MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137650/NMC/2023
Date registered valid:	24 July 2023
Proposal:	Non-material amendment to Planning Permission 111805/FO/2016/C1 to combine units 1 & 2 on the ground floor to be fitted out as a restaurant Use Class E(b)
Address:	Lincoln Building, Brazennose Street, Manchester, M2 5BP
Ward(s):	Deansgate Ward
Applicant:	Mr Gerrard Marks Sukho Ltd
Agent (if any):	Mr Peter Schofield Inspire Design Consultancy Ltd
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**8 February 2024**

Application Details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not required

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/Area

Listed building: Not applicable

Conservation area: Albert Square (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable

The site is bounded by Brazennose Street, Mulberry Lane and Mulberry Street. Brazennose Street is a key route between Spinningfield and the Civic Quarter. The predominant use in the immediate surroundings is offices with ground floor retail outlets, including cafes and restaurants. The Hidden Gem lies immediately to the north of the site and is directly adjacent to Brazennose House's existing basement car park.

The site is located within the Albert Square Conservation Area and is adjacent to the St. Ann's and Deansgate / Peter Street Conservation Areas. There are a number of Listed Buildings in the immediate vicinity including the Town Hall (Grade I), Albert Memorial (Grade I), Abraham Lincoln Statue (Grade II), St Mary's Church 'The Hidden Gem' (Grade II), statues in Albert Square including Bright's, Fraser's, Gladstone's, and Heywood's (all Grade II).

Brazennose House was constructed in 1964 and comprises 6 storeys of largely vacant offices above shops, with ancillary basement car parking. The few remaining occupiers are on short-term leases. The building is outmoded owing to the level of work required to maintain it and replace outdated mechanical and electrical services. The office space is inflexible with restrictive floor to ceiling heights and poor insulation. The level of investment required to refurbish the building to attract occupiers and secure an acceptable rental return is not economically viable and therefore it is considered that the refurbishment of Brazennose House is not a feasible option. The building does not meet current environmental policy standards, is inefficient and is not attractive to modern day occupiers. The site is easily accessible by a range of means of transport including vehicle, by foot, rail, Metrolink and bus.

Description of Development

This proposal seeks a non-material amendment to Planning Permission 111805/FO/2016/C1 to combine units 1 & 2 on the ground floor to be fitted out as a restaurant Use Class E(b).

Application 111805/FO/2016/C1 was approved in June 2016 for the demolition of Brazennose House and associated structures and development of a new office building (Use Class B1), with ground floor retail uses (Use Classes A1, A2 and A3), basement car parking, servicing and cycle parking, highways works to Mulberry Street, new public realm and landscaping, and associated works.

Consultations & Notification Responses

Not applicable.

Issues

The above-described changes to combine units 1 & 2 on the ground floor to be fitted out as a restaurant Use Class E(b) are non-material.

Please see original report for app. 111805/FO/2016/C1 for details of the original scheme. A copy of the report for app.
111805/FO/2016/C1 will be stored on the application file for this application.

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 OR Reasons for recommendation to refuse

1) The proposal seeks to amend Planning Permission 111805/FO/2016/C1 to combine units 1 & 2 on the ground floor as a restaurant Use Class E(b)

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

- Proposed Ground and West Floor Elevation 01

Received by the City Council, as Local Planning Authority, on the 24 July 2023.

- Proposed Part Ground Floor and North Elevation 100
- Proposed Part Ground Floor and North Elevation 101

Received by the City Council, as Local Planning Authority, on the 07 November 2023.

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 planning approval.

Appendix 1 – List of consultees & neighbours notified

Not applicable.

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 - Albert Square (Extension) Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL