

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134260/FO/2022
Date registered valid: 5 August 2022
Proposal: Creation of tuition centre (Use Class F1a) within part of ground floor
Address: Part Of Ground Floor Of 2 Honey Street, Manchester, M8 8RG
Ward(s): Cheetham Ward

Applicant: Manchester Tuition Centre Ltd Manchester Tuition Centre Ltd 2 Honey Street, Manchester, M8 8RG
Agent (if any): Mr. Niamat Ali NA Design 47 Egerton Road South, Manchester, M21 0YW
Case officer: Lucy Harrison
Tel: 0161 234 5795
Email: lucy.harrison@manchester.gov.uk

Recommendation:
Date of recommendation: 28 September 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 23 August 2022

Standard consultations:

Printed: 11 August 2022 Expired: 1 September 2022

Neighbour notifications

Printed: 11 August 2022 Expired: 1 September 2022

Site notice

Posted: 23 August 2022 Expired: 13 September 2022

Press advert

Published: 16 August 2022 Expired: 6 September 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The proposal relates to a two storey building on the south east side of Honey Street at its junction with Red Bank within the Cheetham Hill area of Manchester. The building has gates and access to the side leading to a rear yard area and a restaurant occupies the unit adjacent to the application site. The area is characterised by a mixture of employment uses and lies within the draft Northern Gateway Strategic Regeneration Framework area.

Description of development

The proposal is to use part of the ground floor of the building as a tuition centre supplementing the UK National Curriculum teaching English, Maths and Science to pupils taking SATs, 11+ grammar school examinations, GCSEs and A-Levels.

Up to a maximum of 225 regular students would be serviced on a weekly period, with forecast enrolment numbers not exceeding 100 for the first year of operations.

Consultations & Notification Responses

Publicity – The application has been advertised and a site notice displayed as a departure from the Development Plan. Occupiers of neighbouring properties have been notified of the application. No representations have been received.

Highway Services - No objections based on further information showing secure cycle parking and drop off arrangements.

Environmental Health - Recommends waste condition.

Growth and Development (Major Regeneration) - There are no imminent development plans for Honey Street at present under the SRF, so this application should be dealt with on its merits, in the context that there is an SRF in place and development momentum is starting to build.

Sustainable Travel - Location is inappropriate for sustainable travel for young people as access on foot in the immediate vicinity is poor and most people would therefore be driven there by parents.

Greater Manchester Police - Recommends security measures be employed.

Network Rail - No comments.

Issues

The main issues to consider in assessing this application are the principle of the use, the impact on amenity and highway safety and the provision of disabled access. The application should be considered against the following policies: SP1 (Spatial Principles), CC5 (Transport), T2

(Accessible Areas of Opportunity and Need), and DM1 (Development Management) of the Core Strategy and Saved Policy CC10 of the Unitary Development Plan for the City of Manchester (UDP).

The site falls within the draft Northern Gateway SRF area where the vision is to deliver a series of vibrant, sustainable and integrated residential neighbourhoods within the extended city centre of Manchester through the delivery of approximately 15,000 new homes over the next 15-20 years. Following public consultation, the SRF was approved by the City Council's Executive on 13 February 2019 and forms a material consideration in the determination of all planning applications within the area.

The National Planning Policy Framework sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role (paragraphs 7 & 8). Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan (para 11). Paragraphs 11 and 12 state that:

"For decision-taking this means: approving proposals that accord with an up-to-date development plan without delay" and "where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".

Principle of the Use

The site is within an economic employment area that is covered by Saved Policy CC10 of the UDP, which states that "The Council will encourage the continued high level of economic activity in Strangeways and lower Cheetham Hill Road areas, recognising particularly the needs of the wholesale trades which dominate these areas". However, the area is set to undergo substantial change and regeneration over the next few years through the Northern Gateway SRF, effectively de-classifying the area as one for economic employment activity. As there are no imminent development plans for Honey Street at present under the SRF but there will be in the future, it is considered that the use should be allowed for a temporary period of 3 years.

Amenity

The proposed use would not involve amplified sound and is not a noisy use. It is considered therefore that it would have an acceptable impact on the amenity of the area.

Highway Safety

Whilst the surrounding highway infrastructure and environs are not ideal, the site is accessible by bus and walking and there is on-street parking and areas where pupils could be dropped off and picked up. The applicant has proposed a secure cycle store to the rear of the unit. It is considered therefore that there would not be a detrimental impact on highway safety and that the proposal would comply with Policies CC5 and T2 of the Core Strategy.

Disabled Access

The unit has stepped access to the front door and the applicant proposes a portable ramp that would be extended out onto the pavement as and when needed. However, there has been no

options analysis carried out to assess whether a permanent solution to provide level access into the property could be achieved and a condition requiring this should therefore be attached to any consent.

Crime and Safety

The Police have recommended a number of measures to make the unit secure and the implementation of security measures should be conditioned as part of any approval.

Conclusion

Although the site is not an ideal location for the use as a tuition centre, it is considered that the proposal would comply with the NPPF and the above policies of the Core Strategy and should be approved for a temporary period to allow the acceptability of the use to be reconsidered in light of the impending regeneration proposals for the area.

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:

Article 35 Declaration

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application in relation to accessibility, cycle storage and highways.

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

1) The permission hereby granted is for a limited period only, expiring on 29 October 2025, and the use for which permission is hereby temporarily granted is required to be discontinued on that date.

Reason - The site and wider area are expected to undergo significant changes as a result of regeneration being promoted by the City Council and it will be necessary to reconsider the suitability and acceptability of the use of this site following this temporary period. This temporary

permission will allow the City Council to reconsider the consequences of development on the site which are not foreseeable beyond the expiry of this temporary permission, pursuant to the Manchester Core Strategy policies SP1, CC1 and DM1.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

NA-P01 Floor Plan received by the City Council as local planning authority on 26 September 2022;

Further Information Pertaining to Planning Application 134260/FO/2022.

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

3) Notwithstanding the details shown on the approved drawings, the use hereby approved shall not commence unless and until a scheme showing provision of access for disabled people, including those with mobility impairments, into and throughout the unit has been submitted to and approved in writing by Manchester City Council as Local Planning Authority. Any scheme approved in compliance with this condition shall be fully implemented before the use first commences.

Reason - To ensure that satisfactory disabled access is provided pursuant to policy DM1 of the Core Strategy.

4) Notwithstanding the details shown on the approved drawings, no use shall commence unless and until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies SP1 and DM1 of the Core Strategy.

5) The use hereby approved shall not operate outside the following hours:

Monday to Friday 16:30 to 18:30; and
Saturday and Sunday 09:00 to 17:00.

Reason - In the interests of amenity in accordance with policies SP1 and DM1 of the Core Strategy.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose of a tuition centre within Class F1(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1.

7) Before the use, hereby approved, commences, all details of a secure cycle parking scheme shall be submitted to, and approved in writing by, the City Council, as local planning authority.

Thereafter, the approved scheme shall be fully implemented for the duration of this temporary consent.

Reason - To ensure that the details of the development are satisfactory, in accordance with policies SP1 and DM1 of the Core Strategy.

7)

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Oliver West (Sustainable Travel)
Greater Manchester Police
Network Rail

1A Knowsley Street, Manchester, M8 8QN
14D Honey Street, Manchester, M8 8RG
14C Honey Street, Manchester, M8 8RG
14B Honey Street, Manchester, M8 8RG
14A Honey Street, Manchester, M8 8RG
5 - 7 St Thomas' Place, Manchester, M8 8QD
Upper Ground, 62 Red Bank, Manchester, M8 8RG
Unit 2 Lower Ground, 62 Red Bank, Manchester, M8 8RG
Unit 1 Lower Ground, 62 Red Bank, Manchester, M8 8RG
29 Honey Street, Manchester, M8 8RG
31 Honey Street, Manchester, M8 8RG
25A Honey Street, Manchester, M8 8RG
25B Honey Street, Manchester, M8 8RG
59 Red Bank, Manchester, M8 8QF
18 Honey Street, Manchester, M8 8RG
27 Honey Street, Manchester, M8 8RG
23 Honey Street, Manchester, M8 8RG
56 - 58 Red Bank, Manchester, M8 8TS
12 Honey Street, Manchester, M8 8RG
14 Honey Street, Manchester, M8 8RG
6 Honey Street, Manchester, M8 8RG
63 Red Bank, Manchester, M8 8RD
1 Knowsley Street, Manchester, M8 8QN
16 Honey Street, Manchester, M8 8RG

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: CENTRAL