

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131020/FO/2021

Date registered valid: 23 June 2022

Proposal: Change of use from 3 no. apartments (C3) to a Beauty Salon (Sui Generis)

Address: Unit 1-3, 26 Princess Street, Manchester, M1 4LB

Ward(s): Deansgate Ward

Applicant: Miss Lisha Li Unit 1, 26 Princess Street, Manchester, M1 4LB

Agent (if any): Mr Gooding LDM Surveyors LDM House, 46 Great Ancoats Street, Manchester, M4 5AB

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 August 2022

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit:

Standard consultations:

Printed: 10 December 2021

Expired: 24 December 2021

Neighbour notifications

Printed: 21 July 2022

Expired: 11 August 2022

Site notice

Posted:

Expired:

Press advert

Published: 29 September 2021

Expired: 20 October 2021

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area: George Street Conservation Area 1985

Tree Preservation Order:

Description of Site/Area

The building is Grade II Listed and is located at 26-32 Princess Street. It comprises two former warehouse buildings that have previously been joined to form one building. The building is currently in use as residential apartments on the upper floors and the part ground floor, a bakery on the remainder of the part ground floor and a restaurant within the basement.

It is five storeys plus ground and basement and floors and has frontages to Princess Street, George Street and St James Street. It adjoins the site of 55 George Street. There are many Grade II Listed buildings that front the section of Princess Street between Portland Street and Mosley Street along with the Grade II* Listed Art Gallery Athenaeum and the Grade I Listed Manchester Art Gallery. The site is within the George Street Conservation Area.

The buildings were constructed as warehouses during the second half of the 19th Century. The main entrance to the building is currently on Princess Street. It has been heavily subdivided internally to create residential apartments and suspended ceilings have been installed in many areas.

Externally the elevations are eclectic in style and incorporate significant detailing. They are generally in good condition and retain a number of original features including windows and doors.

Other uses in the immediate area include hotels, office buildings, residential buildings, shops, bars and restaurants. The property is also on the outskirts of China Town.

The application relates specifically to three ground floor units that are currently in use as residential apartments.

Description of Development

The submitted application seeks planning permission for a change of use from 3 no. apartments (C3) to a Beauty Salon (Sui Generis).

Relevant Planning History

Application ref. 091044/FO/2009/C2 - Change of use of part ground floor from residential use (Use Class C3) to retail use (Use Class A1) or office use (Use Class B1) or retail and office use (Use Class Sui Generis) APPROVED – 26 October 2009

Consultations & Notification Responses

Local residents were notified, a site notice was posted for 21 days and 2 representation was received. Comments made can be summarised as follows:

The waste management plan shows the three apartments on the ground floor and the residential refuse store that serves all the apartments within 30 Princess Street. Please can you confirm that the proposed commercial premises will not dispose of their waste in the residential refuse store.

The lightwell no longer exists on the ground floor as the building owner has moved it up to the 1st floor.

The design and access statement states disabled access will be enabled, how as there are steps at the entrance of 26 Princess Street.

According to the plan, the new commercial unit will use the exit door (ground floor) into the corridor (back of the building on plan), to dispose of waste, this exit door is linked to the back stairwell to apartments. Residents of apartments use this back stairwell and the same corridor to dispose of their waste. How will it be secured for the residents?

The residents waste bins are full, when the business incurs commercial waste, it will add the existing waste issue. This is a hygiene and health issue but would also block access to residents electricity meter

Highways – no objections.

Environmental Health – no objections providing there is no ventilation to be required/installed.

Greater Manchester Police – no objections provided security measures are implemented.

Issues

The main issues for consideration relate to the impact of the proposals on the amenity of surrounding occupiers, the impact on the character and appearance of the building, crime and disorder, public transport, the acceptability of the principle of the use and the availability of disabled access. The main policies that relate to the proposal are Policies SP1 (Spatial Principles), CC1 (Primary Economic Development Focus (City Centre and Fringe)), CC4 (Visitors - Tourism, Culture and Leisure), CC5 (Transport), CC7 (Mixed Uses), CC9 (Design and Heritage), CC10 (A Place for Everyone), T1 (Sustainable Transport), T2 (Accessible Areas of

Opportunity and Need), EN3 (Heritage), EN16 (Air Quality), EN19 (Waste) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester and Section 6 (Building a strong, competitive economy), 7 (Ensuring the Vitality of Town Centres), 9 (Promoting Sustainable Transport), 12 (Achieving Well Designed Places) and 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework (NPPF).

Impact on Amenity

The closest residential accommodation is within the upper floors of the building and therefore the impact of the development on occupiers of these units should be carefully considered.

The hours of operation and proposals for the storage and disposal of refuse are considered to be acceptable and the conditions recommended by the City Council's Environmental Health Service will be placed on the approval. Additionally, the applicant has provided evidence that the proposed bin store is able to accommodate the required number of bins and has confirmed that the route to transport refuse is as used by all other occupiers of the building.

The applicant has confirmed that the light well area will only be used as a through route for disabled people during permitted opening hours.

Given the above, the proposal is considered to be acceptable in terms of residential amenity in accordance with Saved UDP policy DC26 and Core Strategy Policies DM1 and SP1.

Waste Management

1 general waste and 1 mixed recycling bin would be provided for the proposed use. The applicant has confirmed that a licensed waste carrier would be used, and 2 collections would occur per day. Waste collections would occur from the side of the building on George Street, this arrangement is acceptable to highways.

The proposed bins would be stored internally within the unit and no impact the existing residential store.

Crime and Disorder

The applicant has stated that the main entrance fronting Princess Street, and the side entrances are locked at all times and equipped with an intercom system, which restrict any unauthorised access into the building. This would mean that only customers with appointments are able to access the unit and not any member of the public.

Given the above, the application is considered to be acceptable in terms of its impact on Crime and Disorder in accordance with Core Strategy Policy DM1.

Disabled Access

Access is available into the ground floor via a level entry at the rear of the building and a platform lift within the rear lobby. This situation is not ideal, as disabled people will have to use a separate entrance, however the applicant has provided evidence to prove that it would not be possible to provide access thorough the main entrance to the offices. Additionally, the rear platform lift is an existing facility. This access arrangement was approved as part of change of use applications ref. 117415/FO/2017 and 091044/FO/2009/C2 at the same property.

Given the above, the proposal is considered to be in accordance with policy DC9.1 (Access for Disabled People) of the City Council's Unitary Development Plan.

Other Issues

The remaining concerns raised by the objector relate mainly to issues between the landlord and tenant and are not considered to be material planning considerations.

Conclusion

The comments of the objector have been noted. On the basis that the scheme is in accordance with relevant planning policies, it can be dealt with through the scheme of delegation and having taken all relevant matters into consideration, including the objection received, the application is recommended for approval.

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 will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application.

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

1) The development must be begun not 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 by the City Council as Local Planning Authority on 23 June 2022:

-Site Location Plan

Received by the City Council as Local Planning Authority on 15 June 2022:

- Existing Layout Plan ref. PS101 Rev B
- Proposed Layout plan ref. PS108 Rev D
- Design and Access Statement
- Waste Management Proforma

Reason : To ensure that the details of the development are acceptable to the City Council as local planning authority, pursuant to policies SP1 and DM1 of the Core Strategy.

3) The premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Friday 10:00 - 19:00

Saturday 10:00 - 20:00

Sundays and Bank Holidays 10:00 - 17:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation. Pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) No activities that may produce fumes, including the provision of acrylic nails, shall be carried out at the premises for the duration of the use hereby approved.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) The scheme for the storage Waste Management Strategy Pro-forma stamped as received on 15 June 2022 and Liam Gooding e-mail dated 21 July 2022 shall be implemented / continue to operate as part of the development and shall remain in situ whilst the use or development is in operation. This is acceptable on the basis that the refuse is collected by a Private Waste Contractor and does not rely on the City Council's weekly collections and on the basis residential and commercial waste is stored separately.

For the avoidance of doubt, should the above collection arrangements cease then the bin storage levels within the development will be required to be reviewed through an application to vary this condition.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

6) The access measures for disabled people to gain access into and throughout the premises as shown on the drawing referenced PS108 Rev D and described in the Design and Access Statement received by the City Council as Local Planning Authority on 15 June 2022.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policies CC10, T2, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester.

7) A beauty salon is hereby approved (Sui Generis) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services
Environmental Health
Urban Design & Conservation
Greater Manchester Police

32 Princess Street, Manchester, M1 4LB

Apartment 104, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 105, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 112, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 110, The Arthouse, 43 George Street, Manchester, M1 4AB

Arora Internation Hotel, 18 - 24 Princess Street, Manchester, M1 4LG

Apartment 3, 26 Princess Street, Manchester, M1 4LB

Serviced Apartment 1, 26 Princess Street, Manchester, M1 4LB

Apartment 102, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 408, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 405, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 403, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 401, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 308, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 306, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 304, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 301, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 209, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 207, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 204, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 202, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 109, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 107, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 103, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 2, 26 Princess Street, Manchester, M1 4LB

Apartment 410, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 101, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 409, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 407, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 406, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 404, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 402, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 310, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 309, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 307, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 305, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 303, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 302, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 210, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 208, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 206, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 205, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 203, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 201, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 111, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 108, The Arthouse, 43 George Street, Manchester, M1 4AB

Apartment 106, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 9, 30 Princess Street, Manchester, M1 4DA
Apartment 8, 30 Princess Street, Manchester, M1 4DA
Apartment 7, 30 Princess Street, Manchester, M1 4DA
Apartment 6, 30 Princess Street, Manchester, M1 4DA
Apartment 5, 30 Princess Street, Manchester, M1 4DA
Apartment 4, 30 Princess Street, Manchester, M1 4DA
Apartment 32, 30 Princess Street, Manchester, M1 4DA
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Apartment 16, 30 Princess Street, Manchester, M1 4DA
Apartment 15, 30 Princess Street, Manchester, M1 4DA
Apartment 14, 30 Princess Street, Manchester, M1 4DA
Apartment 12, 30 Princess Street, Manchester, M1 4DA
Apartment 11, 30 Princess Street, Manchester, M1 4DA
Apartment 10, 30 Princess Street, Manchester, M1 4DA
83 Princess Street, Manchester, M1 4HH
Basement, The Arthouse, 43 George Street, Manchester, M1 4AB
Ground Floor, The Arthouse, 43 George Street, Manchester, M1 4AB
Basement, 28 - 32 Princess Street, Manchester, M1 4LB
28 - 32 Princess Street, Manchester, M1 4LB

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 - George Street Conservation Area 1985
Area Team Boundary - Name: CENTRL