

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133218/NMC/2022
Date registered valid: 15 March 2022
Proposal: S96 Non Material Amendment to application ref no 128911/FO/2020 to amend wording of Condition No.05 (contract trigger).
Address: 32-34 Laystall Street, Manchester, M1 2JZ
Ward(s): Piccadilly Ward

Applicant: McCaul McCauls Group Ltd First Floor, 362 Manchester Road, Astley, M29 7DY
Agent (if any): Mr Nick Berry OMI Architects 31 Blackfriars Road, Salford, M3 7AQ
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 27 April 2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

See 128911/FO/2020

Description of area

See 128911/FO/2020

Description of development

See 128911/FO/2020

Consultations & Notification Responses

None

Issues

The re-wording of condition 5 is required to reflect the programme of works so as to allow the development phasing to commence. A contract for the works to the Listed Building has been signed (and evidenced (application ref no CDN/22/0076 submitted 15.02.2022)) and evidence of commitment and funding for the residential element has been provided by Great Places. This information is considered on balance to meet the requirements for Section 204 of the NPPF and saved UDP Policy DC18.1 whilst allowing work to commence on the listed building which is on the City Council's Buildings at Risk List (so there is some urgency to commence the works to the listed building) in advance of the full contract for the residential element being signed.

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

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

1) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

2) Reason 2: The re-wording of condition 5 is required to reflect the programme of works so as to allow the development phasing to commence. A contract for the works to the Listed Building has been signed (and evidenced (application ref no CDN/22/0076 submitted 15.02.2022)) and evidence of commitment and funding for the residential element has been provided by Great Places. This information is considered on balance to meet the requirements for Section 204 of the NPPF and saved UDP Policy DC18.1 whilst allowing work to commence on the listed building which is on the City Council's Buildings at Risk List (so there is some urgency to commence the works to the listed building) in advance of the full contract for the residential element being signed.

5) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works (including the three-storey corner extension) to the listed building and evidence of that contract has been supplied to the City Council as local planning authority or before evidence of the commitment to deliver the residential part of the development has been supplied to the City Council as local planning authority

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that it has been demonstrated that all reasonable steps to ensure that the new development will proceed after the loss has occurred pursuant to section 204 of the NPPF have been taken and that the Council has been furnished with evidence that the development will be undertaken pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester and pursuant to policies SP1, EN3 and DM1 of the Core Strat

Appendix 1 – List of consultees & neighbours notified

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 Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: CITY2