

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130835/JO/2021

Date registered valid: 23 June 2021

Proposal: Variation of Conditions 2 (specified plans) and 3 (materials) attached to planning permission 119373/LO/2018 to allow alterations to scheme involving demolition of lift hoist brick shaft housing, removal of areas of lath and plaster ceiling and replacement, demolition of brickwork to alleyway, rerouting of existing rainwater goods, works to gutters, removal of sprinkler system and area of internal brickwork. Alteration of pre-commencement trigger within Condition 3 (materials) to agree a programme for the issue of samples (including sections) and specifications of all materials.

Address: Mindel House, 10 Minshull Street, Manchester, M1 3EF

Ward(s): Piccadilly Ward

Applicant: Mr Stephen Beech, Beech Design & Build C/o Agent

Agent (if any): Mr Ralph Taylor, Paul Butler Associates, 31 Blackfriars Road, Salford, M3 7AQ

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 12.08.2022

Application details

Type of application: Variation or Removal of Condition

Development type: Listed building alteration

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 8 July 2021 Expired: 29 July 2021

Press advert

Published: 13 July 2021 Expired: 3 August 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The site, which lies in 'The Village' within the City Centre, fronting Bloom Street, Minshull Street and Richmond Street. It contains one five storey (set above a basement) vacant grade II listed building, former warehouse occupied predominately until vacancy as office accommodation (although the lower ground floor was occupied as a nightclub) known as Mindel House. The building is redbrick with sandstone dressing and is set at the back of pavement.

The site is not within but is visible from the Whitworth Conservation Area which is characterised by Victorian and Edwardian architecture constructed between 1850 and 1920 and has historical importance due to its significance for the textile industry in Manchester.

The site is opposite the Grade II* Listed Crown Courts on Minshull Street and opposite the Grade II Listed 8 Minshull Street and 42 Bloom Street.

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Variation of Conditions 2 (specified plans) and 3 (materials) attached to planning permission 119373/LO/2018 to allow alterations to scheme involving demolition of lift hoist brick shaft housing, removal of areas of lath and plaster ceiling and replacement, demolition of brickwork to alleyway, rerouting of existing rainwater goods, works to gutters, removal of sprinkler system and area of internal brickwork. Alteration of pre-commencement trigger within Condition 3 (materials) to agree a programme for the issue of samples (including sections) and specifications of all materials.

Consultations & Notification Responses

None received

Issues

Planning permission was granted under the cover of application reference 119374/FO/2018 (and associated listed building applications 119373/LO/2018 and 119375/LO/2018) in November 2020. The applications took a significant period of negotiation and amendment to agree an approved scheme from receipt in April 2018.

This application is to vary conditions 2 and 3 attached to the listed building application reference 119373/LO/2018.

The proposed alterations to the previously approved scheme involving demolition of lift hoist brick shaft housing, removal of areas of lath and plaster ceiling and replacement, demolition of brickwork to alleyway, rerouting of existing rainwater goods, works to gutters, removal of sprinkler system and area of internal brickwork, the subject of this application fail to preserve or enhance the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Sections 16(2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12 (Achieving well designed places) and 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, The Core Strategy for the City of Manchester, in particular Policies SP1, DM1 and EN3 and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

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: Refuse

Article 35 Declaration

The proposals would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Reasons for recommendation to refuse

The proposed alterations to the previously approved scheme involving demolition of lift hoist brick shaft housing, removal of areas of lath and plaster ceiling and replacement, demolition of brickwork to alleyway, rerouting of existing rainwater goods, works to gutters, removal of sprinkler system and area of internal brickwork, the subject of this application fail to preserve or enhance the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Sections 16(2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12 (Achieving well designed places) and 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, The Core Strategy for the City of Manchester, in particular Policies SP1, DM1 and EN3 and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

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(a) to C3

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: CENTRL