MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141741/NMC/2024
Date registered valid:	13 December 2024
Proposal:	Non-material amendment to Planning Permission 138695/FO/2023 to change the description of development to remove reference to number of consented years
Address:	Land At Bromley Street, Manchester, M4 4JS
Ward(s):	Piccadilly Ward
Applicant:	Meanwhile Creative
Agent (if any):	Nicole Roe Eden Planning & Development
Case officer:	Max Gibson Tel: 0161 219 6359 Email: maximillian.gibson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	

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 relates to a disused surface car park, bounded by Rochdale Road to the east, train and tramlines to the north and a vacant lot and industrial unit to the west.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The area relates to a stretch of road just north east of Manchester's City Centre, which lies between Collyhurst and the Green Quarter. The area is relatively undeveloped, with uses comprising light industrial, storage, car parking with some residential and retail. The area is due to undergo significant change in coming years, with many sites - including that subject to this application - identified for redevelopment in the Northern Gateway SRF. Structures in the area are currently low-rise and utilitarian in nature and there is little of aesthetic value in the area.

Description of development

The application proposes to change the description of development to *Installation of shipping containers to form 4326sqm. gross of co-working space (sui generis) with associated car parking and other works for a temporary period*.

Consultations & Notification Responses

None

Issues

The applicant is seeking to extend the temporary period of the permission from three to five years through a section 73 application to vary the condition which limits the period of the permission to three years. In order to do so, the description of development for the original permission must be altered to remove explicit reference to the three-year temporary period originally granted.

Therefore, it is proposed to change the description of development to *Installation of shipping containers to form 4326sqm. gross of co-working space (sui generis) with associated car parking and other works for a temporary period*.

This change to the description is considered to be non-material in nature, as any change to length of the temporary period would not alter the nature of the development itself and the temporary nature of the development would still be clear from the description of the development. Furthermore, the change in description would facilitate the submission of a section 73 application which would allow for any material matters to be fully considered and consulted upon. Given the above, the change to the description is considered to be acceptable and recommended for approval.

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 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: Approve

Condition(s) to be attached to decision for approval

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) The Applicant requires the description of development to no longer have reference to the temporary time period, to allow for the temporary period to be extended through a seperate section 73 application to vary conditions attached to 138695/FO/2023.

This will have the effect of amending the description of development to the following:

Installation of shipping containers to form 4326sqm. gross of co-working space (sui generis) with associated car parking and other works for a temporary period

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL