

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139276/NMC/2024

Date registered valid: 15 February 2024

Proposal: Non-material amendment to application 130354/FO/2021 (as amended by 135077/NMC/2022 and 136202/NMC/2023) to amend description of development to change the number of residential units and amend the commercial floor space figure

Address: Land Bounded By Poland Street To The West, Jersey Street To The South, The City Court Trading Estate To The North And A Surface Car Park To The East, Manchester

Ward(s): Ancoats & Beswick Ward

Applicant: Manchester Life Development Company 3 Limited

Agent (if any): Frances Hampson Deloitte

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

Recommendation: Approve

Date of recommendation: 22 February 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 0.24 hectares and bounded by Poland Street, Jersey Street, the City Court trading estate and a surface level car park. The site is in Ancoats close to New Islington and Miles Platting. These are areas which have seen significant investment in housing and place making. The site is vacant, consists of hard standing and scrub planting having been previously used as a low quality 88 space car park.

The Ancoats area is characterised by medium to high density residential developments, with ground floor commercial uses, either within new buildings or conversions, concentrated around Cutting Room Square.

The Poland Street area contains low rise industrial buildings and older buildings occupied by businesses. The site is surrounded by industrial uses as well as Ancoats Green.

Cotton Field Park, New Islington Marina, New Islington Free School (along Redhill Street) and the Medical Centre (along Old Mill Street) provide essential amenities for residents in Ancoats and New Islington.

Listed building: Not applicable

Conservation area: Ancoats Conservation Area 1989

Tree Preservation Order:

Description of area

The site is in the Ancoats conservation area and the following listed buildings or structures are within a 250 metres of the site, Beehive Mill (Grade II*), Doubling Mill Fireproof Mill (Grade II*),

New Mill (Grade II*), Little Mill (Grade II), Union Street Bridge (Grade II) and Victoria Square (Grade II). There are archaeological remains.

The site is in Flood Zone 1 and is in a critical drainage area. The site is not in an Air Quality Management Area (AQMA), but it is approximately 40 metres to the north along Oldham Road. Traffic associated with the development is likely to use roads in the AQMA and this is considered in detail in the report including the impact on residents, businesses and local schools.

Description of development

Non-material amendment to application 130354/FO/2021 (as amended by 135077/NMC/2022 and 136202/NMC/2023) to amend description of development to change the number of residential units and amend the commercial floor space figure

Consultations & Notification Responses

n/a

Issues

The proposal seeks to amend the description of the development to allow the number of apartments to be omitted and change the floor space figure. The changes to the scheme in detail are being assessed as part of a variation to the planning permission under reference 139288/JO/2024.

The change is considered to be acceptable and non material in nature with the detailed aspect of the increasing the number of residential units being assessed under the separate 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 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 amend the description of development to:

Erection of an 8 storey building to form a residential scheme (Use Class C3) and ground floor commercial floorspace (Use Class E (a),(c),(g)(i)) (392.40 sqm) together with amenity space, car and cycle parking provision, hard and soft landscaping, access, servicing and other associated works

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(c) 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 - Ancoats Conservation Area 1989

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL