MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127617/FO/2020
Date registered valid:	31 July 2020
Proposal:	Change of use of first floor from Office (Class B1) to a flexible use of Office (Class B1) and Tattoo Studio (sui generis) pursuant to Schedule 2 Part 3 Class V of the Town and Country Planning (General Permitted Development) (England) Order 2015.
Address:	First Floor , 61 Bloom Street, Manchester, M1 3LY
Ward(s):	Piccadilly Ward
Applicant:	Eve Mansell C/o Agent
Agent (if any):	Ms Laura Mcdermott Cundall 4th Floor Partnership House , Regent Farm Road , Gosforth , Newcastle upon Tyne , NE3 3AF
Case officer:	Joe Hobbs Tel: 0161 600 8772 Email: j.hobbs@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	24 September 2020

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit:

Standard consultations:
Printed: 11 August 2020 Expired: 1 September 2020

Neighbour notifications
Printed: 11 August 2020 Expired: 1 September 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: Whitworth Street Conservation Area 1985

Tree Preservation Order:

Description of area

The application site is a first-floor property of approximately 832 Sq. ft within the 3-floor, 61 Bloom Street building in the centre of Manchester. The property has been used as office accommodation and the remaining floors within the building are currently in use as office space. The building is accessed by a large shared entrance on Bloom Street at street level. 61 Bloom Street is situated on the junction between Bloom Street and Abington Street

Description of development

This application seeks full planning permission for the flexible use of first floor, 61 Bloom Street pursuant to Schedule 2, part 3, class V of the General Permitted Development Order (2015). The uses include Office (Class B1) and Tattoo Parlour (sui generis). The proposal would not include any external alterations to the building and would not include any parking spaces.

Consultations & Notification Responses

Local neighbours were notified of the proposals as per Appendix 1. No representations received.

Consultation was made regarding the application to the following bodies.

Highways Services - requested further information re. cycle parking and servicing, but had no objections following provision of this information.

Environmental Health - no objections

Issues

The main issues to consider with regards the application are as follows:

Principle of the use -

B1 office use is the existing lawful use of the unit and therefore its acceptability under a 'dual use' permission (under permitted development Class V of Part 3 of Schedule 2 of the General Permitted Development (England) Order (2015) is established.
The owner of the property seeks permission for a flexible use to ensure that the unit is marketable and flexible in uncertain times and where tenants want more fluidity to adapt and reform their businesses, offering a space that better suits their changing needs. The proposed use is not considered to have an unacceptable impact on amenity as discussed below, and so in principle is acceptable.

The potential loss of office space could be a harmful impact. However, the property ha been marketed for office space and has struggled to be occupied on this basis. The flexible permission would allow the space to move between the two uses for a period of ten years, keeping the office use a viable option throughout that period. The unit is also a small unit, and so were office space to be permanently lost of this scale, it would not have a significant impact on the city centre.

Sustainable Transport -

There are currently no car parking spaces associated with the properties existing B1 Use and it is not proposed to create any parking spaces as part of this flexible use application. There is a 119-space NCP public car park located across the road from 61 Bloom Street (Sackville Street Car Park) that is available should staff or clients require to travel to the studio by car.

With the properties City centre location, the studio is widely accessible by public transport. There are several bus stops located along Princess Street and the City Centre bus station is located only 125 metres north of the property at Bloom Street. Additionally, the property connects well to existing city centre cycle routes, with a cycle lane (Abingdon street) bordering 61 Bloom Street to the West. The property is also within comfortable walking distance from all major transport hubs within the city.

An area for the storage of cycles would be provided for staff on the First Floor to encourage cycle use. And there are nearby cycle hubs and cycle parking for customers/visitors to make use of.

It is not considered that with the flexible uses proposed, there would be a large amount of footfall generated by these uses, with entry being by appointment only via a buzzer system for the Tattoo Studio. If the property is in use as an office, the space will be primarily used by employees only, and a similar buzzer system would likely be used

Waste -

The building already has arrangements with providers for waste. Emerge collect rubbish, a box of bags is purchased by tenants and then once full the bags are left out on a specified collection day. It is not anticipated that an increase in waste generated by either uses specified on this application for flexible permission would result in these existing waste collection arrangements having to change or being increased.

Subject to planning approval and the lease for the property being signed, a contract will be put in place to ensure the safe disposal and pickup of clinical waste resulting from the use of the property as a tattoo parlour. Clinical waste will be stored in a locked, clinical waste bin, in a locked room within the property. A contractor will be appointed to dispose of the clinical waste (Initial or Stericycle) and the waste will be collected once a week on the same day. Highways Services and Environmental Health are satisfied with this arrangement.

Servicing and Deliveries -

Servicing and deliveries are expected to be minimal given the use proposed. For the Tattoo Studio, the premises will likely accept small deliveries containing tattoo supplies and are delivered via DPD. The frequency of deliveries is anticipated to be 1-2 per week and the size of vehicle used will likely be a regular transit van. Deliveries from DPD are usually between 9am-6pm Monday- Saturday. Deliveries will take no more than 2 minutes and it is anticipated that the delivery vehicle would wait directly outside of the premises and could do so safely for this short period of time without causing a highway obstruction.

Access -

The applicant has provided an accessibility assessment which has explored whether direct and level access can be achieved to the first floor of 61 Bloom Street into the building and throughout the building for disabled persons. Measurements have been taken of the existing dimensions of staircases, corridors and doors on route to the property within the building and it has been demonstrated that it is not possible to adapt the building to achieve wheelchair accessibility primarily due to the space constraints of the building. It has been considered whether a ramp could be installed, and this was discounted as a safe gradient cannot be achieved due to the steepness of the staircases. Even if a ramp could be installed, there is not space within the corridors and access doors to the lift area at the rear of the building to ensure a wheelchair user could move safely and freely around the building.

It has been demonstrated that full lift access could not be provided to the floors without major work that would make the building's use unviable. TheIt is recognised that there is a small passenger lift provided in the building, which wile not big enoiugh for a wheelchair, would provide some assistance to ambulant disabled individuals. Furthermore, the applicant does have access to another studio within the City Centre with full accessibility, should this be required and would advertise as such should a prospective customer not be able to access this unit. Given the above, the proposed access arrangements whilst not ideal, are considered acceptable to enable the viable use of the unit.

For the above reasons, the proposal is considered to be acceptable and consistent with policies NPPF Section 16 (Conserving and enhancing the historic environment), DM1 (Development Management) SP1 (Spatial Planning), EC1 (Employment and Economic Growth in Manchester), EC3 (The Regional Centre), CC1 (Primary Economic Development Focus : City Centre and Fringe), T1 (Sustainable Transport), T2 (Accessible areas of opportunity and need) 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 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 the planning application, 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. In this instance this has included advice about the information required to be submitted to support the application and discussions regarding amendments to the proposals

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
First Floor Plan
Planing Statement by Cundall
received by Manchester City Location Planning Authority 31st July 2020

Email from Cundall re. servicing and waste
received via email 24th August 2020

Bike Store Plan
Email from Cundall re. Opening Hours and external plant
received via email 1st September 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) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, Sundays/Bank Holidays. 10:00 to 18:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1

4) Prior to the use first occupation of the development the scheme for the storage and disposal of refuse shall be implemented in full as part of the development and shall remain in situ whilst the use or development is in operation in accordance with the submitted waste documents:

Planning Statement by Cundall
received by Manchester City Location Planning Authority 31st July 2020

Email from Cundall re. servicing and waste
received via email 24th August 2020

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Ground Floor, 61 Bloom Street, Manchester, M1 3LY
Basement, 61 Bloom Street, Manchester, M1 3LY
New York New York, 98 Bloom Street, Manchester, M1 3LY
Second Floor, 61 Bloom Street, Manchester, M1 3LY
Flat 402, 63 Bloom Street, Manchester, M1 3LR
100 Bloom Street, Manchester, M1 3LY
Flat 403, 63 Bloom Street, Manchester, M1 3LR
55 - 59 Bloom Street, Manchester, M1 3LY
Flat 206, 63 Bloom Street, Manchester, M1 3LR
Flat 203, 63 Bloom Street, Manchester, M1 3LR
Flat 109, 63 Bloom Street, Manchester, M1 3LR
Flat 105, 63 Bloom Street, Manchester, M1 3LR
Flat 103, 63 Bloom Street, Manchester, M1 3LR
Flat 406, 63 Bloom Street, Manchester, M1 3LR
Flat 401, 63 Bloom Street, Manchester, M1 3LR
Flat 101, 63 Bloom Street, Manchester, M1 3LR
Flat 307, 63 Bloom Street, Manchester, M1 3LR
Flat 305, 63 Bloom Street, Manchester, M1 3LR
109 Princess Street, Manchester, M1 6JB
61 Bloom Street, Manchester, M1 3LY
Flat 304, 63 Bloom Street, Manchester, M1 3LR
Flat 303, 63 Bloom Street, Manchester, M1 3LR
Flat 302, 63 Bloom Street, Manchester, M1 3LR
Flat 301, 63 Bloom Street, Manchester, M1 3LR
Flat 207, 63 Bloom Street, Manchester, M1 3LR
Flat 205, 63 Bloom Street, Manchester, M1 3LR
Flat 204, 63 Bloom Street, Manchester, M1 3LR
Flat 201, 63 Bloom Street, Manchester, M1 3LR
Flat 110, 63 Bloom Street, Manchester, M1 3LR
Flat 108, 63 Bloom Street, Manchester, M1 3LR
Flat 107, 63 Bloom Street, Manchester, M1 3LR
Flat 104, 63 Bloom Street, Manchester, M1 3LR
Flat 102, 63 Bloom Street, Manchester, M1 3LR
Flat 106, 63 Bloom Street, Manchester, M1 3LR
Flat 405, 63 Bloom Street, Manchester, M1 3LR
Flat 404, 63 Bloom Street, Manchester, M1 3LR
Flat 306, 63 Bloom Street, Manchester, M1 3LR
Flat 202, 63 Bloom Street, Manchester, M1 3LR

Appendix 2 – Planning constraints

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
Conservation Area - Whitworth Street Conservation Area 1985
Area Team Boundary - Name: CITY2