

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138248/NMC/2023

Date registered valid: 4 October 2023

Proposal: Non material amendment to planning permission 127537/FO/2020 to amend the triggers within conditions 4 (Local Labour) and 8 (Archaeology)

Address: Car Park Adjacent 25 To 27, Rochdale Road, Manchester, M4 4HT

Ward(s): Piccadilly Ward

Applicant: Helen Binns Wyngrove Ltd & Premier Inn Hotels Ltd

Agent (if any): Mrs Helen Binns Walsingham Planning Ltd

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

Recommendation: Approve

Date of recommendation: 9 October 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

This 0.13 hectare site is occupied by a surface level car park and is bounded by Rochdale Road, the Particular Baptist Church, Dyche Street and Ludgate Street.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The surrounding area is predominately residential in nature with homes to the north of the site. The Particular Baptist Church is to the east and the Angel Public House to the west. The area is close to all forms of public transport with pedestrian and cycle links to a wide range of shops, amenities and leisure facilities. Angel Meadow is nearby.

Description of development

Non material amendment to planning permission 127537/FO/2020 to amend the triggers within conditions 4 (Local Labour) and 8 (Archaeology)

Consultations & Notification Responses

N/A

Issues

The proposed works allow a series of enabling works to take place without triggering the compliance of these planning conditions. All other pre commencement planning conditions have been discharged.

The main works contract has yet to be let but will be shortly and a series of enabling works will allow the permission to be implemented as it is due to expire. Once the main works have been let, a request to discharge the conditions can be made and discharged.

The changes are considered to be non material in nature.

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 proposed to amend the triggers within conditions 4 (Local Labour) and 8 (Archaeology).
- 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.

4) (a) Within 6 months of the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

8) No development shall take place until the applicant or their agents or successors in title has carried out a programme of archaeological evaluation through trial trenching.

Where a more detailed targeted excavation and historic research (subject of a new WSI) is necessary, no development shall commence in the area of the targeted excavation until a further Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the City Council, as Local Planning Authority, and the further archaeological investigations have been undertaken.

The WSI shall also cover the following, which shall be carried out within 6 months of the completion of all the last archaeological investigation:

1. A programme for post investigation assessment to include - production of a final report on the investigation results
2. Deposition of the final report with the Greater Manchester Historic Environment Record.
3. Dissemination of the results of the archaeological investigations commensurate with their significance.
4. Provision for archive deposition of the report and records of the site investigation.

Reason: In accordance with policy EN3 of the Manchester Core Strategy (2012) and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995) in order to advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

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

Area Team Boundary - Name: CENTRAL