

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134379/NMC/2022

Date registered valid: 18 July 2022

Proposal: Non material amendment to planning permission 124381/FO/2019 to state that the works apply to Sudell Stret only,

Address: Building Located At The Junction Of Rochdale Road And Sudell Street, Manchester

Ward(s): Piccadilly Ward

Applicant: Mr Jonathan Blackston Iconic BNB Ltd 67 Windsor Road, Manchester, M25 0DB

Agent (if any): Mr Ronald Gonshaw Gonshaw Associates 3 Kendal Drive, Stockport, SK8 4QJ

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

Recommendation: Approve

Date of recommendation: 18 August 2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 25 July 2022 Expired: 15 August 2022

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

The application site consist of a three storey Victorian building which once formed part of a much bigger block which has subsequently been demolished. The building would have once had a ground floor retail premises with residential accommodation above. The building occupies a prominent position on the corner of Rochdale Road and Sudell Street.

The building is located in the City Centre and forms part of an area of the city known as New Cross. The building is currently vacant and has been for some time which has led to the deterioration of the property both interior and exterior. Scaffolding has recently been erected at the property to allow examination of the façade. However, it is understood that the building is currently stable and not suffering any major structural issues that would prevent its reuse.

The building contains many original features externally with original masonry, stone work, windows and ground floor shop front all in situ. The shop front and windows have been largely boarded up for protection and to prevent further weather damage.

A fire escape is located on the rear elevation to Sudell Street together access to rear yard. The building is considered to be a non-designated heritage asset as defined by the NPPF.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site is located within a largely light industrial area of the city. To the north east of the site is the Sudell Street Industrial Estate. To the south is the Royal Mail sorting office and other

warehouse buildings. To the north of the site, on the opposite side of Rochdale Road, are a series of vacant site which have been used for temporary car parking. Westwards, further towards the city centre, are a series of residential area which have been part of the regeneration of New Cross and NOMA.

The application site falls within 'Zone B' of the New Cross Neighbourhood Development Framework which encourages residential led development in the area.

Description of development

Non material amendment to planning permission 124381/FO/2019 to state that the works apply to Sudell Street only,

Consultations & Notification Responses

Highway Services advise that they have no objection to the change.

Issues

The planning condition, reworded as part of planning permission 131041/JO/2021, currently states:

No later than 12 months from first occupation of the development, a scheme of highway works and details of footpaths reinstatement/public realm in relation to Rochdale Road and Sudell Street shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- *re-instatement works the footway including tactile paving;*
- *Tree planting in the footways.*

The approved scheme shall be implemented and be in place no later than 12 months from the first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

The applicant would like to omit the reference to Rochdale Road and the installation of street trees. The works principally affect Sudell Street as this is the location of the amended access point and where the condition of the highway is poor. There is also insufficient room for street trees and it is considered onerous for the size of this scheme to insist on improvements beyond Sudell Street. It is considered this change is non material and has the support of highway services.

The condition should be amended as follows:

No later than 12 months from first occupation of the development, a scheme of highway works and details of footpaths reinstatement/public realm in relation to Sudell Street shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- *re-instatement works the footway including tactile paving;*

The approved scheme shall be implemented and be in place no later than 12 months from the first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

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) The proposed seeks to state that the works apply to Sudell Stret only

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.

21) No later than 12 months from first occupation of the development, a scheme of highway works and details of footpaths reinstatement/public realm in relation to Sudell Street shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- re-instatement works the footway including tactile paving;

The approved scheme shall be implemented and be in place no later than 12 months from the first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Highway Services

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