

Proposal: Material change of use and alterations from B1 use to use as a hotel

Location: 103-105 Cheetham Hill Road,
Manchester, M8 8PY

Manchester Council Reference:
122590/FO/2019

Prepared for Fashion Underworld Ltd /
TDM Architectural Ltd



Sequential Assessment

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Purpose of Report

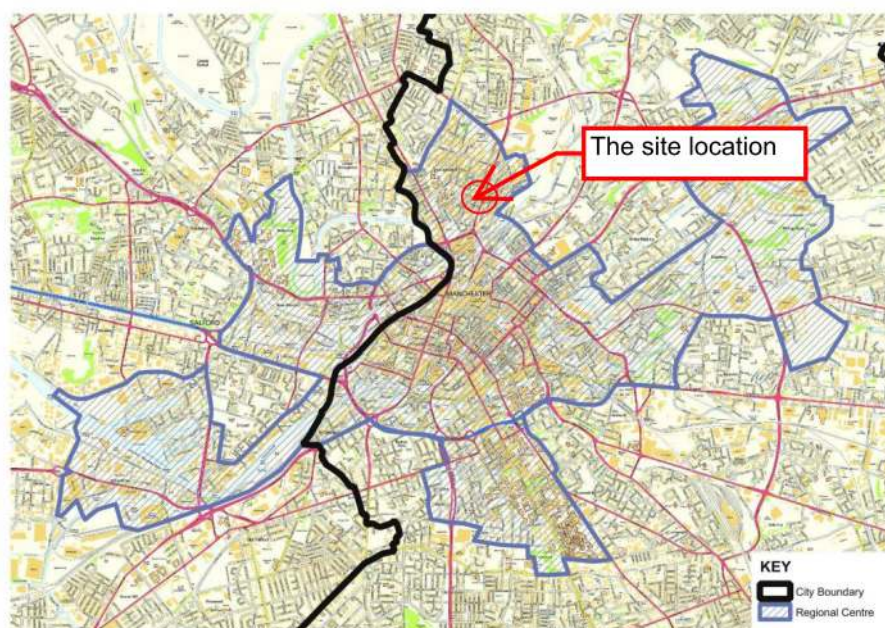
This report has been prepared in support of an application for change of use from B1 to hotel use with ancillary café. The purpose of this statement is to consider whether the scheme is acceptable in town centre use policy terms. The report should be read in conjunction with the plans prepared by TDM Architectural Ltd. The report includes summary of the background and description of the site.

Site and Background

The site location is shown in red on the attached site location plan. The site on the corner of Cheetham Hill Road and Knowsley Street is a three storey brick built corner property. Ground floor uses fronting Cheetham Hill Road and Knowsley Street are a restaurant and retail outlet. Upper floors are all within B1 office use. The existing uses within the building are all town centre uses.

The site is within an area of mixed retail restaurant and employment buildings/uses. The site is a fringe location on the edge of Manchester City Centre. The Proposal map shows the site is specifically unallocated but is within the defined Regional Centre on a major arterial route, the location is shown on the proposals map below which defines the regional centre.

Figure 8.1 Regional Centre



The proposed use is as a hotel, specifically a budget hotel with rooms on upper floors and café and reception on the ground floor.

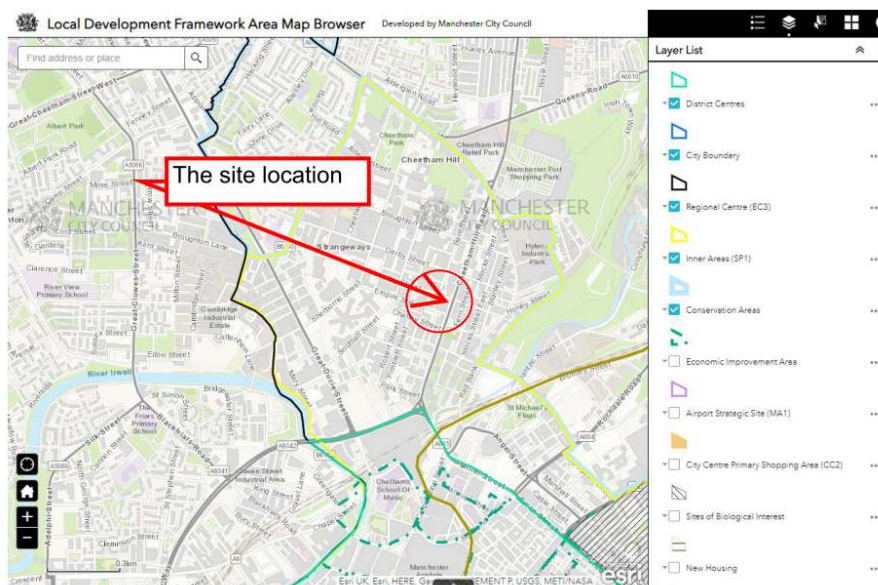
Planning Policy & Use

The policy framework consists of the Core Strategy, saved UDP and National Planning policy Framework. Policy CC10 of the saved UDP relates to the desire for retention of industrial and commercial uses specifically within the wholesale trade (rag trade). The current uses at this location are not within wholesale clothing trade; the proposal does not contravene policy CC10.

Policy EC3 is relevant to the Sequential Test as it aims to strengthen the role of the Regional Centre, which is Manchester City Centre and the fringe areas of Manchester City Centre. This site falls into a fringe area of the City Centre but is within the Regional Centre. The town centre uses are directed to locations primarily within the city centre and also the regional centre.

Policy EC3 explains that employment generating uses and other commercial uses will be encouraged. In addition policy EC3 advises that: “Proposals for other town centre uses will be assessed in accordance with policies C1 and C9, unless included in an allocation or the uses are ancillary to the main employment use”. As policy C9 relates to heritage the sequential aspect to consider in this report is policy C1.

Policy CC1 identifies that the City Centre and fringe will be considered a suitable location for the consideration of high density buildings and commercially led mixed use schemes. Further, the policy states that provision of a range of economic development uses, such as retail, leisure, entertainment, cultural and tourism facilities will be encouraged in the City Centre, to support the development of a vibrant employment location attractive to businesses, employees and visitors to the City Centre.



Policy C1 also explains that developments which lead to the more intensive use of employment land (in terms of floorspace provided) will be supported. The above extract of the Local Development Framework shows the site within the fringe of the City Centre plan within the regional centre.

Turning to National policies the NPPF focuses policies and strategies toward sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and
- an environmental role, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF also sets out how applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan should be assessed this includes:

- A sequential assessment to demonstrate there are no sites within the existing centre;
- The impact of the proposals on existing, committed and planned investment in a centre;
- The impact of the proposals on the vitality and viability of existing centres.

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved.

Importantly paragraph 85 and 87 of the February 2019 NPPF confirms that city or town centre sites are the preference for town centre uses but that sites not in the city centre but well connected to the town centre should be considered suitable:

“Where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre”
(Criterion e, Paragraph 85, NPPF)

“When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.” (Paragraph 87, NPPF).

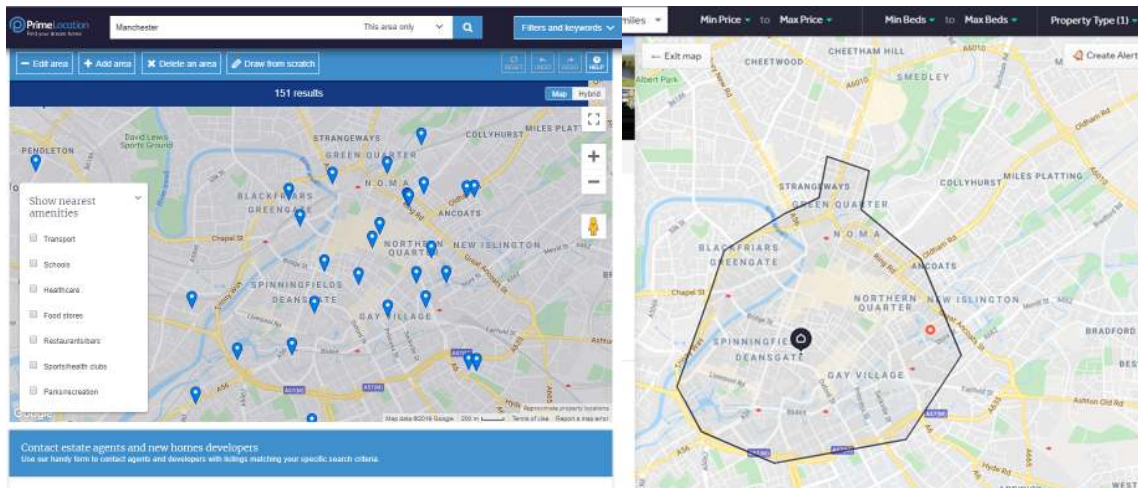
The application property includes extensions which the architect has designed to increase floorspace, the total floorspace will be in the region of 600sq.m. The 2019 NPPF confirms that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). The NPPF therefore does not require a sequential assessment. However, in order to assist the LPA to make a positive decision on the location for a hotel we have provided a sequential assessment.

The above policies do not concern competition between existing uses and proposed uses rather the focus is upon concentrating town centre uses toward town centres if availability and suitability allows, sequential issues. If no town centre sites are available edge of centre sites are appropriate – as noted within NPPF and the practice guide to PSS4.

In responding to sequential issues we have referred to the companion guide to PPS4, which provides advice in relation to whether such units are available, suitable and viable. Section 6.37 of the companion guide advises the matters to consider include “whether sites are available now or are likely to become available for development within a reasonable period of time (determined on the merits of a particular case, having regard to inter alia, the urgency of the need)”. To be suitable alternative sites, according to 6.37 of the PPS4 companion guide, there must be sufficient flexibility for sites to be suitable to accommodate the need or demand which the proposal is intended to meet.

An obvious location to assess for suitability of hotel use is the core City Centre the delineation corresponding roughly to the city centre ring road – or locations on the edge of the centre or reasonably within the regional centre. As noted within the attached search of buildings and land for sale there is limited suitable available space within the City Centre; space available is not suitable due to size, location and cost.

In respect of the city centre there are no suitable available units and as such no available sites. The few vacant properties are not suitable for space, servicing and location for a budget hotel. Analysis of units and suitability is provided within the enclosures. The extract below shows the locations of available sites within the city centre:



It is considered there are no other sites available for the intended use as a budget hotel. The application site is however available and is on an arterial route which is characterised by other town centre uses such as retail food and drink and leisure uses. The application site is close to public transport including high frequency bus routes. We find the application site is suitable for the intended uses.

The NPPF restricts the need for a retail impact assessment to proposals over 2500sq.m; this proposal is less than 1/3 of that size. However, in order to move forward positively we have given consideration to retail town centre policy.

The NPPF instructs that LPAs "define a network and hierarchy of centres that is resilient to anticipated future economic changes". The Core Strategy includes a hierarchy of centres. The application site is within the fringe but not in the main city centre. There are no available, suitable or viable sites in nearby centres. Furthermore, the application site sits on a key arterial route close to public transport.

The applicant intends to create employment running a hotel at the location. This is a significant investment in the local area and otherwise the building could remain empty and underused. The Framework (NPPF) specifically advises that LPAs should consider favourably applications to re-use previously developed land such as the application site:

"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land... promote and support the development of under-utilised land and buildings" (Paragraph 117 NPPF).

The Planning Inspectorate (PINS) have considered appeals relating to vacant former employment uses for the re-use. PINS have allowed appeals and placed great weight on

stimulating the economy by utilising employment space for leisure uses. Two appeal examples one from South Wales and one from Devon are attached.

The South Wales case (APP/V6945/C/13/2195941) concerns a retrospective case where a tanning salon had been opened in an employment area in a small unit. A local plan policy stated that the development of existing employment land and buildings for any other purpose would not be permitted. The inspector remarked that the development plan policy objection would appear clear-cut. He pointed out, however, that the policy applied to industrial land and buildings whereas the permission granted was for a storage unit. Nevertheless, he found it appropriate to have regard to the overarching objectives of the policy which was to maintain a choice and variety of industrial land in order to promote employment growth. The plan explained that this was where industrial land was in short supply and conversely such land might be considered for development for retail and leisure activities where there was a surplus. The council accepted that a high proportion of the units on the estate were vacant. Moreover, the inspector accepted the appellant's view that her business offered economic activity where otherwise there might be none. He also accepted the council's proposition that the high level of vacancy reflected the economic situation and that it would be harmful if units were lost now which would not then be available to meet demand when matters improved. Granting a three-year permission, he concluded that there was a case to allow the use to continue in the interim pending the resurgence of the economy. A copy of the decision notice for APP/V6945/C/13/2195941 is provided in the enclosures.

The other appeal case is from a site at Unit 5, Gloucester Crescent, Heathpark Industrial Estate, Honiton, Devon, EX14 1DB where planning permission was granted for change of use to soft play based family entertainment centre (D2) (APP/U1105/A/07/2056318). The decision advises that the site is allocated as employment land and policies restrict the loss of employment unless no demand exists for employment land. The site had been empty for a year but there was no evidence of any marketing have been undertaken. The Inspector cast some critical comments that marketing and other options had not been explored before allowing the soft play centre. The Inspector did however examine the fundamental reason for the employment policies – “the encouragement of business activity and job creation”. This also applies to the current application and situation in Manchester. In the Honiton case the Inspector argued:

“Moreover, although the use does not fall within Part B of the Town and Country Planning (Use Classes) Order 1987, as amended, it would provide employment. The appellant’s evidence indicates that 13 full and part time jobs would be created, which is apparently more than could arise from some uses currently permitted for the unit, such as a warehouse. The benefits of this employment creation must be weighed in the balance in determining the appeal.”(Paragraph 6 APP/U1105/A/07/2056318).

“Although it would represent a change of use of current employment premises, it would not harm business and employment opportunities in the area. That is because it would represent the introduction of a new business activity which would be beneficial in providing employment opportunities in the town, and there is no evidence to demonstrate that any other potential employment generating uses would be thwarted in finding suitable premises if this change of use were to be allowed.”(Paragraph 8 APP/U1105/A/07/2056318).

The arguments advanced by the Inspector in the Honiton case apply to this application today. The appeal decision APP/U1105/A/07/2056318 is appended within the enclosures. In both cases the Inspectorate considered the positive alternative impact of the employment generated by the leisure uses as having significant weight; without the intended leisure uses that employment would not be generated. That is the case in the applicants proposal as well.

Conclusion

The proposal will be sustainable development, offering employment and beneficial services with indirect employment being generated. The proposal should be considered favourably when assessed against the Core Planning Principles of the NPPF including:

- that planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Furthermore paragraph 11 of NPPF advises: "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking..... For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;
 - or
 - specific policies in this Framework indicate development should be restricted.

The proposed hotel use at the site can be considered acceptable in principle. The mix of uses proposed would bring into use and regenerate an underused site. The proposal would have a beneficial impact on the character of the surrounding area. It would be an advantageous use in an allocated arterial route location.

Extract of property searches are attached:

Enclosures attached

- Property search information
- APP/V6945/C/13/2195941 Appeal
- APP/U1105/A/07/2056318 Appeal