



Paul Butler Associates

Planning, Development & Heritage Consultants

5 January 2024

Mrs Julie Roscoe
Head of Planning
Manchester City Council
Town Hall
Albert Square
Manchester
M60 2LA

18.1203

FAO Jennifer Atkinson

Dear Mrs Roscoe

Location: Unit 1 and 2, Ancoats Gardens, 14 Rochdale Road, Manchester, M4 4JR
Proposal: Application for use of unit 1 and unit 2 for Use Class E (a)(b)(d)(gi)

Introduction and Background

On behalf of our client, Beech Holdings, please find enclosed an application for planning permission which seeks approval for the use of units 1 and 2, Ancoats Gardens for Use Class E (a)(b)(d)(i).

This application will assist in bringing these vacant commercial units into active use following the recent completion of the Ancoats Gardens development. A Pilates studio is lined up to operate from Unit 1, with a Yoga studio lined up to operate from Unit 2. Both these uses fall within use class E (d). Approval is also sought to retain flexibility in the use of these units and to allow for interchangeability between Use Class E (a)(b)(d)(gi). These uses will reflect the previously approved uses, with the addition of Use Class E (d).

The Ancoats Gardens development has recently been completed. This development was approved by planning permission 118120/FO/2017 for 'Erection of a part 15, part 9, part 7 storey building to form 155 residential apartments together with ground floor commercial uses (Use Classes A1, A3 and B1) (288 sqm) with associated car parking, access arrangements and other associated works following the demolition of existing buildings and structure and the closure of Hatter Street'. The planning permission was subsequently amended by planning permission 123371/JO/2019 and 134503/JO/2022.

As part of the approval, two commercial units were proposed on the ground floor of the building fronting Rochdale Road. These were granted approval for A1, A3 or B1 use. Following changes to the Use Classes Order in 2020 these uses all now fall within Use Class E, corresponding with Use Class E(a), (b) and (gi) respectively. A Pilates studio and Yoga studio also fall within Use Class E, specially part (d) which includes use 'for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public'.

As the planning permission only specified certain uses (i.e. A1, A3 or B1) the existing planning permission does not currently allow for the Pilates studio and Yoga studio to operate. This

planning application is therefore submitted to allow the use of units 1 and 2 Ancoats Gardens for Use Class E (d), whilst also retaining flexibility to switch between the previously approved Class E uses.

It is important to highlight that there is a fall-back position which could allow for the Pilates studio and Yoga studio to operate, whereby if the units were actively used for A1, A3 or B1 use (now Use Class E) they could then subsequently be used as a Pilates studio or Yoga studio (as these uses also fall within Use Class E). This is a material consideration in the determination of the planning application.

As part of this application opening hours for units 1 and 2 are sought to meet operator requirements of:

- Monday to Saturday: 06.30 – 23:00
- Sundays: 09:00 – 23:00

The application also seeks to allow for amplified music to be played within units 1 and 2, in accordance with the acoustic report prepared by Sandy Brown submitted as part of the application.

This letter has been provided in support of the application and accompanies the completed application forms and other supporting information submitted via the Planning Portal. It provides a description of the application site and surroundings; an overview of the relevant planning policy context; and a planning appraisal.

The Site and Surroundings

The application relates to units 1 and 2, Ancoats Gardens, 14 Rochdale Road, Manchester, M4 4JR. The units form part of the ground floor of the Ancoats Gardens development which has recently been completed. The units front Rochdale Road, with unit 1 also having frontage to Thompson Street to the north, and unit 2 also having frontage to Bendix Street to the south. The subject units are currently in shell condition awaiting commercial fitout which can be progressed once this planning application is granted and the Pilates studio and Yoga studio (use class E(d)) approved.

As noted, the site has frontage to Rochdale Road which is a key vehicular and pedestrian route into Manchester City Centre from the north. The road is characterised by a mix of uses with ground floor uses generally commercial in nature including offices, retail and leisure use. These uses bring activity and vibrancy to the road.

The Planning Policy Context

National Planning Policy Framework, 2023

The key relevant national planning policy is provided by the National Planning Policy Framework (NPPF) which was last updated in December 2023. The NPPF is an important material consideration in the determination of planning applications. The document states that the

purpose of the planning system is to contribute to the achievement of sustainable development. It seeks to achieve this objective by, amongst other things:

- Setting out that there is a need for the planning system to perform a number of roles, including an economic role, social role and environmental role. The economic objective relates to building a strong, responsive and competitive economy and ensuring that sufficient land of the right types is available in the right places. The social objective seeks to support strong, vibrant and healthy communities. The environmental objective seeks to protect and enhance the natural, built and historic environment and make effective use of land, and minimise waste and pollution (Paragraph 8).
- Requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible (paragraph 47).
- Ensuring that planning decisions help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity (Paragraph 85).
- Ensuring that planning policies support the role that town centres play and taking a positive approach to their growth, management and adaption (Paragraph 90).
- Stating that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction (Paragraph 96).
- Requiring that planning decisions promote effective use of land including giving substantial weight to the value of using suitable brownfield land within settlements for identified needs and promoting and supporting the development of under-utilised land and buildings (Paragraph 124).
- Requiring that planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short-term but over the lifetime of the development; are visually attractive as a result of good architecture; are sympathetic to local character and history including the surrounding built environment; maintain a strong sense of place; and, create places that are safe, inclusive and accessible (Paragraph 135).
- Advising that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to the impacts that could arise from the development. In doing so amongst other things, they should mitigate and reduce to a minimum potential adverse impacts resulting from the noise from new development and avoid noise giving rise to significant adverse impact on health and quality of life (Paragraph 191).

Local Planning Policy

The Core Strategy for Manchester Development Plan Document, 2012

The Core Strategy for Manchester DPD was adopted in 2012 and is the key local planning policy document against which applications for development are assessed against. The following policies of the Core Strategy of are relevance to the determination of the planning application:

- Policy SP 1 'Spatial Principles' which states that the Regional Centre will be the focus for economic and leisure activity; and, that development should enhance/protect the built/natural environment, reuse previously developed land wherever possible and improve access to jobs.
- Policy C 10 'Leisure and the Evening Economy' supports evening and night time economy uses which contribute to the city centre's vitality and the creation of a safe, inclusive evening economy and which do not have a detrimental impact on residential amenity in terms of noise, traffic and disturbance.
- Policy CC 1 'Primary Economic Development Focus: City Centre and Fringe' states that a range of uses, including leisure, 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 DM 1 'Development Management' sets out various issues that development should have regard to, including: detail; impact on the surrounding areas; effects on amenity; accessibility; community safety and crime prevention; and refuse storage and collection.

Saved Policies of the Unitary Development Plan for Manchester (July 1995)

The Unitary Development Plan (UDP) was superseded by the Core Strategy. However, a number of UDP policies have been 'saved'. Extant policies contained within the UDP which are relevant to the application proposal are:

- Policy DC26 'Development and Noise' aims to minimise the adverse impact of noise on noise-sensitive developments.

Planning Appraisal

Principle of Development

The principle of commercial use of units 1 and 2 is established with A1, A3 and B1 uses approved. The provision of such commercial uses on the ground floor of the Ancoats Gardens development reflects the nature of Rochdale Road which is a key vehicular and pedestrian route into Manchester City Centre. It is therefore appropriate to ensure the ground floor units can be brought into active commercial use and can positively contribute to the activity and vibrancy of Rochdale Road.

The Pilates studio and Yoga studio uses will achieve these aims with high quality end-operators lined up to take the subject units once planning permission is secured. Both uses will be accessible to the wider public and will support footfall on surrounding streets which may promote trade and spending in nearby businesses. They will also provide visual activity within the spaces and provide active frontage which will contribute to the streetscene and offer passive surveillance to improve safety and security.

Having regard to the above, the principle of the proposed change of use of the subject units to a Pilates studio and Yoga studio is in accordance with relevant national and local planning policy.

Amenity Considerations

As noted previously the principle of commercial use on the ground floor of the building is established. This included retail and restaurant uses which could typically be associated with a greater level of activity and noise than a Pilates studio and Yoga studio, which are generally associated with calm and measured activity, unlikely to result in any disturbance. The principle of these uses does not give rise to any amenity concerns in terms of compatibility with the residential apartments within the building on the floors above or other use in the building.

The application is supported by an acoustic report prepared by Sandy Brown (reference: 17287-R05-B). This report considers any potential noise linked to amplified noise / background music within the subject units. The report sets out noise levels for amplified noise to be controlled to in order to ensure noise guidance requirements are satisfied and there is no adverse noise impact. This mitigation can be ensured by standard planning condition attached to any planning permission.

The proposed opening hours for the subject units, noted below, will not be associated with any adverse impacts in terms of noise and disturbance.

- Monday to Saturday: 06.30 – 23:00
- Sundays: 09:00 – 23:00

On the basis of the above it is confirmed that the application will not be associated with any adverse amenity impacts and is in accordance with relevant provisions of the NPPF, Core Strategy Policy DM1, and Saved UDP Policy DC26.

Servicing and Waste Management

The proposed Pilates and Yoga studio will not present any implications for servicing and waste management, which can be readily catered for as part of the overall Ancoats Gardens development. Neither uses create a large amount of waste, nor require regular or intensive servicing. The existing commercial bin store which is accessed from Bendix Street will be sufficient to cater for any waste generated. In addition, it is highlighted that the units have planning permission for a restaurant / café use which would be associated with a much greater level of servicing and waste generation than the Pilates studio and Yoga studio uses. In this context it is confirmed that the development is acceptable from a servicing and waste management perspective.

Submission Information

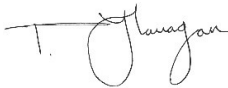
In addition to this covering letter and the completed application forms for planning permission the following information has been submitted as part of the planning application:

- Drawing 103_25_031 Rev A 'Lease Plan – Commercial Unit 1 and 2' (including Location Plan, Site Plan, and Existing GA Layout)
- Drawing 001/23/SK01 'Unit 1 & Pilates Studio'
- Drawing 001/23/SK01 Rev B 'Unit 2 Hotpod Yoga'
- Planning Condition 14 Discharge Report prepared by Sandy Brown (reference: 17287-R05-B).

This application has been completed and submitted via the planning portal. The application fee, amounting to £578 has been paid on submission of the application via the Planning Portal.

We trust that the information submitted in support of the application is sufficient to enable the positive determination of the application. However, if you require any further information please do not hesitate to get in touch. We look forward to working with you in progressing this application to determination.

Yours sincerely



Tom Flanagan MTCP MRTPI
Director