

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135904/FO/2023

Date registered valid: 11 January 2023

Proposal: Creation of beauty training centre and salon (Use Class Sui Generis)

Address: First Floor, 7 St James Square, Manchester, M2 6XX

Ward(s): Deansgate Ward

Applicant: Mrs Carina Thompson, Beauty School By Carina Ltd

Agent (if any):

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23/02/2023

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 1 February 2023

Standard consultations:

Printed: 26 January 2023 Expired: 16 February 2023

Neighbour notifications

Printed: 26 January 2023 Expired: 16 February 2023

Site notice

Posted: 1 February 2023 Expired: 22 February 2023

Press advert

Published: 31 January 2023 Expired: 21 February 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of Area

Listed building: Not applicable

Conservation area: St Ann's Square Conservation Area 1970

Tree Preservation Order: Not applicable

Description of Site/Building

This application relates to the first floor of 7 St James Square. St James Square is bounded by South King Street to the north and John Dalton Street to the south. The building is in the St Ann's Square Conservation Area and lies within an area of Manchester City Centre that is characterised by a variety of uses including retail units, restaurants and commercial uses.

The existing use of the first floor of the building is for offices (Class E). The ground floor is currently a mixed-use Clinic and Shop (Sui Generis).

Description of Development

The proposal seeks a Change of Use of the First Floor of the building to a Beauty Training Academy & Commercial Salon (Use Class Sui Generis). There are no internal alterations associated.

Consultations & Notification Responses

Highway Services - are generally accepting in principle of the proposals

Environmental Health - condition added regarding refuse. No condition required for extraction following clarification from applicant.

Greater Manchester Police - Responded with some recommendations regarding Design for Security suggestions for the premises.

Publicity - Local residents and businesses were notified by letter, a site notice was displayed on site, and an advert was placed in the Manchester Evening News. No comments were received as a result of this publicity.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Policies DM1, SP1, T2, EN19.
- Saved policy DC26 of the UDP;
- National Planning Policy Framework;

Issues

Principle

The principle of the development is considered acceptable to the existing Planning Policy Framework, City Council policy and National Planning guidance.

In this case, the use of this vacant commercial unit, formerly an office (Class E) to a Beauty Training Academy & Commercial Salon within 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.

The issues to consider in relation to this application are waste management, Impact on the Highways, Noise and Assess requirements.

Visual amenity

There are no external alterations to the premises.

Waste management

Environmental Health have recommended that a condition in relation to waste be applied to the approval.

Designing out crime

With regards to issues of security, there are not considered to be any additional impacts on security than if the unit was to be used as an office with different tenants on upper floors as both uses may have visiting members of the public. The Design for Security team at Greater Manchester Police have made numerous recommendations for security. It has been confirmed with the applicant that all the security recommendations are already in place. A condition has been added that these security measures are adhered to throughout the entire course of this development.

Highways Impact

The City Centre location offers sustainable access and the majority of visitors are assumed to arrive on foot or by sustainable modes. The car-free nature is appropriate for the location. 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.

Noise and fumes

There are to be no externally mounted plant or equipment for ventilation or air handling. Odourless products are used for training purposes and the nail desks have a built-in filter system so no new ventilation is required. Therefore there are no noise or odour concerns in relation to any newly installed external plant or equipment.

As the opening hours fall within similar opening hours already in place in the building, it is not considered that the Change of Use would result in a substantial increase in noise in the surroundings area.

Access Requirements

The existing access points will remain unaffected by the proposals. Direct entry is gained from the street. There is a lift in place in the building for accessibility access to the first floor.

Conclusion

Considering all of the above, the proposed use is considered acceptable and an appropriate land use for this city centre location.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

In assessing the merits of an application officers sought to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun no 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:

Received on the 06 January 2023:
Site Plan

Received on the 19 January 2023:
Existing and Proposed Floorplans Rev A

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy.

3) Notwithstanding the Waste Management Proforma received by the City Council, as Local Planning Authority, on the 03 February 2023, prior to the first use of the premises hereby approved, details of the waste management arrangements shall be submitted for approval in writing by the City Council. The approved details shall be implemented prior to the first use of the premises and thereafter retained and maintained in situ.

Reason - In the interests of ensure appropriate waste management arrangements are put in place for the premises pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

4) No part of the premises shall be open outside the following hours:-

Monday to Friday, 9am-9pm
Saturday to Sunday, 9am-6pm

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

6) 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 Beauty Training centre and Salon (Sui Generis) (87.42 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)

Informative

Any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email [-highwaylicences@manchester.gov.uk](mailto:highwaylicences@manchester.gov.uk)

A) Any new external fittings (i.e. shutters, windows or doors) shall be certified to Secured by Design standards.

B) A CCTV system shall be included within these premises and shall be capable of monitoring the following areas: external doorways, all internal spaces.

C) An intruder alarm shall be installed with contacts on all external doors and with movement detectors. The alarm shall be monitored by an appropriate body.

D) Signage shall be displayed to indicate the areas of the premises that are restricted to staff only.

E) Any staff areas that are to be included within the proposal shall be access controlled and restricted to members of staff only.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Suite 1A Part First Floor, 40 - 44 King Street, Manchester, M2 6BA
Flat B, 44 - 46 John Dalton Street, Manchester, M2 6LE
First Floor, 36 King Street, Manchester, M2 6AZ
64 Cross Street, Manchester, M2 4JQ
Flat 21, 31 John Dalton Street, Manchester, M2 6AL
Fifth Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Basement, 11 St James's Square, Manchester, M2 6DN
Fourth Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Sixth Floor Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Third Floor, 40 - 44 King Street, Manchester, M2 6BA
Fourth Floor Suite 5, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
First Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JU
Third Floor Front, 64 Cross Street, Manchester, M2 4JQ
38 John Dalton Street, Manchester, M2 6LE
1 Albert Square, Manchester, M2 3FU
30 King Street, Manchester, M2 6AZ
34 John Dalton Street, Manchester, M2 6LE
50 King Street, Manchester, M2 4LY
48 King Street, Manchester, M2 4LG
46 King Street, Manchester, M2 4LG
64 - 66 King Street, Manchester, M2 4ND
Optimax Laser Eye Clinic, Third Floor, 1 Albert Square, Manchester, M2 6LW
Third Floor, 36 King Street, Manchester, M2 6BA
66 - 68 Cross Street, Manchester, M2 4JQ
40 - 44 King Street, Manchester, M2 6BA
Third Floor, 34 John Dalton Street, Manchester, M2 6LE
Second Floor, 64 Cross Street, Manchester, M2 4JQ
28 - 30 John Dalton Street, Manchester, M2 6HQ
54 King Street, Manchester, M2 4LY
56 King Street, Manchester, M2 4LY
Third Floor, 39 South King Street, Manchester, M2 6DE
Second Floor, 39 South King Street, Manchester, M2 6DE
First Floor, 39 South King Street, Manchester, M2 6DE
Third Floor, 64 Cross Street, Manchester, M2 4JQ
First Floor, 64 Cross Street, Manchester, M2 4JQ
Basement Store, 38 John Dalton Street, Manchester, M2 6LE
Third And Fourth Floor, 38 John Dalton Street, Manchester, M2 6LE
Ground Floor, 38 John Dalton Street, Manchester, M2 6LE
First And Second Floor, 38 John Dalton Street, Manchester, M2 6LE
Unit A, 11 St James's Square, Manchester, M2 6DN
Second Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
76 Cross Street, Manchester, M2 4JG
Third Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JG
My Thai, Unit C, 11 St James's Square, Manchester, M2 6DN
Ground Floor, 1 St James's Square, Manchester, M2 6DN
52 King Street, Manchester, M2 4LY
Fourth Floor, 1 St James's Square, Manchester, M2 6DN
Fifth Floor, 1 St James's Square, Manchester, M2 6DN

44 King Street, Manchester, M2 6BA
62 King Street, Manchester, M2 4ND
62 Cross Street, Manchester, M2 4JQ
Second Floor, 36 King Street, Manchester, M2 6BA
First Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
First Floor, 41 South King Street, Manchester, M2 6DE
Third Floor Suite 1 and Fourth Floor Suite 4, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
36 John Dalton Street, Manchester, M2 6LE
Flat C, 44 - 46 John Dalton Street, Manchester, M2 6LE
36 King Street, Manchester, M2 6BA
Second Floor, 34 John Dalton Street, Manchester, M2 6LE
First Floor Front, 30 King Street, Manchester, M2 6AZ
Second Floor, 1 Albert Square, Manchester, M2 6LW
Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
34 - 36 King Street, Manchester, M2 6AZ
Flat 2, 42 John Dalton Street, Manchester, M2 6LE
Serviced Apartment 4, 42 John Dalton Street, Manchester, M2 6LE
Serviced Apartment 1, 42 John Dalton Street, Manchester, M2 6LE
40 John Dalton Street, Manchester, M2 6LE
Serviced Apartment 3, 42 John Dalton Street, Manchester, M2 6LE
Third Floor, 41 South King Street, Manchester, M2 6DE
Second Floor, 41 South King Street, Manchester, M2 6DE
Basement, 41 South King Street, Manchester, M2 6DE
Ground Floor, 41 South King Street, Manchester, M2 6DE
35 South King Street, Manchester, M2 6DE
Flat 3, 33 South King Street, Manchester, M2 6DE
Flat 2, 33 South King Street, Manchester, M2 6DE
Flat 1, 33 South King Street, Manchester, M2 6DE
42 King Street West, Manchester, M3 2WY
Flat 57, 31 John Dalton Street, Manchester, M2 6AL
Flat 39, 31 John Dalton Street, Manchester, M2 6AL
Flat 36, 31 John Dalton Street, Manchester, M2 6AL
Flat 35, 31 John Dalton Street, Manchester, M2 6AL
Flat 28, 31 John Dalton Street, Manchester, M2 6AL
Flat 27, 31 John Dalton Street, Manchester, M2 6AL
Flat 2, 84 Cross Street, Manchester, M2 4LA
Suite 3B Part Third Floor, 40 - 44 King Street, Manchester, M2 6BA
11 St James's Square, Manchester, M2 6DN
Third Floor, 7 St James's Square, Manchester, M2 6DN
Third Floor Rear, 64 Cross Street, Manchester, M2 4JQ
First Floor, 30 King Street, Manchester, M2 6AZ
Flat 59, 31 John Dalton Street, Manchester, M2 6AL
Flat 56, 31 John Dalton Street, Manchester, M2 6AL
Flat 48, 31 John Dalton Street, Manchester, M2 6AL
Flat 47, 31 John Dalton Street, Manchester, M2 6AL
Flat 43, 31 John Dalton Street, Manchester, M2 6AL
Flat 29, 31 John Dalton Street, Manchester, M2 6AL
Flat 14, 31 John Dalton Street, Manchester, M2 6AL
Flat 3, 31 John Dalton Street, Manchester, M2 6AL
Flat 2, 31 John Dalton Street, Manchester, M2 6AL
Flat 6, 84 Cross Street, Manchester, M2 4LA
Suite 1B Part First Floor, 40 - 44 King Street, Manchester, M2 6BA
Third Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE

Little Mr Male Grooming, The Kiosk, 11 St James's Square, Manchester, M2 6DN
Seventh Floor, Steam Packet House, 76 Cross Street, Manchester, M2 4JU
ALEC FINCH GROUP LIMITED, Fourth Floor, Steam Packet House, 76 Cross Street,
Manchester, M2 4JG
GLAISYERS SOLICITORS LLP, First Floor, 1 St James's Square, Manchester, M2 6DN
60 King Street, Manchester, M2 4LZ
58 King Street, Manchester, M2 4LY
74 Cross Street, Manchester, M2 4JG
Flat 50, 31 John Dalton Street, Manchester, M2 6AL
Flat 40, 31 John Dalton Street, Manchester, M2 6AL
Flat 37, 31 John Dalton Street, Manchester, M2 6AL
Flat 34, 31 John Dalton Street, Manchester, M2 6AL
Flat 30, 31 John Dalton Street, Manchester, M2 6AL
Flat 18, 31 John Dalton Street, Manchester, M2 6AL
Flat 11, 31 John Dalton Street, Manchester, M2 6AL
Third Floor Left, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Fourth Floor, 7 St James's Square, Manchester, M2 6DN
Second Floor, 7 St James's Square, Manchester, M2 6DN
Basement, 7 St James's Square, Manchester, M2 6DN
Ground Floor, 7 St James's Square, Manchester, M2 6DN
Second Floor, 1 St James's Square, Manchester, M2 6DN
Flat 60, 31 John Dalton Street, Manchester, M2 6AL
Flat 53, 31 John Dalton Street, Manchester, M2 6AL
Flat 51, 31 John Dalton Street, Manchester, M2 6AL
Flat 46, 31 John Dalton Street, Manchester, M2 6AL
Flat 41, 31 John Dalton Street, Manchester, M2 6AL
Flat 38, 31 John Dalton Street, Manchester, M2 6AL
Flat 26, 31 John Dalton Street, Manchester, M2 6AL
Flat 8, 31 John Dalton Street, Manchester, M2 6AL
Flat 7, 31 John Dalton Street, Manchester, M2 6AL
Flat 8, 84 Cross Street, Manchester, M2 4LA
Flat 3, 84 Cross Street, Manchester, M2 4LA
Second Floor, 40 - 44 King Street, Manchester, M2 6BA
The Dalton Street Salon, Unit B, 11 St James's Square, Manchester, M2 6DN
Basement And Ground Floor, 30 King Street, Manchester, M2 6AZ
Basement And Ground Floor, 34 - 36 King Street, Manchester, M2 6BA
Skin Clinics, Fourth Floor, 1 Albert Square, Manchester, M2 6LW
Flat 24, 31 John Dalton Street, Manchester, M2 6AL
Flat 45, 31 John Dalton Street, Manchester, M2 6AL
Flat 42, 31 John Dalton Street, Manchester, M2 6AL
Flat 32, 31 John Dalton Street, Manchester, M2 6AL
Flat 22, 31 John Dalton Street, Manchester, M2 6AL
Flat 19, 31 John Dalton Street, Manchester, M2 6AL
Flat 17, 31 John Dalton Street, Manchester, M2 6AL
Flat 4, 31 John Dalton Street, Manchester, M2 6AL
Flat 7, 84 Cross Street, Manchester, M2 4LA
Suite 3C Part Third Floor, 40 - 44 King Street, Manchester, M2 6BA
Second Floor, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Third Floor, 1 St James's Square, Manchester, M2 6DN
First Floor, 7 St James's Square, Manchester, M2 6DN
Malmin Dental Manchester, Basement And Ground Floor, 44 - 46 John Dalton Street,
Manchester, M2 6LE
39 South King Street, Manchester, M2 6DE
86 Cross Street, Manchester, M2 4LA

Second Floor, 30 King Street, Manchester, M2 6AZ
70 - 72 Cross Street, Manchester, M2 4JG
Flat 55, 31 John Dalton Street, Manchester, M2 6AL
Flat 54, 31 John Dalton Street, Manchester, M2 6AL
Flat 52, 31 John Dalton Street, Manchester, M2 6AL
Flat 44, 31 John Dalton Street, Manchester, M2 6AL
29 John Dalton Street, Manchester, M2 6FW
Flat 4, 84 Cross Street, Manchester, M2 4LA
Flat 1, 84 Cross Street, Manchester, M2 4LA
Flat 5, 84 Cross Street, Manchester, M2 4LA
82 Cross Street, Manchester, M2 4LA
Steam Packet House, 76 Cross Street, Manchester, M2 4JG
Flat 15, 31 John Dalton Street, Manchester, M2 6AL
Flat 10, 31 John Dalton Street, Manchester, M2 6AL
Flat 6, 31 John Dalton Street, Manchester, M2 6AL
Flat 5, 31 John Dalton Street, Manchester, M2 6AL
Flat 58, 31 John Dalton Street, Manchester, M2 6AL
Flat 49, 31 John Dalton Street, Manchester, M2 6AL
Flat 31, 31 John Dalton Street, Manchester, M2 6AL
Flat 25, 31 John Dalton Street, Manchester, M2 6AL
Flat 20, 31 John Dalton Street, Manchester, M2 6AL
Flat 12, 31 John Dalton Street, Manchester, M2 6AL
Flat 33, 31 John Dalton Street, Manchester, M2 6AL
Flat 23, 31 John Dalton Street, Manchester, M2 6AL
Flat 16, 31 John Dalton Street, Manchester, M2 6AL
Flat 13, 31 John Dalton Street, Manchester, M2 6AL
Flat 9, 31 John Dalton Street, Manchester, M2 6AL
Flat 1, 31 John Dalton Street, Manchester, M2 6AL
Ground Floor, 76 Cross Street, Manchester, M2 4JG
Third Floor Rear, Kingsgate, 51 - 53 South King Street, Manchester, M2 6DE
Flat A, 44 - 46 John Dalton Street, Manchester, M2 6LE
38 - 42 King Street, Manchester, M2 6BA
First Floor, 34 John Dalton Street, Manchester, M2 6LE
Basement To First Floor, 1 Albert Square, Manchester, M2 3LW
Basement And Ground Floor, 64 - 66 King Street, Manchester, M2 4ND

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - St Ann's Square Conservation Area 1970
Area Team Boundary - Name: CENTRAL