

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 141332/NMC/2024

**Date registered valid:** 22 October 2024

**Proposal:** Non-material amendment to 139981/FO/2024 consisting of the amendment of the approved air bricks at pavement level in the front elevation with matching bricks.

**Address:** 5 - 7 Byrom Street, Manchester, M3 4PF

**Ward(s):** Deansgate Ward

**Applicant:** Mr Jacob Knox T A Knox Ltd

**Agent (if any):** Simon Plowman Plan:8 Town Planning Ltd

**Case officer:** Max Gibson  
Tel: 0161 219 6359  
Email: [maximillian.gibson@manchester.gov.uk](mailto:maximillian.gibson@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 24 October 2024

## **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 non-designated heritage asset, the former Friends' School on Byrom Street. The building, which was constructed in 1886, is three storey and redbrick, with a pitched slate roof. It serves as a rear office space area for the more modern office building at 1 Byrom Street which houses JLL Solicitors. The two elements are connected by a glass and aluminium bridge and consequently the building has outlook on three sides, to Atkinson, Byrom Street and Byrom Place. The building is a rare example of heritage architecture amongst the modern glass towers that predominate in Spinningfields.

**Listed building:** Not applicable

**Conservation area:** Deansgate Conservation Area 1985

**Tree Preservation Order:**

### **Description of area**

The application site is located within the Spinningfields area of Manchester City Centre which contains a mixed of uses including financial and professional services as well as leisure uses. It is bounded by Deansgate, the River Irwell, Quay Street and Bridge Street. The site is within the Deansgate Conservation Area.

### **Description of development**

The proposal relates to an alteration to the brick infills below the ground floor windows. The airbrick vents that were originally approved would be replaced with solid brickwork to match the existing bricks.

### **Issues**

The application seeks an amendment to the approved plans to alter the brick infills below the ground floor windows. There is a brick infill in situ comprising two rows of approximately six bricks each.

Originally, air bricks were approved on the basis that ventilation to the basement level of the building. The air bricks would have replaced small round vents that were in situ. The applicant has stated that these vents are no longer required, thereby negating the need to install the air bricks.

The approved plans would now show solid brick infills. The overall proportions of each infill would remain the same with no alterations required to the windows and brickwork would match the existing. On this basis, the change is considered to be acceptable and considered non-material in nature. The application is therefore 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 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) The proposal seeks to alter to amend condition 2 (SPL) in order to alter the brick infills below the ground floor windows shown on the approved plans through the replacement of airbrick vents with solid brickwork.

2) New plans:

-Drawing - Proposed DRAWING PACK ELEVATIONS received by the City Council, as Local Planning Authority, on 22 Oct 2024

3) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and are 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 planning approval.

## **Appendix 1 – List of consultees & neighbours notified**

## **Appendix 2 – Planning constraints**

Conservation Area - Deansgate Conservation Area 1985