

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138762/NMC/2023

Date registered valid: 5 December 2023

Proposal: Non-material amendment to planning permission ref. 115366/FO/2017 to alter description of development.

Address: Ducie Street Warehouse , Ducie Street, Manchester, M1 2TP

Ward(s): Piccadilly Ward

Applicant: Native Places Ltd

Agent (if any): Steven Healey Turley

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20/12/2023

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 application relates to the seven storey Grade II listed former railway warehouse located on the southern side of Ducie Street at the junction where Dale Street meets Ducie Street. The application property is completed in red brick and stone quoining detail. The western facing side elevation features a contemporary glass extension, and the property is currently in use as an aparthotel (Class C1) with ancillary ground floor bar and cinema.

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies within the heart of Manchester City Centre, with Ducie Street giving way to Piccadilly to the south-west, an arterial A road that then provides access to Piccadilly Train Station and St Peters square. Piccadilly is home to a high number of commercial properties in varying uses. Ducie Street in comparison is a relatively low trafficked road and is home to multiple hotels, of which the application site is one of, commercial units and residential apartment blocks. Surface car parks neighbour the application site to the east, south and west.

Description of development

The application seeks consent for the non-material amendment of the description of development for application 115366/FO/2017. The original description of development is worded as follows:

Reconfiguration of existing serviced apartments within apart-hotel to form additional 59 no. serviced apartments (to make 166 no. in total), introduction of new co-working office space (Use Class A2 or Use Class B1), barber shop (Use Class A1) and gym (Use Class D2) at ground level, together with associated external alterations and works and minor alterations to car parking area.

The proposal would then see the description of development amended to the following:

Reconfiguration of existing serviced apartments within apart-hotel to form additional 91 no. bedrooms (to make 194 no. in total), introduction of new co-working office space (Use Class A2 or Use Class B1), barber shop (Use Class A1) and gym (Use Class D2) at ground level, together with associated external alterations and works and minor alterations to car parking area.

Planning History

A high number of applications are on record for the application site, the most relevant of which are shown below:

138775/JO/2023 - Variation of condition 2 (Specified Plans) pursuant to application 115366/FO/2017 to allow for internal reconfiguration to increase room number – Application under consideration.

138757/LO/2023 - Listed Building Consent for reconfiguration of internal layout to facilitate additional rooms including installation of partitions, doors, bathroom and kitchenette facilities – Application under consideration.

115367/LO/2017 - LISTED BUILDING CONSENT in connection with reconfiguration of existing serviced apartments within apart-hotel to form additional 59 no. serviced apartments (to make 166 no. in total), introduction of new co-working office space (Use Class A2 or Use Class B1), barber shop (Use Class A1) and gym (Use Class D2) at ground level, together with associated external alterations and works and minor alterations to car parking area – Approved April 2017.

115366/FO/2017 - Reconfiguration of existing serviced apartments within apart-hotel to form additional 59 no. serviced apartments (to make 166 no. in total), introduction of new co-working office space (Use Class A2 or Use Class B1), barber shop (Use Class A1) and gym (Use Class D2) at ground level, together with associated external alterations and works and minor alterations to car parking area – Approved April 2017.

Consultations & Notification Responses

Not applicable.

Issues

The detailed changes in the description of development are reflected in an accompanying section 73 application, this being application number 138775/JO/2023. The change is considered to be acceptable and is considered to be 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

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

1) The proposal seeks to amend the description of development to:

Reconfiguration of existing serviced apartments within apart-hotel to form additional 91 no. bedrooms (to make 194 no. in total), introduction of new co-working office space (Use Class A2 or Use Class B1), barber shop (Use Class A1) and gym (Use Class D2) at ground level, together with associated external alterations and works and minor alterations to car parking area.

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

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

Site of Biological Interest - Name: Ashton Canal (West)

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL