MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127672/NMC/2020
Date registered valid:	3 August 2020
Proposal:	Non material amendment to planning permission 120893/FO/2018 to allow elevational alterations including alteration to window grid and openings, balconies and facade at Level 8 together with omission of fire escape stair to the Primrose Street Elevation
Address:	3 Bengal Street, Manchester, M4 6AQ
Ward(s):	Ancoats & Beswick Ward
Applicant:	Nathan Ezair M4nchester Two Limited 24 Hood Street, Manchester , M4 6WX
Agent (if any):	Gareth Jones Falconer Chester Hall Ltd Office 2.03, Liverpool, L2 5RH
Case officer:	Jennifer Atkinson Tel: 0161 234 4517 Email: j.atkinson@manchester.gov.uk
Recommendation:	
Date of recommendation:	6 August 2020

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

The site measures 0.123 hectares and is bounded by Bengal Street, Primrose Street, Radium Street and Silk Street. The site previously included a surface car park and a part single, part two storey industrial building used as an MOT business. The site is currently under construction for a 9 storey building to form ground, first and second floor office accommodation (Use Class B1) (3124 sqm) together with 75 residential apartments (Use Class C3a) with associated car parking, amenity provision and other associated works following demolition of existing buildings as part of planning permission 120893.

Listed building: Not applicable

Conservation area: Ancoats Conservation Area 1989

Tree Preservation Order:

Description of area

The site is in the Ancoats Conservation Area and the Ancoats and New Islington Strategic Regeneration Framework (SRF). The delivery of new homes is a key objective in the regeneration of Ancoats to support its vitality and support economic and population growth. The site is within the City Centre and Regional Centre for planning and regeneration purposes.

Ancoats has seen a significant level of development over the last few years with new homes built around George Leigh Street, Cutting Room Square and Jersey Street. The surrounding area contains a mix of residential and commercial developments.

Victoria Square to the west and is grade II listed municipal housing. The Mustard Tree centre to the north and the two storey The Shamrock Public House with its beer garden is to the south.

This site also contains an electricity substation. On the opposite side of Silk Street is a vacant site.

The site is a short distance from Cutting Room Square which is an area of public space within the heart of the conservation area. A range of shops, café/restaurants and other amenities are clustered around George Leigh Street, Cotton Street and Hood Street.

The area has excellent links to public transport and pedestrian and cycle links to a wide range of shops, amenities and leisure facilities. Manchester Victoria train station is located within a short walk of the application site where rail, tram and bus services can be accessed.

Description of development

Non material amendment to planning permission 120893/FO/2018 to allow elevational alterations including alteration to window grid and openings, balconies and facade at Level 8 together with omission of fire escape stair to the Primrose Street Elevation

Consultations & Notification Responses

N/A

Issues

The application has been the subject of a review in conjunction with the chosen materials for the site. This has revealed that there are some anomalies in the design which need to be modified to ensure that the high quality detailing can be executed. The rhythm of the window grid needs to be modified by switching some of the bays, there are also modifications to the balconies and roof top element to provide a more refined design.

The changes are considered to be non-material in nature and will not alter the overall appearance of the development.

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 polices 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

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

1) The proposal involves the amendments - elevational alterations including alteration to window grid and openings, balconies and facade at Level 8 together with omission of fire escape stair to the Primrose Street Elevation

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

Drawings BS-900 - Site Plan
P16-082-FCH-BA-B-DR-A-3040 - Proposed Basement Floor Plan
P16-082-FCH-BA-00-DR-A-3041 - Proposed Ground Floor Plan
P16-082-FCH-BA-01-DR-A-3042 - Proposed First Floor Plan
P16-082-FCH-BA-02-DR-A-3043 - Proposed Second Floor Plan
P16-082-FCH-BA-03-DR-A-3044 - Proposed Third Floor Plan
P16-082-FCH-BA-08-DR-A-3045 - Proposed Third to Seventh Floor Plan
P16-082-FCH-BA-09-DR-A-3046 - Proposed Eighth Floor Plan
P16082-FCH-BA-XX-DR-A-1400 - Bengal and Radium Street Elevation
P16082-FCH-BA-XX-DR-A-1401- Primrose Street Elevation
P16082-FCH-BA-XX-DR-A-1402 - Silk Street Elevation
P16082-FCH-BA-XX-DR-A-1507 - Sections A-A, B-B
P16082-FCH-BA-XX-DR-A-1508 - Sections C-C, D-D

stamped as received by the City Council, as Local Planning Authority, on the 3 August 2020.

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

2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the appearance of the building.

14) The development hereby approved shall be carried out in accordance with site waste management strategy with the design and access statement and drawing P16-082-FCH-BA-B-DR-A-3040 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2020. The details shall be implemented prior to the first occupation of both the residential and commercial elements of the development and thereafter retained and maintained in situ.

Reason - To ensure adequate refuse arrangement are put in place for the residential element of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

24) Prior to the first occupation of the residential building element, the provision of 100 cycle spaces, as indicated on drawing P16-082-FCH-BA-B-DR-A-3040 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2020 shall be implemented prior to the first occupation of the residential element of the development hereby approved and retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

25) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing P16-082-FCH-BA-B-DR-A-3040 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2020 shall be laid out, demarcated and made available. The car parking layout shall be retain and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

33) Notwithstanding the provisions Class O of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the three floors of B1 office accommodation (as indicated on drawings P16-082-FCH-BA-00-DR-A-3041, P16-082-FCH-BA-01-DR-A-3042, P16-082-FCH-BA-02-DR-A-3043, P16-082-FCH-BA-03-DR-A-3044 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2020) shall be retained for the purposes of Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of B1.

Reason - To safeguard the office accommodation as part of maintaining the supply of suitable and sustainable office accommodation in this part of the City particularly accommodation suitable for small business pursuant to policies SP1 and EC1 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Ancoats Conservation Area 1989
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1