

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138850/NMC/2023
Date registered valid: 20 December 2023
Proposal: Non material amendment to vary condition 2 attached to application ref no 135615/FO/2022 to move first floor stair for means of escape purposes.
Address: 33 Thomas Street, Manchester, M4 1NA
Ward(s): Piccadilly Ward

Applicant: George, Rosemary & Hannah Kernycznyj And Sajmir Kera
Agent (if any): John Wood John Wood Architect Limited
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 16-01-24

Application details

Type of application: Non-Material Change Application
Development type: Notifications
Date of site visit: 23.08.2022

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

Listed building: Grade II

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order: Not applicable

The application relates to a building known as 33 Thomas Street. The building has elevations to Thomas Street and a rear ginnel. The building is 3 storeys above a basement level and has most recently the ground and basement floor levels have been used as a Jewellers. The upper floors have been vacant for some time.

The building is part of the Grade II listed group of Weavers Cottages at 31-35 Thomas Street, located in Smithfield Conservation Area. Constructed in brick in the late 18th century the building contributes to the appearance and character of the local area.

The building forms a good example of an 18th century weavers' cottage, which still survives in a somewhat original state, principally to the basement, first and second floor levels. The ground floor level retains very little in terms of significant features/building elements through successive commercial refurbishments and extension through the 1980s -2000s, however the basement, first and second floor levels retain a high level of significant original and early features and historic fabric dating to the original construction of the building and its early subsequent uses through the 19th century. These areas retain original and early timber floorboards, original and early panelled doors/architrave, original/early timber dado rails and skirting, 19th century sash and casement windows, original timber staircase from first to second floor levels, original lath and plaster ceilings and lime-plastered walls, original 18th century former weavers' workroom at second floor level with partially exposed roof structure. The basement level retains many original features such as brick flooring and a blacksmiths fire, although again these are in a poor condition due to long term exposure to damp and structural movements.

The significance of the building lies in its historic fabric and architectural elements, including the original/historic plastered walls/ceilings and joinery, the largely intact original planform to the upper levels and the remaining evidence of the former cellar dwelling and its reuse as a blacksmiths shop in the early to mid-Victorian period.

Description of area

The site lies within an area of the City Centre known as the Northern Quarter which contains a variety of uses including bars, restaurants, commercial, residential, hotel uses and places of worship.

Description of development

The following consents were granted in 2023 in respect of this property:

135615/FO/2022 : Retention of Class E use to ground floor and basement and creation of a residential apartment Class C3(a) including external alterations and alteration to existing outrigger including a roof terrace.

135616/LO/2022 : Listed Building Consent for internal and external works associated with retention of Class E use to ground floor and basement and creation of a residential apartment Class C3(a) including internal alteration, alteration to existing outrigger including a roof terrace.

Since the above approvals during the process of design development with a new architect it came to light that there were issues with fire compliance and life safety relating to the clash of doors and absence of space or landings at the foot of the existing GF - FF staircase. As such applications to capture the amendments in amended drawings have been submitted. The application is being considered along a S19 application ref no 138848/JO/2023. All alterations are internal.

Consultations & Notification Responses

None

Issues

All alterations are internal. As the alterations have no impact externally the proposed amendments are considered to be of a non-material nature and will have no material impact upon the previously approved scheme. This application is necessary to ensure that the approved drawings on the planning and listed building consent are in alignment.

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) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

2) The proposed amendments relate to changes resulting from detailed design development and technical development related to ensuring that there is a safe means of escape from the premises and the approved dwgs need to be updated to reflect those to be approved under application ref no 138848/JO/2023 a S19 application relating to the Listed Building consent granted under application ref no 135616/LO/2022. No external amendments are proposed.

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

(a) Location plan BAC057 00 0001;

(b) Dwgs), 1661-011-07 Demolition and Builders Work - Plans) and 1661-231-02 01 FF Stair Opening Details stamped as received on 20-12-23, 1661-012-03 Demolition and Builders Work - Eles, 1661-102-03 Proposed Elevations and 1661-101-04 Proposed Plans stamped as received on 18-12-23, 02 0003 (Proposed Sections and Details all stamped as received on 12-05-23 and Dwg BAC057 01 0003 (Proposed Reflected Ceiling Plan) stamped as received on 05-04-23;

(c) Dwgs BAC001-AUR-ZZ-ZZ-DR-5201, BAC001-AUR-ZZ-ZZ-DR-5202 , BAC001-AUR-ZZ-ZZ-DR-5301, BAC001-AUR-ZZ-ZZ-DR-5601, BAC001-AUR-ZZ-ZZ-DR-5701, BAC001-AUR-ZZ-ZZ-DR-6100, BAC001-AUR-ZZ-ZZ-DR-6201, BAC001-AUR-ZZ-ZZ-DR-6301, BAC001-AUR-ZZ-ZZ-DR-6601 and BAC001-AUR-ZZ-ZZ-DR-6801 (all stamped as received on 05-04-23) and all as amended by BAC001-AUR-ZZ-ZZ-DR 5701 Rev P04 and BAC001-AUR-ZZ-ZZ-DR-5702 Rev P01 (both stamped as received on 18-05-23);

(d) Dwgs 1661-721-02 Historic Panelling 1661-722-01 and Historic Panelling - Doors stamped as received on 18-12-23 , 1661-231-02 01 FF Stair Opening Details stamped as received on 20-12-23;

(e) Detailed work as shown in the 33 THOMAS STREET, MANCHESTER, M4 1NA, DESIGN & ACCESS STATEMENT Rev B dated 11-05-23;

(f) Structural Report on Existing Building, 33, Thomas Street, Manchester by ING;

(g) Hannah Kera's e-mail dated 25-05-23 in relation to Highways comments;

(h) Waste Proforma and plans stamped as received on 18-05-23 ;

(i) Hannah Kera's e-mail dated 26-04-23 in relation to Design for Security Comments.; and

(j) Noise Impact Assessment, Ref: AA0438, 33 Thomas Street, Manchester, M4 1NA by Azymuth Acoustics UK stamped as received on 08-12-23

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC7, CC9, CC10, T1, T2, EN3, EN6, EN8, EN16, EN19 and DM1 saved Unitary Development Plan policies DC18.1, DC19.1 and DC26.1

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

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Conservation Area - Smithfield Conservation Area 1987

Area Team Boundary - Name: CENTRAL