Statement in support of the proposed change of use of existing upper ground floor commercial space to two one bed apartments at **Outram House, Piccadilly Village, Manchester M4 7AA**

JG-D has been instructed by Mr T Mahmood trading as HM Empire Estates to prepare a Prior Notification application for the change of use of the upper ground floor Class E Commercial space at Outram House in Piccadilly Gardens to create 2no one bed residential apartments.

It is opined that the proposals constitute permitted development as a consequence of The Town and Country Planning (General Permitted Development) (England) Order 2016 which came into force on 6th April 2016.

Class MA of Part 3 of Schedule 2 of the 2015 Order (as amended) notes that permitted development includes:
Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.
This statement describes the proposed change of use (the scheme) and addresses whether the prior approval of the Local Authority is required (the notification procedure) using the guidance of the GPDO and supporting information provided by others. It attempts to follow a logical format to offer clarity and draws reference from precedent approvals and appeals where appropriate:

- Planning History
- Existing Commercial Space
- The scheme
- Analysis of the relevant criteria
- The Notification procedure
- Conclusion

Planning History
Originally a rural outskirt to the East of Manchester Ancoats expanded in the latter part of the 18th Century with the construction of the Rochdale and Ashton Canals and associated cotton mills. Great Ancoats Street became one of Manchester's most important roads and as part of the inner ring road formed the gateway to North Manchester and Oldham. Piccadilly Gardens was built in the early 1990's on the site of Phoenix Works, a former metal works, between Ashton Canal and Great Ancoats Street. It was originally designed as a mixed use scheme with a variety of complimentary uses including live work units, shops, offices and apartments but most of the spaces have been converted to residential use. A Prior Notification approval was granted in 2018 (119364/P30PA/2018) for the change of use of the rest of Outram Hose from offices to 43no Studio apartments.
A further prior notification application was made for the conversion of the application site into four apartments in 2023 (App no 137575/P3MAP/2023) but withdrawn at the suggestion of the LPA based on the perceived low lighting levels to one of the lower ground floor apartments, and the lack of parking. The scheme has now been split with the conversion of the Upper Ground Floor a standalone Prior Approval application.

Existing Commercial Space
The application space provided mirrored office accommodation for ALH Accident Lawyers Helpline handling personal accident compensation claims.
Linked offices at upper ground floor were accessible from a semi-public pedestrian apron onto Great Ancoat Street and linked to steps on the canal towpath. Paired front doors facing the Street lead to a hall space providing access to open plan office areas and straight flight stairs down to lower ground floor support accommodation. The Upper Ground Floor accommodation benefits from window openings to the front, side and rear.

The Scheme
Proposals work within the existing envelope to create 2no one bed apartments at upper ground floor level. The existing stair openings and linking doors between the two 'halves' will be infilled with fire resisting construction to create two separate compartments. The two apartments are similar - access from the existing semi-public apron space off Great Ancoats Street leads into a lobby space with a double bedroom to the road elevation and corridor to the rear living/ cooking/ dining area. Sanitary accommodation is accessed from the lobby space to suit the existing soil vent pipes.
For the avoidance of doubt it is clear that the development permitted by Class MA does not include any building operations in connection with the residential conversion of a building.

Analysis of the relevant criteria
To show compliance with The Town and Country Planning (General Permitted Development) (England) Order a series of tests must be met. Development is not permitted by Class MA:

(a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;
The last tenant vacated Outram House in 2022.

(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;
The previous tenant provided Insurance Services dealing with personal injury claims.

(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;
The existing building has a footprint of 108sqm.

(d) if land covered by, or within the curtilage of, the building—
(i) is or forms part of a site of special scientific interest;
The land is not a site of special scientific interest

(ii) the building is a listed building or is within the curtilage of a listed building;
The building is not a listed building and is not within the curtilage of a listed building,

(iii) is or forms part of a scheduled monument or land within its curtilage;
The site is not and does not contain a scheduled monument.

(iv) the site is, or forms part of, a safety hazard area;
The site is not and does not form part of a safety hazard area.

(v) the site is, or forms part of, a military explosives storage area;
The site is not and does not form part of a military explosives storage area.

(e) if the building is within—
(i) an area of outstanding natural beauty;
The building is not within an AONB

(ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(3);
The building is not within an area specified for the protection of wildlife

(iii) the Broads;
The building is not within the Broads

(iv) a National Park;
The building is not within a National Park

(v) a World Heritage Site;
The building is not within a world heritage site

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;
The site is not part of an agricultural tenancy

(g) before 1 August 2022, if—
(i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
(ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.
The building has not been subject of an Article 4 direction.

The Notification Procedure
Development under Class MA is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport impacts of the development, particularly to ensure safe site access.

(b) contamination risks in relation to the building,

(c) flooding risks in relation to the building,

(d) impacts of noise from commercial premises on the intended occupiers of the development,

(e) where—
(i) the building is located in a conservation area, and
(ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;

(f) the provision of adequate natural light in all habitable rooms of the dwelling houses,

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and

(h) where the development involves the loss of services provided by—
(i) a registered nursery, or
(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(4),
the impact on the local provision of the type of services lost.

Transport and highways impacts of the development
Piccadilly Village is considered to occupy a sustainable location with excellent access to public transport on Great Ancoats Street (Old Mill Stop) and Manchester Piccadilly 300m to the West. Although the report associated with the withdrawn application cited the lack of parking as a reason for refusal, the applicant believes that car ownership will be low given the nature of the proposed accommodation and that the majority of residential schemes in the area – including the Prior Approval scheme for the remainder of Outram House – do not have dedicated parking. On-street pay and display parking is available nearby on Store Street, however, whilst off-street car parking is available at public car parks at NCP Ducie Street and NCP Lomax Street approximately 200m to the west of the site and at Manchester Piccadilly Station approximately 250m to the south.
There are also Car Clubs available in the vicinity which allow residents to rent vehicles by the hour or day, the largest being Enterprise who offer a promotional £30/ day rate.
Urban Bubble, who manage James Brindley Basin for the owners operate a site wide refuse strategy based on a central store with provision for waste and recycling. The proposed apartments are required to adopt the same approach.
Cycle storage is provided within the units with proprietary racks installed as manufacturers recommendations. Cycle access is available from Great Ancoats Street.
It is opined that there are no undue transport or highway risks.

Contamination risks in relation to the building
The application space has been used for retail/ workshop accommodation and there are not considered to be any significant contamination risks.

Flooding risks in relation to the building
The site is within Flood Zone 1 with low probability of flooding.

Noise in relation to the building
Although Outram House was originally a mixed use development it is now predominantly residential and there are no conflicting uses likely to create nuisance noise. Great Ancoats Street is a primary thoroughfare and traffic noise is a potential issue although the existing windows are acoustically glazed. Whole house mechanical ventilation will be employed to negate the need to open windows to Great Ancoats Street and pre-occupation acoustic testing will be undertaken to show compliance with AD_E.

Conservation Area
The site is not within a Conservation Area.

Provision of adequate natural light
The primary habitable spaces all have existing openings providing both light and ventilation although as noted above bedrooms to Great Ancoats Street will use mechanical background ventilation with purge opening lights. The existing security grilles which are fixed to the

accessible windows will be removed and window locks upgraded to meet the requirements of AD_Q.

Restrictive Use

The area is predominantly residential, there are not considered to be conflicting uses which should be protected.

Essential Use

The space does not provide nursery or healthcare uses.

Conclusion

The evidence, analysis and justification submitted with this application confirms that the proposed change of use of the building to residential use is permitted development in accordance with the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

We understand the Local Planning Authority has 56 days following receipt of the application within which to determine whether prior approval is not required, granted or refused.

From: Caroline Bousfield <caroline.bousfield@urbanbubble.co.uk>
Date: 16 February 2024 at 12:27:52 GMT
To: talat_ert@hotmail.com
Cc: Charlotte Sleap <charlotte@urbanbubble.co.uk>
Subject: 8 - 10 Outram House

Good afternoon,

Huge apologies that you have been awaiting a response from Charlotte.
She is currently out of the office.

The directors have informed me that your proposal for 8 – 10 Outram House has been approved, you have the consent to go ahead subject to planning and previous agreements discussed.
Requirements have been highlighted, such as keeping the garage door closed at all times.

If you have any questions, please let me know and I will feed them back for discussion.

Many thanks,
Caroline

urbanbubble
Caroline Bousfield
Assistant Property Manager

Office: 0161 236 3344
Address: urbanbubble, Sevendale House, 7 Dale Street, Manchester, M1 1JA
Email: caroline.bousfield@urbanbubble.co.uk **Web:** www.urbanbubble.co.uk
Maintenance Requests: https://urbanbubble.co.uk/maintenance **Social:** @urbanbubble

Confirmation from Freeholder's agents of scheme approval