

Delegated Decision Notification Form

(Guidance on completion overleaf)

<p>1. Subject</p>	<p>Planning Application Ref: 126638/FO/2020 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</p>
<p>2. Decision including: (a) details (b) reasons (c) alternatives considered and rejected</p>	<p>The application is approved for the reasons and subject to the conditions set out in the Planning Officer Report</p> <p>At the outset of the meeting, the Chair asked that the determination of all matters before the Chief Executive today be paused, and instead be referred to a virtual meeting of the planning committee. He explained that there is a system now in place which will allow such a meeting to go ahead in July.</p> <p>In respect of Kempsford Close matter, he explained that there was some capacity within supported accommodation in the city and therefore he felt there was no urgency to determine this today. It could reasonably be deferred and considered by committee in July.</p> <p>In respect of the Deansgate matter, the Chair explained that there was some interest by local residents and by Ward Members. They should be able to make their points in person, and so it would be reasonable to defer this to the July committee</p> <p>In respect of the Back Turner Street matter, he explained that there was some controversy to the previous (permitted) scheme at this site. The committee had originally refused permission for the development, but had changed its mind for three reasons:</p> <ul style="list-style-type: none"> • The old soap factory building was being retained as part of the development • A contribution to improvements in the area was being made • A small pocket park was being incorporated into the proposals <p>He felt that the economy had shrunk as a result of the pandemic and it wasn't clear what the demand for office space would be.</p> <p>The Chair considered it was wrong and unfair to ask the Chief Executive to determine these when a virtual committee meeting is so close to being held, as she could be subjected to unfair adverse comment in the media.</p>

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He felt that there was not a lot of pressure to determine these matters today, and the items before the Chief Executive could be deferred to the next committee meeting, which was likely to be on 30 July.

The Chief Executive understood the context and acknowledged the desire to protect the integrity of the Chief Executive's position. She considered the reasons given for deferring these matters, together with the risks involved in doing so. The Chief Executive did not consider there was sufficient justification in what had been said to defer everything at this stage. However, she would consider each item individually in case the particular circumstances of the individual cases gave rise to a need to defer their determination.

Turning to this particular matter, Officers advised that there are no late representations, but Councillor Wheeler has requested that a site visit is carried out.

Officers advised that there is an extant planning permission for the site, and that what is before the Chief Executive now is essentially the same building in terms of height, scale and massing. It occupies the same footprint as the consented scheme, and still retains the locally-important non-listed heritage asset (1-3 Back Turner Street), as provides for the pocket park. It is therefore, essentially a question of considering the change of use from the residential that is consented to the office use now proposed. Around 1,000 jobs would be created through the office use and the construction process.

A pre-application exercise was carried out, with leaflets sent to local residents and Ward members. No responses have been recorded.

Objections have been received from one Ward member and 38 residents following the submission of the application.

The Chair supported the request for a site visit, received from Cllr Wheeler. This has been a contentious site for development. This is a change of use to offices. There has been a slowdown in the economy (with a 25% contraction over the past 3 months), and so there is no urgency to determine this matter now and there should be more time to ensure that the concerns of the community are fully understood and taken into account. A site visit is strongly recommended to assist with that.

The Chief Executive considered that she did not have a planning justification to delay this matter for a site visit. The height, scale and massing, and the impacts of those, have been considered previously, with the previous scheme having then been approved.

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	<p>The Chief Executive queried whether the impacts identified previously, regarding a residential block overlooking other residences, changed now that the proposed use was commercial.</p> <p>Officers advised that the tests regarding impact on neighbouring amenity were the same, although there are no new issues in this regard potential impacts have been covered in the report.</p> <p>A question was asked about whether there were any changes to the benefits identified previously. It was explained that the previous scheme included a potential contribution, by way of clawback, for affordable housing. As this new proposal was commercial, there would be no affordable housing requirement. As such any potential future payment would not be secured on this scheme. However, the current proposal would result in 1,000 jobs being created, which was not the case with the previous scheme. It was also explained that the non-listed building was still being retained, as was the pocket park which were welcomed features of the previously-permitted scheme.</p> <p>The Chair queried whether this scheme was slightly higher, and it was explained that it was not: this scheme was the same height and occupied the same footprint as the previous scheme.</p> <p>The Chair queried whether there was a market for a commercial development of this type in the current circumstances. It was explained that the proposal is compliant with planning policy.</p> <p>The Chief Executive queried whether there would be a time limit for the development, and it was explained that the development would need to be commenced within 3 years. This was a standard requirement, though could be varied where circumstances justified it.</p> <p>The Chief Executive considered that this was a difficult decision, but that there were no planning grounds to justify deferring the matter and thus delaying the decision. Similarly, as the impacts of the building had previously been considered and a scheme with the same height, scale and massing had been approved and remains extant, there were no planning grounds to justify refusing the proposal.</p> <p>The application was therefore approved.</p>
<p>3 Name of Executive Member / Committee Chair and Vice Chair</p>	<p>Chair: Basil Curley</p> <p>(The Vice-Chair was unavailable for consultation on this decision)</p>

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consulted (as appropriate)		
4. Reports	Please attach the report or reports (or part only if contains confidential / exempt information) provided to the decision maker: Planning Officer Report attached	
5. Background Papers	Please attach the background papers provided to the decision maker N/A	
6. Declaration of Conflict of Interest by any Councillor Consulted (including Executive Members)	Interest declared? None Councillor's name: Date and details of dispensation given by the Chief Executive (if any):	
7 Contact Person	Name: Julie Roscoe	
	Telephone number (external): 0161 234 4552	Email: j.roscoe@manchester.gov.uk
8. Decision Maker / Authorised Signatory	Name: Joanne Roney	Role Title: Chief Executive
9. Date Of Decision	25 June 2020	

(Please return by email from Decision Maker's email account to gssu@manchester.gov.uk cc Jacob Morris-Davies)

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Guidance

This form must be completed when a decision has been taken by an officer under delegated powers and relates to:

- All Executive decisions, meaning all decisions not specifically the responsibility of full Council or a Council committee (see note 1) but excluding operational and administrative decisions relating to day to day work and key decisions (for which please use form D3)
- Non-executive decisions (meaning all decisions specifically the responsibility of full Council or a Council Committee) excluding operational and administrative decisions relating to day to day work but including specific delegations and general delegations that have the effect of:
 - granting a permission or licence;
 - affecting the rights of an individual; or
 - awarding a contract or incurring expenditure which materially affects the Council's financial position (see note 2).

The completed form and the reports referred to in must be submitted to the Governance and Scrutiny Team (gssu@Manchester.gov.uk) and will be published on the Council's website, the report and background papers will be made available for public inspection.

Note 1 - For more details of executive/non executive decisions see Part 3 of the Council's Constitution.

Note 2 - E.g. licensing/planning decisions.

The Form

1. Subject - A brief title should be inserted here..

2. Decision - Care must be taken not to disclose confidential or exempt information. For more information regarding categories of confidential/exempt information see Part 4 Section B of the Council's Constitution.

3. Report considered-To ensure decisions are robust and can withstand challenge Reports should contain all relevant information to enable decision making to be made in accordance with the decision making principles in Article 13.2 of the Constitution ie

- (a) Proportionality (meaning the action must be proportionate to the results to be achieved);
- (b) Due consultation (including the taking of relevant professional advice);
- (c) Respect for human rights;
- (d) Presumption in favour of openness;

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- (e) Clarity of aims and desired outcomes;
- (f) Due consideration to be given to alternative options;
- (g) Reasons for the decisions to be given provided there is no breach of confidentiality.

3. Insert the name of the Executive Member consulted (where the decision is an Executive Decision). If a non- executive decision insert the name of the Chair and Vice- Chair of the relevant Committee,

4. Background Papers - Background papers are documents, other than published works, that contain any facts or matters on which the decision or an important part of the decision was based and were relied on in making the decision.

5. Declaration of Conflict - This relates to any conflict of interest or disclosable pecuniary interest declared by a member of the Council consulted in relation to the decision.

6. Contact Person - This should be the officer dealing with the matter on a day to day basis.

7. Decision Maker - This should be the actual decision making officer and not the contact person unless they are the same person and not the Executive Member / other member who was consulted.