

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135555/NMC/2022

Date registered valid: 22 November 2022

Proposal: Non Material Amendment to application ref no 126638/FO/2020 (as amended by 126638/FO/2020 and 132263/NMC/2021 to amend interface of block A and B from metal panel to a Red Accrington Brick Slip, amend design of block B ground floor windows, amend interface of block B and C from metal panel to brick slip (to match Block C) with a Red Accrington infill brick to be keyed into the return of the existing facade at the junction between Blocks B and C and reduction in width of block C first floor lintel cladding panels.

Address: Land Bound By Back Turner Street, Shudehill, Soap Street And High Street, Manchester, M4 1FR

Ward(s): Piccadilly Ward

Applicant: Mr Simon Ismail Salboy Limited

Agent (if any): Miss Ellie Philcox Euan Kellie Property Solutions

Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23-02-23

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: 24-01-23

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: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order: Not applicable

The application relates to a 0.16 ha site bounded by High Street, Back Turner Street, Nicholas Croft, Shudehill and Soap Street. It is wider at Shudehill than at High St.

The site is in the Smithfield Conservation Area and adjacent to the Shudehill Conservation Area. The following grade II listed buildings are nearby: 75-77 High Street, the Hare and Hounds (29 Shudehill), CIS Building (Miller Street), 9-19 Thomas Street and 79 High Street which together form the remains of a former fish market, 10-20 Thomas Street and 1-33 Thomas Street.

Description of Development

Consent was granted under application ref no 126638/FO/2020 in 2020 for the Erection of part 17 storey (plus roof top plant behind parapet), part 6 storey building and the conversion with single-storey rooftop extension of the existing building at 1 & 3 Back Turner Street to comprise office accommodation (Class B1(a)) with front of house and commercial floorspace at ground floor Class A1 (Shop), A2 (Financial and Professional Services), A3 (Café and Restaurant), A4 (Drinking Establishment) B1 (Office) and D2 (gym and cinema) use with associated landscaping and other works following demolition of existing buildings at 30 & 32 Shudehill and 1 & 3 Nicolas Croft.

The development has three distinct components which are described within this report as Buildings A, B and C.

Building A would be ground plus 16 storeys and provide 31,700 sqft of offices including the lift core for the development and reception and staff welfare areas. Externally the building would have an angular appearance at roof level with a flat roof set behind an angled parapet and would be 58.18m high.

Building B 1-3 Back Turner Street would be converted to create 5382sqft of office space and 1000 sqft of space that could be used as A1, A2, A3, A4, B1 and D2. A rooftop extension would provide 1647sqft of offices or amenity space or breakout area. This area would access an external terrace .As much of the existing building fabric as possible would be retained. There would a plant area in the basement. The new glazed roof storey would sit below the existing parapet line and have a roof terrace, set back from the building line, which would physically link it to the 17 storey element.

Building C on High Street would be ground plus 5 storeys and provide 8310sqft of offices with 377sqft on the ground floor that could be used as A1, A2, A3, A4, B1 or D2 (the extension to Building B would sit across part of the 6th floor). Cycle storage and changing facilities would be located adjacent to Back Turner Street at Ground Floor.

This application seeks to reword condition 2 (approved Dwgs and Documents). During the construction a number of design challenges have emerged in relation to dealing with the interfaces of the new build elements with the retained 6 storey building and the proposed amendments principally relate to design changes necessitated by these to ensure visually satisfactory and high quality design solutions to these issues which are appropriate to context.

The application would also agree an amendment to the ground floor window treatment on the retained building (Block B) such that they are more sympathetic to the age of the building following further historical investigations and to the lintel detailing following detailed design development and discussions about this on site with Officers.

Consultations & Notification Responses

None

Issues

Condition 2 (approved dwgs and documents)

Original

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

(a) 05593 MP 00 0001(Planning Application Red Line Boundary Rev A), 05593 MP 000002 (Proposed Site Plan Rev A), 05593 MP 000200 Proposed Site Plan (Colour) Rev A and 05593 MP 00 0003 Existing Topographical Plan Rev A:

(b)05593 B1 02 2100 (Demolition Plan Rev A);

(c) 05593 MP 00 0200 (Proposed Ground Floor Site Plan Rev A), 05593 B1 02 2000 (Existing Plan Rev A), 05593 B1 02 2199 Proposed Plan (Basement Level Rev Q), 05593 B1 02 2200 Proposed Plan (Ground Floor Level Rev Q), 05593 B1 02 2201 (Proposed Plan - 1st to 4th Floor Level) Rev Q, 05593 MP 02 2205 (Proposed Plan Fifth Floor Level), Rev Q 05593 B1 02 2206 (Proposed Plan Sixth Floor Level) Rev Q, 05593 B1 02 2207 (Proposed Plan - Seventh Floor to Sixteenth Level) Rev Q, 05593B1 02 2217 (Proposed Plan - Roof Plan Q) Rev , 05593 B1 04 2000 (Elevation A - Existing and Demolition Rev A) and 05593 B1 04 2001 (Elevation B & C - Existing and Demolition Rev B), 5593 B1 04 2002 (Elevation D - Existing and Demolition Rev A), 05593 B1 04 2200 (Elevation A - Proposed Rev Q), 05593 B1 04 2201 (Elevation B & C - Proposed Rev Q), 05593 B1 04 2202 (Elevation D - Proposed Rev Q) and 05593 B1 04 2203 (Elevation E - Proposed Rev Q);

(d) 05593 B1 05 2200 (Proposed Section A-A Rev B), 05593 B1 05 2201(Proposed Section B-B Rev A) and 05593 B1 05 2202 (Proposed Section C-C Rev B);

(e) 05593 B1 10 4200 (Typical Bay Study A Rev B) and 05593 B1 10 4201 (Typical Bay Study B Rev A);

(f) Dwgs RF-17-394-LO4 Rev P08 and LO6 Rev P04;

(g) Waste Management Strategy (Offices) as set out in section 6.2 of Jon Matthews Architects Design and Access Statement;

(h) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Assessment VERSION A: 25.03.20;

(i) Jon Matthews Architects Area Schedule section 3.2 of Jon Matthews Architects Design and Access Statement;

(j) Access and Maintenance arrangements as set out in section 6.4 of Jon Matthews Architects Design and Access Statement;

(k) Domis : Energy and carbon reduction Revision: 1 26th March 2020;

(l) Recommendations within Back Turner Street, Manchester Flood Risk Assessment Report, Project No: 1709-07, February 2020
Rev: 03 by Renaissance;

(m) Recommendations / Measures set out within SALBOY, BACK TURNER STREET, MANCHESTER AIR QUALITY ASSESSMENT
MARCH 2020 by Wardell Armstrong;

(n) Recommendations within Back Turner Street, Phase 1 Site Investigation Report, Desk Study Assessment Report, Project No: 1709-07, February 2020 Rev 03;

(o) Domus Construction Management Plan Project: Back Turner Street Date: March 2020
Revision: 1 (MCC Environmental Health requirements only); and

(p) Note from GIA dated 05-11-20 (Sunlight and Daylight Impacts).

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan polices DC18.1 DC19.1, DC20 and DC26.1.

Proposed

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

(a) 05593 MP 00 0001(Planning Application Red Line Boundary Rev A), 05593 MP 000002 (Proposed Site Plan Rev A), 05593 MP 000200 Proposed Site Plan (Colour) Rev A and 05593 MP 00 0003 Existing Topographical Plan Rev A:

(b)05593 B1 02 2100 (Demolition Plan Rev A);

(c) 05593 MP 00 0200 (Proposed Ground Floor Site Plan Rev A), 05593 B1 02 2000 (Existing Plan Rev A), 05593 B1 02 2199 Proposed Plan (Basement Level Rev Q), 05593 B1 02 2200 Proposed Plan (Ground Floor Level) Rev R, 05593 B1 02 2201 (Proposed Plan - 1st to 4th Floor Level) Rev R, 05593 MP 02 2205 (Proposed Plan Fifth Floor Level), Rev R 05593 B1 02 2206 (Proposed Plan Sixth Floor Level) Rev Q, 05593 B1 02 2207 (Proposed Plan - Seventh Floor to Sixteenth Level) Rev Q, 05593B1 02 2217 (Proposed Plan - Roof Plan Q) Rev , 05593 B1 04 2000 (Elevation A - Existing and Demolition Rev A) and 05593 B1 04 2001

(Elevation B & C - Existing and Demolition Rev B), 5593 B1 04 2002 (Elevation D - Existing and Demolition Rev A), 05593 B1 04 2200 (Elevation A - Proposed Rev R), 05593 B1 04 2201 (Elevation B & C - Proposed Rev R), 05593 B1 04 2202 (Elevation D - Proposed Rev R) as amended by Block A Interface detail (Detail sketches and marked up images) stamped as received on 15-02-23 and 05593 B1 04 2203 (Elevation E - Proposed Rev R);

(d) 05593 B1 05 2200 (Proposed Section A-A Rev B), 05593 B1 05 2201 (Proposed Section B-B Rev A) and 05593 B1 05 2202 (Proposed Section C-C Rev B);

(e) 05593 B1 10 4200 (Typical Bay Study A Rev B) and 05593 B1 10 4201 (Typical Bay Study B Rev A);

(f) Dwgs RF-17-394-LO4 Rev P08 and LO6 Rev P04;

(g) Waste Management Strategy (Offices) as set out in section 6.2 of Jon Matthews Architects Design and Access Statement;

(h) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Assessment VERSION A: 25.03.20;

(i) Jon Matthews Architects Area Schedule section 3.2 of Jon Matthews Architects Design and Access Statement;

(j) Access and Maintenance arrangements as set out in section 6.4 of Jon Matthews Architects Design and Access Statement;

(k) Domis : Energy and carbon reduction Revision: 1 26th March 2020;

(l) Recommendations within Back Turner Street, Manchester Flood Risk Assessment Report, Project No: 1709-07, February 2020
Rev: 03 by Renaissance;

(m) Recommendations / Measures set out within SALBOY, BACK TURNER STREET, MANCHESTER AIR QUALITY ASSESSMENT
MARCH 2020 by Wardell Armstrong;

(n) Recommendations within Back Turner Street, Phase 1 Site Investigation Report, Desk Study Assessment Report, Project No: 1709-07, February 2020 Rev 03;

(o) Domus Construction Management Plan Project: Back Turner Street Date: March 2020
Revision: 1 (MCC Environmental Health requirements only); and

(p) Note from GIA dated 05-11-20 (Sunlight and Daylight Impacts).

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan polices DC18.1 DC19.1, DC20 and DC26.1.

Principle of the changes as a non material amendment

The proposed amendments result in any material change in the scale and massing of the proposed building or the external appearance of the scheme as a whole. There will therefore be no perceivable additional impact upon the amenity of neighbouring residents or occupiers as a result of the proposed small-scale amendments.

The proposed amendments relate to changes resulting from detailed design development, technical design development or improvements to the internal layout.

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:

Article 35 Declaration

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 to the condition triggers will have no material impact upon the previously approved scheme and 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 development hereby approved shall be carried out in accordance with the following drawings and documents:

(a) 05593 MP 00 0001(Planning Application Red Line Boundary Rev A), 05593 MP 000002 (Proposed Site Plan Rev A), 05593 MP 000200 Proposed Site Plan (Colour) Rev A and 05593 MP 00 0003 Existing Topographical Plan Rev A:

(b)05593 B1 02 2100 (Demolition Plan Rev A);

(c) 05593 MP 00 0200 (Proposed Ground Floor Site Plan Rev A), 05593 B1 02 2000 (Existing Plan Rev A), 05593 B1 02 2199 Proposed Plan (Basement Level Rev Q), 05593 B1 02 2200 Proposed Plan (Ground Floor Level) Rev R, 05593 B1 02 2201 (Proposed Plan - 1st to 4th Floor Level) Rev R, 05593 MP 02 2205 (Proposed Plan Fifth Floor Level), Rev R 05593 B1 02 2206 (Proposed Plan Sixth Floor Level) Rev Q, 05593 B1 02 2207 (Proposed Plan - Seventh Floor to Sixteenth Level) Rev Q, 05593 B1 02 2217 (Proposed Plan - Roof Plan Q) Rev , 05593 B1 04 2000 (Elevation A - Existing and Demolition Rev A) and 05593 B1 04 2001 (Elevation B & C - Existing and Demolition Rev B), 5593 B1 04 2002 (Elevation D - Existing and Demolition Rev A), 05593 B1 04 2200 (Elevation A - Proposed Rev R), 05593 B1 04 2201 (Elevation B & C - Proposed Rev R), 05593 B1 04 2202 (Elevation D - Proposed Rev R) as amended by Block A Interface detail (Detail sketches and marked up images) stamped as received on 15-02-23 and 05593 B1 04 2203 (Elevation E - Proposed Rev R);

(d) 05593 B1 05 2200 (Proposed Section A-A Rev B), 05593 B1 05 2201(Proposed Section B-B Rev A) and 05593 B1 05 2202 (Proposed Section C-C Rev B);

(e) 05593 B1 10 4200 (Typical Bay Study A Rev B) and 05593 B1 10 4201 (Typical Bay Study B Rev A);

(f) Dwgs RF-17-394-LO4 Rev P08 and LO6 Rev P04;

(g) Waste Management Strategy (Offices) as set out in section 6.2 of Jon Matthews Architects Design and Access Statement;

(h) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Assessment VERSION A: 25.03.20;

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Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan policies DC18.1 DC19.1, DC20 and DC26.1.

2) The proposed amendments relate to changes resulting from detailed design development, material interface detailing (resulting from the condition of the retained structure and resulting gaps between this and the new build elements) and design improvement following a review of some finished with officers on site. They would comprise: amended interface Block A/B from metal panel to a 'Red Accrington' Brick Slip; changes to windows to introduce mullion and transoms on Block B ground floor; amended interface Block B/C from metal panel to brick slip to match Block C, with a 'Red Accrington' infill brick to be keyed into the return of the existing façade at the junction between Block B/C; and a reduction in width of the first floor lintel cladding panels.

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

Conservation Area - Smithfield Conservation Area 1987

Area Team Boundary - Name: CENTRAL