

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139489/NMC/2024

Date registered valid: 8 March 2024

Proposal: Non-material amendment to planning permission 121252/FO/2018 (as amended by permission 138799/NMC/2023) to vary the wording of condition 12 (Materials).

Address: Great Marlborough Street Car Park, Great Marlborough Street, Manchester, M1 5NJ

Ward(s): Deansgate Ward

Applicant: GMS (Parking) Limited

Agent (if any): Mr Ed Britton Deloitte LLP

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21.03.2024

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 is approximately 0.22 hectares at the corner of Great Marlborough Street and Hulme Street and comprises a 5 storey Multi Storey Car Park (MSCP) and ground floor commercial unit. Vehicle access to the MSCP is from Great Marlborough Street. The site is within 'The Corridor Manchester' which is a major regeneration priority.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Macintosh Village, an established residential community, is on the opposite side of Great Marlborough Street. Liberty Heights and 1-5 New Wakefield Street are to the north and north east and provide high-rise purpose-built student accommodation on New Wakefield Street. This area contains residential and commercial developments which provide an active frontage to the railway viaduct. To the east of the site is the Holiday Inn Express and the River Medlock and a range of commercial, retail and leisure uses which front Hulme Street. The site is not within a Conservation Area but owing to their age and format, some buildings in the local area could be considered to be non-designated heritage assets. The Whitworth Street Conservation Area is to the north east and the following listed buildings are nearby, the Former Refuge Assurance Company Offices (the Principal Hotel) Grade II*, Oxford Road Station and platforms, the Dancehouse Theatre, the Dalton Statue at Dalton College and Chatham Mill, all Grade II. This is a highly sustainable area close to Oxford Road station with Deansgate/Castlefield Metrolink Station and Deansgate Station are nearby.

Description of development

Non-material amendment to planning permission 121252/FO/2018 (as amended by permission 138799/NMC/2023) to vary the wording of condition 12 (Materials).

Consultations & Notification Responses

n/a

Issues

The current wording of condition 12 states:

Prior to the commencement of the development, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council as Local Planning Authority. This shall include the submission of samples (including a preparation of a sample panel(s)) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, soffit details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management along with details of Public Art to Great Marlborough Street.

The approved materials shall then be implemented as part of the development

The amended wording is as follows:

Prior to the commencement of the development (excluding demolition), all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council as Local Planning Authority. This shall include the submission of samples (including a preparation of a sample panel(s)) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, soffit details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management along with details of Public Art to Great Marlborough Street.

The approved materials shall then be implemented as part of the development.”

The change is considered to be non material in nature and is acceptable.

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 vary the wording of condition 12 (Materials).

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.

12) Prior to the commencement of the development (excluding demolition), all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council as Local Planning Authority. This shall include the submission of samples (including a preparation of a sample panel(s)) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, soffit details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management along with details of Public Art to Great Marlborough Street.

The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: CENTRAL