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Wednesday 15 December 2021

DELIVERED VIA PLANNING PORTAL

Our Reference : 10266/MCC/AL/GR/07
Planning Portal Ref: PP- 10479324

Dear Angela,

First Street, Manchester – Application for Non-Material Amendment to Planning Permission 125573/FO/2019

On behalf of our client, Downing Living (Manchester) Limited Partnership Incorporated, we hereby submit an application under Section 247 of the Town and Country Planning Act 1990 ("the Act") in order to make Non-Material Amendments ("NMA") to Planning Permission 125573/ FO/2019.

Background

On 22 January 2019 Planning permission was granted for Downing Living (Manchester) Limited Partnership incorporated (125573/FO/2019). The description of development approved under application reference 125573/FO/20 is as follows:

"Full Planning Permission for the construction of four buildings of heights varying from 10 storeys to 45 storeys together comprising Co-living bedspaces (use class sui generis) and associated amenity facilities, with ground floor commercial units (Use classes A3 (Café/ Restaurant and D2 (Gym), private amenity space and public realm comprising hard and soft landscaping, car parking and cycle facilities and other associated works"

Non-Material Amendments to Approved Development

This application is to facilitate a number of amendments to the wording of Conditions 17 and 31 within the planning conditions as detailed below.

Amendment to Condition 17

On the basis that the implementation prior to occupation requires the prior approval, but not required prior to commencement, we seek to amend the wording of Condition 17 to the following:

A scheme for acoustically insulating each of the ground floor commercial units (Class A3 (Cafe and Restaurant) use within Block A and D2 (Gym) unit within Block B) to ensure that there is no unacceptable level of noise transfer from the

Continued:

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ground floor uses to the residential accommodation above shall be submitted to and approved in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

The approved noise insulation scheme shall be completed before any of the approved commercial uses commence.

Amendment to Condition 31

The following documents are submitted through the planning portal (ref: PP-10479324) as part of the application:

- Proposed Stopping up Closure Plan including Previous
- Made Order
- Made Order Plan

The above documents highlight that the implementation is already in place and necessitates the need for prior approval.

We seek to remove the term 'prior to commencement of development' and amend the wording of Condition 31 to the following:

Notwithstanding the details contained within condition 2 above a scheme of highway works and details of footpaths reinstatement 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:

- (a) Loading bays on Hulme Street and Wilmott Street;*
- (b) Amendments to the existing TROs to accommodate 2 Car Club bays (and potentially additional disabled bays);*
- (c) Resurfacing of the footways across the site's perimeter. This should also include appropriate dropped kerbs/ tactile paving where required across access points and adjacent junctions (Wilmott Street- Hulme Street, Wilmott Street- Chester Street);*
- (d) Resurfacing of the carriageway on Hulme Street;*
- (e) Cycle improvements on Hulme Street to connect to Medlock Street/ Mancunian Way*
- (f) Detailed designs in relation to the above to including materials, layout, junction protection, carriageway widths, kerb heights, street lighting, entry treatments, signing, lining and traffic management including installing dropped kerbs with tactile pavers across any vehicle access to the site and at adjacent junction crossing points, reinstatement of any redundant vehicle crossing points, installation of some guard railing to ensure pedestrians cross at the safest and most appropriate locations.*

The approved scheme shall be implemented and be in place prior to the first occupation

Planning Policy Framework

The Planning Policy Framework relevant to the proposed development has not changed since the approval of the original application.

The key Development Plan documents remain the 2012 Manchester Core Strategy and Saved Policies of the 2006 Manchester Unitary Development Plan. Full consideration of the proposed development against the planning policy framework is considered within the original Planning Statement, dated 10 December 2019.

Summary and Conclusion

The amendments proposed in this application will result in a development that is substantively unchanged from the approved development on-site (ref: 125773/FO/2019). The amendments have been agreed with the Planning Authority as being non-material to the determination of the original permission. The development is therefore wholly compliant with the policies of the Development Plan and there are no material considerations which would justify refusal of the application. We therefore respectfully request that this application be supported by the Planning Authority.

The application is submitted through Planning Portal, reference PP-10479324.

We trust this meets with your approval, if you have any questions or queries in relation to the above, please do not hesitate to contact us.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'G. Robinson'.

**Glenn Robinson
For SimpsonHaugh**