

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137911/JO/2023

Date registered valid: 24 August 2023

Proposal: Section 19 variation of condition to application reference 127465/LO/2020 to amend wording to and triggers for discharge of condition 2 (Approved Documents) and wording of condition 4 (Materials)

Application no. 137752/NMC/2023

Date registered valid: 2 August 2023

Proposal: Non material amendment to application ref no 127464/FO/2020 to amend wording to and triggers for discharge of condition 2 (Approved Documents) amend triggers for discharge of conditions 3 (CMP), Condition 9 (Drainage) and Condition 12 (Ground Conditions).

Address: Old Bank Building, Hanover Street, Manchester, M4 4AH

Ward(s): Piccadilly Ward

Applicant: NOMA (GP) Ltd

Agent (if any): Ms Eithne FitzGerald Deloitte LLP

Case officer: Angela Leckie
Tel: 0161 234 4651
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Recommendations: 137911/JO/2023 :
137752/NMC/2023 :

Date of recommendation: 13-10-23

Application details : [137911/JO/2023](#)

Type of application: Variation or Removal of Condition

Development type: Listed building alteration

Date of site visit: 24-05-23

Standard consultations:

Printed: 4 September 2023

Expired: 25 September 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 5 September 2023

Expired: 26 September 2023

Press advert

Published: 12 September 2023

Expired: 26 September 2023

Departure from Development Plan: No**Environmental Statement:** Not required**Application details :** 137752/NMC/2023**Type of application:** Non-Material Change Application**Development type:** Notifications**Date of site visit:** 24-05-23**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:** Shudehill Conservation Area 1987**Tree Preservation Order:** N/A

The proposal site comprises the Grade II listed Old Bank Building and to the rear of the building an area formerly occupied by Redfern Annexe prior to its demolition in 2014. It covers an area of approximately 0.19 ha. It is bounded by Sadler's Yard to the east, New Century House and its associated plaza to the north, Corporation Street to the west, and Hanover Street to the south. This site if the former annex is currently occupied on a temporary basis by the Pilcrow Public House which will move permanently into proposed commercial units within NOMA estate.

Description of area

The Site is surrounded by a mix of city centre uses, including the office-led, mixed-use development within the wider NOMA estate, residential apartments, public realm and landscaping at Sadler's Yard, 1 Angel Square and Angel Meadow. It is also in close proximity to two major public transport modes, Manchester Victoria Station to the south west and Shudehill Interchange to the south east. There are a number of temporary surface car parks in the area, which are future development plots within the NOMA Masterplan

Description of development

137911/JO/2023 :

Listed Building Consent was granted under application ref no 127464/FO/2020 for internal and external alterations and extension to the Grade II Listed Old Bank Building including refurbishment of existing windows; elevation works including infilling of the existing lightwell, and creation of a new doorway at ground level on Hanover Street; repair of existing stairs and lobby areas; addition of new mezzanine at ground floor level, alongside the installation of new rooftop plant and screen, and associated works.

The Applicant is seeking to enable the works to Old Bank to be brought forward in accordance with their proposed construction programme, to allow initial works to be carried out ahead of the main contract work coming forward and will support the full delivery of the consented scheme. The initial works comprise demolition works and installation of a new service door on Hanover Street. These works form part of the future full delivery of the approved schemes that these applications seek to vary. Any future use for Old Bank would require the door on Hanover Street to be formed to allow the building to be serviced. It is proposed to amend Condition 2 to update the list of approved documents to include drawings detailing the scope of works.

In the context of the above the S19 application seeks to vary condition 2 (Approved Dwgs and Documents) attached to app ref 127465/LO/2020 which as set out above to allow for the proposals to be implemented in 2 phases. These drawings do not represent a change to the approved scheme.

137752/NMC/2023:

Planning Permission was granted under application ref no 127464/FO/2020 for the construction of a new 7-storey office extension to the rear of the Old Bank Building to form a mixed use development comprising office use (Use Class B1) and ground floor commercial units (Use Classes A1, A2, A3, A4 and D2) change of use at ground floor of the existing building from B1 office use to (Use Classes A1, A2, A3, A4 and D2), together with cycle storage, showers and bin storage; and external works relating to the reuse, refurbishment and extension of the building, including external alterations to create a new doorway on Hanover Street; alongside new internal substation and installation of external plant and screen at roof level and associated works.

In the context of the above the S96 application seeks a non-Material Amendment to planning permission 127464/FO/2020 to change wording of condition 2 (Approved Documents) and condition 4 (Material) and to amend the triggers for Condition 3 (CMP), Condition 9 (Drainage) and Condition 12 (Ground Conditions). These drawings do not represent a change to the approved scheme.

Consultations & Notification Responses

137911/JO/2023

Publicity – The application was advertised as affecting a listed building and a site notice displayed adjacent to the site – No representations have been received.

137752/NMC/2023 - None

Issues

Principle of amendment to include a phased delivery.

The change to allow for the delivery of some early works through an additional phasing condition and amendments to the conditions are necessitated by the extreme difficulties associated with delivering the development in accordance with the approved timescales. The proposed phased implementation would support and facilitate the delivery of a further key listed project within the NOMA Listed Estate

The proposed changes would have no material impact upon the approved scheme and the works would 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.

Impact on Listed Building

As there are no amendments to the approved proposals and whilst it is necessary to have special regard to the desirability of preserving the setting any affected Heritage Assets it is considered that the proposals would continue to be beneficial in the context of the architectural and historic character and fabric of the listed building and the character of the conservation area.

On the above basis the proposals are continue to be acceptable.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would continue to be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 193, 197, 200 and 201 of the NPPF and that in view of the above it is considered that the proposed development would on balance be consistent with the development would be consistent with sections 12 and 16 of the National Planning Policy Framework policies SP1, DM1, EN3 and CC9 and of the Core Strategy and saved UDP policies 18.1 and 19.1.

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:

137911/JO/2023 : Approve

137752/NMC/2023 : Approve

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. Appropriate conditions were attached to the decision to ensure an acceptable development with the agreement of the applicant.

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

137911/JO/2023 :

137752/NMC/2023 :

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Appendix 2 – Planning constraints

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

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 - Shudehill Conservation Area 1987

Area Team Boundary - Name: CENTRAL