

Application Number/s: 134430/NMC/2022

Applicant: Bruntwood

Agent: Paul Butler Associates

Location: Blackfriars House, Parsonage, Manchester

Proposal: NMA to amend wording (time triggers) of Conditions 3 (Material Samples) and 12 (Fume Extraction) to 121979/FO/2018

Ward: Deansgate

Description of Site and Surrounding Area

The application relates to Blackfriars House, a midrise office building located on Parsonage, situated off Deansgate in central Manchester. The area is located on the edge of the central retail area and is surrounded by predominantly office buildings, including those in Salford on the opposite bank of the River Irwell. The building is bound by Blackfriars Street to the north, Parsonage to the east, 14-22 Parsonage to the south (an adjoining midrise office building) and the River Irwell to the east.

The building is located within Parsonage Garden:

Parsonage Gardens conservation area is based on a square of the same name - a small, tranquil oasis close to the heart of Manchester.

The conservation area was designated in June 1985. Its boundaries are Blackfriars Street, Deansgate (a common boundary with the St Ann's Square conservation area), Bridge Street (a common boundary with the Deansgate/Peter Street conservation area) and St Mary's Parsonage. The River Irwell forms the western boundary of the area along the line of the administrative border of the City of Salford.

Description of Proposal

The application seeks a non-material amendment to approved planning application 121979/FO/2018. Specifically, the application seeks to amend the wording of planning conditions 3 (Material Sample Specifications) and 12 (Fume Extraction). The amendment would change the time triggers for additional information reserved by the conditions.

The Planning Submission

The application is supported by the following information:

- Application Form
- Covering Letter

Publicity LBC

Site Notice/s Posted and Dates: Not Required

Press Adverts Published and Dates: Not Required

Neighbour Notification: Not Required

Representations Received: Not Applicable

Consultations

Non Required

Assessment

The application has been submitted under Section 96A of the Town and Country Planning Act 1990, which states:

‘A local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

The power conferred includes power to make a change to a planning permission, to impose new conditions or to remove or alter existing conditions.’

The Local Planning Authority have assessed the amendments sought to the wording (alteration) of existing planning conditions. The change seeks to amend the time triggers for providing additional information. It is deemed that the alterations would not lead to a material change to the proposal, as the development’s appearance or potential impact on design or amenity would not be changed.

Equality Act (2010)

S149 (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.

Conclusion

The non-material amendment application is accepted and the conditions are altered accordingly.

Human Rights Act 1998

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 the right to a fair hearing and to this end the Committee 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 of the application 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:

The application for the Non-Material Amendment be accepted/approved.