

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134192/NMC/2022

Date registered valid: 28 June 2022

Proposal: Non material amendment to planning permission 117595/FO/2017 to amend the description of development to remove references to specific numbers of apartments, 'rooftop' extensions to Mills 1 & 2 and rear extension to Mill 1 and to add 'with associated structures' with reference to the new landscaped courtyard.

Address: 44 Talbot Mills, G 4 , Ellesmere Street, Manchester, M15 4JY

Ward(s): Hulme Ward

Applicant: Capital & Centric (Adored) Ltd C/o Agent, , .

Agent (if any): Ms Eithne FitzGerald Deloitte LLP The Hanover Building, Corporation Street, Manchester, M4 4AH

Case officer: Lucy Harrison
Tel: 0161 234 5795
Email: lucy.harrison@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19.07.22

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

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order:

Description of area

The proposal relates to Talbot Mills, a complex of two mill buildings with courtyard on the north side of Ellesmere Street within the St Georges area. The area has a mixture of uses, with predominantly residential apartments in new builds and converted buildings. The site is within Castlefield Conservation Area.

Description of development

This is a S96a application for a non-material amendment to amend the description of development approved under planning permission 117595/FO/2017. This is to allow material changes to the planning permission to be made under a S73 application (reference 117595/FO/2017). The existing description of development is:

Conversion of the Talbot Mill complex to create 114 residential apartments (Use Class C3), including rooftop extensions to Mill 1 and 2, and rear extension to Mill 1; demolition of Buildings A, B and C; retrospective application for demolition of Building E; erection of a 9 storey building plus 1 basement level, to provide 88 residential apartments (Use Class C3); and creation of new landscaped courtyard, lighting and other associated works.

The proposal is to amend the description in the following way (amendments in bold):

Conversion of the Talbot Mill complex to create **114** residential apartments (Use Class C3), including ~~rooftop~~ extensions to Mill 1 and 2, ~~and rear extension to Mill 1~~; demolition of Buildings A, B and C; retrospective application for demolition of Building E; erection of a 9 storey building plus 1 basement level, to provide **88** residential apartments (Use Class C3); and creation of new landscaped courtyard **with associated structures**, lighting and other associated works.

Consultations & Notification Responses

None required.

Issues

The main issue to consider is whether the proposed amendments would have a material impact on planning permission 117595. The proposed amendments to the description would not have a material impact on the development that would be delivered under 117595 but would give more flexibility to allow any material amendments to be considered under a S73 application. It is considered therefore, that the proposed amendments to the description are not material and should be approved.

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) Following an assessment of the details submitted, I confirm 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 amendments would not have a material impact upon the previously approved scheme, would not adversely affect visual or

residential amenity within the area, would not have a material impact upon the overall quality of the development, and there are no material planning considerations to indicate otherwise.

2) It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 117595/FO/2017. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to planning permission 117595/FO/2017 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended description applies:

3) Amended Description

Conversion of the Talbot Mill complex to create residential apartments (Use Class C3), including extensions to Mill 1 and 2; demolition of Buildings A, B and C; retrospective application for demolition of Building E; erection of a 9 storey building plus 1 basement level, to provide residential apartments (Use Class C3); and creation of new landscaped courtyard with associated structures, lighting and other associated works.

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

Conservation Area - Castlefield Conservation Area 1979

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL