

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127610/FO/2020

Date registered valid: 4 August 2020

Proposal: Change of use of part of third floor from single unit office use (Class B1) to a tattoo shop (sui generis use).

Address: Swan Buildings , 20 Swan Street, Manchester, M4 5JW

Ward(s): Piccadilly Ward

Applicant: Mr Dale Sarok 20 Swan Street, Manchester, M4 5JW

Agent (if any): Mr Shaun Jenkins Architecture Unknown Innospace The Shed,
Chester Street, Manchester, M1 5GD

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

Recommendation: Approve

Date of recommendation: 15 September 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 6 August 2020 Expired: 27 August 2020

Neighbour notifications

Printed: 6 August 2020 Expired: 27 August 2020

Site notice

No site notice has been produced

Press advert

Published: 18 August 2020 Expired: 8 September 2020

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to an existing office unit located on the third floor within 'The Swan Building' - a large, red brick, 5 storey building to the rear of a mixed use complex, predominantly in use as offices. The unit has a floor space of 81.5 square metres.

The building fronts onto Cable Street to the north east and backs onto an external courtyard to the south west which opens out onto a main entrance on Swan Street which is situated via a central archway within a terrace of properties.

The application site lies just beyond the main inner city relief on the northern eastern fringe of the area originally defined as being with the centre. The site is situated on the northern side of Swan Street which forms the southern perimeter of the New Cross regeneration area - an area defined as being appropriate for a range and mix of residential accommodation in a high quality and well managed environment that will ensure the emergence of vibrant new neighbourhoods of choice.

The area is mixed use in character and comprises a variety of small-scale retail, office, food and drink, hotel and residential uses. To the north of the site area number of light industrial premises, surface car park and new residential accommodation including a hotel presently under construction.

On the opposite side of Swan Street lies the Smithfield Conservation Area which comprises a variety of commercial and residential uses, located in the Norther Quarter area of the City Centre.

Description of Development

The submitted application seeks planning permission for a change of use of part of third floor from single unit office use (Class B1) to a tattoo shop (sui generis use).

Consultations & Notification Responses

Local residents were notified however no responses were received

Highways

The site is well served in terms of sustainable modes given its prominent city centre location, including Metrolink services at the walkable Piccadilly stop, which links with rail services at Piccadilly and Victoria train stations, with bus routes at Piccadilly Gardens. It is therefore accepted that a number of visitors will arrive on-foot or via sustainable modes, many of which will form linked or pass-by trips associated with other City Centre businesses.

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.

The development has no on-site parking, however being located in the City Centre it is considered highly accessible by public transport. The lack of parking is therefore accepted in this instance.

Waste management arrangements are acceptable from a highway perspective.

Pedestrian access arrangements are acceptable to us.

Environmental Health - the waste management strategy as submitted as well as the proposed hours are considered acceptable

Design for Security at Greater Manchester Police - a number of recommendations made with regards to security measures.

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).

Issues

Principle

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

Policy EC1 looks to prioritise economic growth, policy EC2 aspires to retain and enhance existing employment space and policy EC3 states that within the regional centre, development

for employment generating uses including offices and other commercial development will be encouraged. Office developments will be appropriate providing that they are in locations which are well connected by sustainable transport to both the city centre and residential areas, and the scale and type of office development does not undermine delivery of employment space within the City Centre.

In this case, the use of this vacant existing office space for a tattoo shop, on the northern fringe of 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 fringe location.

Waste Management

The applicant has indicated that bins to be stored within the premises to allow for segregation of waste. Staff will be responsible for transferring waste from internal bins to larger bins stored within the dedicated waste store on Ground Floor including Clinical Waste produced.

The existing communal waste management store for the existing use/s sited within the courtyards is to be retained and continued. 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 and city fringe 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.

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in 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 following drawings and documents:

-Location plan drawing ref. 00.000.010 REV P1 stamped as received by the City Council as Local Planning Authority on 30 July 2020.

-Existing and Proposed Floor Plans drawing ref. 00.000.301 REV P1 stamped as received by the City Council as Local Planning Authority on 30 July 2020.

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 use hereby approved shall only be implemented in accordance with the submitted Waste Management proforma received by the City Council as Local Planning Authority on 04 August 2020. 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:-

09.00 to 17.30 hrs daily

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) Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) the premises shall only be used as a tattoo studio (Sui Generis) (80.1 sqm) and for no other purposes.

Reason - To ensure that the premises is used solely for the intended purpose to safeguard the character of the area pursuant to policies SP1, and DM1 of the Manchester Core Strategy (2012)

Informatives

The following security measures are recommended:

- If any new external fittings are to be installed (i.e. shutters, windows or doors) then they should be certified to Secured by Design standards.
- If cash is to be kept within the property overnight then a time delay safe certified to LPS 1183 should be installed and kept within a secure room that is only accessible by the members of staff.
- Any staff areas that are to be included within the property should be access controlled

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Adam Geoffrey, Swan Street, Manchester, M4 5JW
Second Floor, Swan Buildings, 20 Swan Street, Manchester, M4 5JW
Fourth Floor, Swan Buildings, 20 Swan Street, Manchester, M4 5JW
Ground Floor, Swan Buildings, 20 Swan Street, Manchester, M4 5JW
First Floor, Swan Buildings, 20 Swan Street, Manchester, M4 5JW
Third Floor, Swan Buildings, 20 Swan Street, Manchester, M4 5JW
Basement, Swan Buildings, 20 Swan Street, Manchester, M4 5JW
Unit 1, 10 Swan Street, Manchester, M4 5JN
Flat 3, 10 Swan Street, Manchester, M4 5JN
Flat 2, 10 Swan Street, Manchester, M4 5JN
Flat 1, 10 Swan Street, Manchester, M4 5JN
Flat 1, 4 Swan Street, Manchester, M4 5JN
4 Swan Street, Manchester, M4 5JN
Flat 2, 22A Swan Street, Manchester, M4 5JQ
Flat 1, 22A Swan Street, Manchester, M4 5JQ
Flat 4, 2 Cross Keys Street, Manchester, M4 5BB
Flat 3, 2 Cross Keys Street, Manchester, M4 5BB
Flat 2, 2 Cross Keys Street, Manchester, M4 5BB
Flat 1, 2 Cross Keys Street, Manchester, M4 5BB
2 Cross Keys Street, Manchester, M4 5BB
Flat Above, 26 Swan Street, Manchester, M4 5JQ
18A Swan Street, Manchester, M4 5JN
15 Cable Street, Manchester, M4 5EG
20A Swan Street, Manchester, M4 5JW
Basement And Ground Floor, 2 Swan Street, Manchester, M4 5JN
E And A Autos, 15 Cable Street, Manchester, M4 5EG
24A Swan Street, Manchester, M4 5JQ
2 Swan Street, Manchester, M4 5JN
28 Swan Street, Manchester, M4 5JQ
14 - 16 Swan Street, Manchester, M4 5JN
6 Swan Street, Manchester, M4 5JN
Security House, 25 Addington Street, Manchester, M4 5EU
8 Swan Street, Manchester, M4 5JN
24 Swan Street, Manchester, M4 5JQ
2 - 4 Swan Street, Manchester, M4 5JN
22 Swan Street, Manchester, M4 5JQ
Ground Floor, 24 Swan Street, Manchester, M4 5JQ
First Floor And Second Floor, 2 - 4 Swan Street, Manchester, M4 5JN
6 Cross Keys Street, Manchester, M4 5ET
26 Swan Street, Manchester, M4 5JQ
18 Swan Street, Manchester, M4 5JN
12 Swan Street, Manchester, M4 5JN

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
Area Team Boundary - Name: NORTH1