00 to 20:00

Sundays - 10:00 to 17:00

It is not proposed to use any acrylic products.

There are no external alterations proposed.

Level access is available into and throughout the ground floor premises and would be retained.

Consultations & Notification Responses

Publicity - Letters were sent to surrounding occupiers to inform them of the proposals. No responses were received.

Highway Services - Confirmed that the proposed use is acceptable and requested that secure and sheltered cycle parking be provided for staff. Also provided advice to the applicant on the procedure to gain permission for any licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements.

Environmental Health - Recommended conditions to restrict servicing times and opening hours and to require the waste management plan to be implemented

City Centre Regeneration - No comments received.

Greater Manchester Police - Confirmed that they have no objection to the proposed use of the premises, but would advise that any external changes (such as new doors, windows, glazing and shutters) are required to be security-certified to Secured by Design (SBD) compliant standards.

Issues

The main issues for consideration relate to the impact of the proposals on the amenity of surrounding occupiers, the availability of public transport and the availability of disabled access. The main polices that relate to the proposal are Polices SP1 (Spatial Principles), CC5 (Transport), CC10 (A Place for Everyone), T1 (Sustainable Transport), T2 (Accessible Areas of Opportunity and Need), EN19 (Waste) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester.

Principle of the Proposed Use

The proposed use is a type that would have a shopfront and would complement the shop uses on King Street. It would also occupy a vacant unit.

King Street has also suffered in recent years and has had a number of vacant premises. This use would help to continue the success of King Street as a retail destination.

The proposed development use complement existing uses and improve the local environment and as such would be consistent with Core Strategy policies SP1 and CC1.

Residential Amenity

This is a critical issue, as amongst other things, it examines the impact that the scheme would have on nearby and adjoining occupiers. It includes the consideration of issues such as impact on noise and disturbance. The closest residential accommodation is currently significantly distanced from the site, however there are approved applications that would allow residential

accommodation adjacent the site and there are noise sensitive uses in the immediate vicinity of the site including offices.

The City Council's Environmental Health service have confirmed that the opening hours are considered to be acceptable as are the servicing and waste management proposals. As no acrylic products they have also confirmed that there is no need to install extraction equipment. A condition would be worded to require this information to be submitted to and agreed by the Local Planning Authority if these products are used. All conditions recommended by the City Council's Environmental Health service will be applied to the application.

The site is close to Market Street and Shudehill Metrolink Stations and is also walkable distance from Victoria train station and regular bus services are routed along Deansgate.

An internal bin store would be provided and a strategy would be in place for collections.

Given the above the proposals are considered to be in accordance with Policies SP1, CC4, CC7, EN19 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC10.1-10.4 and DC26 of the Unitary Development Plan for the City of Manchester in relation to the impact on residential amenity.

Crime and Disorder

There are no external alterations proposed.

Given the above the proposals are considered to be in accordance with policies DM1 and SP1 of the Core Strategy for the City of Manchester in relation to the impact on crime and disorder.

Highway Safety and Impacts

The City Centre location provides good links to public transport with Bus, Metrolink and rail services all within an acceptable short walking distance from the development.

The site is close to Market Street and Shudehill Metrolink Stations and is also walkable distance from Victoria train station and regular bus services are routed along Deansgate.

The City Council as Highways Authority are satisfied that the development proposals will have little impact on network operations.

The recommended cycle parking provision will not be required given the location and size of the premises.

The informative recommended by the City Council as Highways Authority will be applied to the application.

Given the above the proposals are considered to be in accordance with Section 9 of the National Planning Policy Framework and Policies SP1, CC4, CC5, CC10, T1, T2 and DM1 of the Core Strategy for the City of Manchester in relation to highway safety and impacts.

Disabled Access

Level access would be provided into and throughout the premises.

Given the above the proposals are considered to be in accordance with the Core Strategy for the City of Manchester, in particular Polices T1, T2, CC10, SP1 and DM1.

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 polices 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. In this instance this has included ongoing advice about the information required to be submitted to support 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:

The site location plan referenced 20 - 038 010 Rev 00 received by the City Council as local planning authority on 29 May 2020

The drawings referenced:

20 - 038 100 Rev 1
20 - 038 010 Rev 00 showing waste collection information

received by the City Council as local planning authority on 2 July 2020

Planning Statement dated 19.06.2020 Rev 00 prepared by AXI received by the City Council as local planning authority on 2 July 2020

The email from Freddie Evans of AXI Studio dated 2 July 2020

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policies DC14.1 and 14.2, DC18.1, DC19.1 and DC26.

3) Prior to the first use of any acrylic products at the premises, full details of the method of extraction of any fumes, vapours and odours from the premises, including the appearance of the equipment and any noise generated by the equipment, shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented prior to any use of acrylic products at the premises and shall then remain in situ whilst the use is in operation.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to policies SP1 and DM1 of the Core Strategy and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with policies DM1, SP1, CC9 and EN3 of the Core

4) The premises shall not be open outside the following hours:-

Monday to Friday - 10:00 to 21:00
Saturdays - 10:00 to 20:00
Sundays - 10:00 to 17:00

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.

5) No loading or unloading shall be carried out on the site outside the hours of:

Monday to Saturday - 07:30 to 20:00
Sundays - 10:00 to 18:00.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

6) The existing access measures for disabled people to gain access into and throughout the premises shall be maintained for the duration of the use hereby approved.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policies CC10, T1, T2, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester and DC14.2 of the Unitary Development Plan for the City of Manchester.

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance 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).

2) The permission hereby granted does not grant or imply grant of planning permission for any external alterations to the property.

3) The permission hereby granted does not discharge the need for the proposals to comply with current and future local and national Government advice relating to COVID-19 or similar situations, including all measures such as social distancing requirements.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
City Centre Renegeration
Greater Manchester Police

Rear Part Ground First Second And Third Floors, 33 King Street, Manchester, M2 6AA
66 - 68 Cross Street, Manchester, M2 4JQ
64 - 66 King Street, Manchester, M2 4ND
37 King Street, Manchester, M2 7AT
Second Floor, 64 Cross Street, Manchester, M2 4JQ
76 Cross Street, Manchester, M2 4JG
Third Floor Suite 1and Fourth Floor Suite 4, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Ground Floor And Basement, 39 - 43 King Street, Manchester, M2 7AT
Third Floor Rear, 64 Cross Street, Manchester, M2 4JQ
REED PERSONNEL SERVICES, Basement, 37 King Street, Manchester, M2 7AT
52 King Street, Manchester, M2 4LY
33 King Street, Manchester, M2 6AA
Sixth Floor, 49 King Street, Manchester, M2 7AY
Third Floor, 64 Cross Street, Manchester, M2 4JQ
Basement, 41 South King Street, Manchester, M2 6DE
Flat 205, 56 Cross Street, Manchester, M2 7AR
Third Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Seventh Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JU
ALEC FINCH GROUP LIMITED, Fourth Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Fourth Floor, 1 St James's Square, Manchester, M2 6DN
49 King Street, Manchester, M2 7AY
GLAISYERS SOLICITORS LLP, First Floor, 1 St James's Square, Manchester, M2 6DN
Second Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
60 King Street, Manchester, M2 4LZ
74 Cross Street, Manchester, M2 4JG
Third Floor Left, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Third Floor Rear, 49 King Street, Manchester, M2 7AY
Fifth Floor, 1 St James's Square, Manchester, M2 6DN
Third Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Second Floor, 1 St James's Square, Manchester, M2 6DN
51 King Street, Manchester, M2 7AZ
First Floor, 41 South King Street, Manchester, M2 6DE
39 - 43 King Street, Manchester, M2 7AT
Ground Floor, 1 St James's Square, Manchester, M2 6DN
62 King Street, Manchester, M2 4ND
62 Cross Street, Manchester, M2 4JQ
Third Floor, 1 St James's Square, Manchester, M2 6DN
29 John Dalton Street, Manchester, M2 6FW
Third Floor, 41 South King Street, Manchester, M2 6DE
Second Floor, 41 South King Street, Manchester, M2 6DE
Ground Floor, 41 South King Street, Manchester, M2 6DE
Flat 204, 56 Cross Street, Manchester, M2 7AR
First Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
47 King Street, Manchester, M2 7AY
Second Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE

Fourth Floor, 49 King Street, Manchester, M2 7AY
REED PERSONNEL SERVICES, First Floor To Fourth Floor, 37 King Street, Manchester, M2 7AT
35 King Street, Manchester, M2 7AT
39 South King Street, Manchester, M2 6DE
Second Floor, 49 King Street, Manchester, M2 7AY
First Floor, 64 Cross Street, Manchester, M2 4JQ
70 - 72 Cross Street, Manchester, M2 4JG
Flat 302, 56 Cross Street, Manchester, M2 7AR
Flat 201, 56 Cross Street, Manchester, M2 7AR
Ground Floor, 76 Cross Street, Manchester, M2 4JG
Fifth Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Basement To First Floor, 33 King Street, Manchester, M2 6AA
Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Flat 203, 56 Cross Street, Manchester, M2 7AR
Flat 202, 56 Cross Street, Manchester, M2 7AR
Flat 305, 56 Cross Street, Manchester, M2 7AR
Flat 304, 56 Cross Street, Manchester, M2 7AR
Flat 303, 56 Cross Street, Manchester, M2 7AR
Fourth Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Third Floor Rear, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Fourth Floor Suite 5, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Unit 1, 35 King Street, Manchester, M2 7AT
First Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JU
Flat 301, 56 Cross Street, Manchester, M2 7AR
Sixth Floor Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Fifth Floor, 49 King Street, Manchester, M2 7AY
First Floor, 49 King Street, Manchester, M2 7AY
54 King Street, Manchester, M2 4LY
Third Floor Front, 64 Cross Street, Manchester, M2 4JQ
Basement And Ground Floor, 64 - 66 King Street, Manchester, M2 4ND
Third Floor Front, 49 King Street, Manchester, M2 7AY
Unit 2, 35 King Street, Manchester, M2 7AT
64 Cross Street, Manchester, M2 4JQ
56 King Street, Manchester, M2 4LY
50 King Street, Manchester, M2 4LY
48 King Street, Manchester, M2 4LG

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 - St Anns Square Conservation Area 1970
Area Team Boundary - Name: CITY1