

SECTION 73 REVISIONS STATEMENT

September 2021

**PROPOSED MIXED USE DEVELOPMENT
AT**

**JACKSON'S ROW,
MANCHESTER**

on behalf of:

JACKSON'S ROW DEVELOPMENTS LIMITED



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1. INTRODUCTION

- 1.1 This Revisions Statement has been prepared by Zerum Consult Ltd on behalf of the Applicant, Jackson's Row Developments Limited. It accompanies a planning application submitted to Manchester City Council (the 'LPA') under section 73 of the Town and Country Planning Act (1990) (as amended) to make minor material amendments to the planning consent referenced 125549/JO/2019 as amended by 127950/NMC/2020. The project relates to the comprehensive redevelopment of a site bounded by Southmill Street, Jackson's Row, Bootle Street and 201 Deansgate in Manchester city centre. The development is known as 'St Michael's' and is referenced as such throughout this statement.
- 1.2 Planning permission for the development was originally granted on 20th June 2018 (reference: 114664/FO/2016). It was subsequently amended under Section 73 on 26 June 2020 (reference: 125549/JO/2019) and under Section 96a on 1 December 2020 (reference: 125549/JO/2019).
- 1.3 Following discharge of the relevant pre-commencement conditions, works to implement the approved development were undertaken in April 2021 and completed on 12th of that month. The works comprised the demolition of the kitchen of the Sir Ralph Abercromby and making good remaining external walls. These works represented Phase 1 of the Approved Development. The lawful implementation of the consent was confirmed in a Lawful Development Certificate issued by Manchester City Council on 21 May 2021.
- 1.4 The project is now progressing towards works starting on Phase 2, which comprises the construction of the office building and conversion of the former police station. Through the detailed design process of Phase 2, a number of relatively minor changes to the approved scheme have been identified; these represent design, functional and operational improvements. The applicant wishes to progress these proposed changes, which are considered to require amendments to the scheme through a Section 73 application. It is important to stress from the outset that the fundamental scheme principles, such as the layout, uses, and height of the tower are unaltered, and viewed in the context of the overall scheme are considered to be minor.
- 1.5 This statement:-
- describes how the scheme is proposed to be revised and how it will differ from that currently approved;
 - sets out the form and content of the Section 73 planning application; and
 - assesses the acceptability of the proposed changes.

- 1.6 This statement should be read in conjunction with the other documents submitted in support of the planning application, as described in more detail below.

2. HOW THE SCHEME HAS BEEN REVISED

- 2.1 The approved description of the development is:-
- "Partial demolition of existing buildings. Development up to 171.6m AOD comprising residential (Use Class C3), offices (Use Class B1), hotel (Use Class C1), place of worship (Use Class D1) and leisure/ food and drink uses (Classes A1, A3, A4, A5 and D2). Creation of public spaces and new public realm, provision of basement car parking, highway alterations, landscaping and associated works."*
- 2.2 This description remains valid in consideration of the proposed amendments to the approved scheme.
- 2.3 The Section 73 Supplementary Design Report illustrates the proposed changes to the approved scheme. These are considered to be improvements to the approved scheme which represent design, functional and operational improvements. However, the development as approved remains deliverable and therefore represents a lawful fallback position. In summary the proposed changes are:-
01. project phasing
 02. reduction of lower basement footprint
 03. reduction of car parking
 04. increase in cycle parking
 05. integration of police headquarters into office space, changing from boutique hotel and realignment of levels
 06. reconfiguration of core in response to integration of police headquarters
 07. introduction of a lobby connection to Southmill Street
 08. reconfiguration of ground level retail, loading bay & back-of-house spaces
 09. raising height of terrace balustrade for safety
 10. raising height of plant deck to support restaurant below
 11. expansion of plant deck due to increase in mechanical equipment
 12. enclosure of restaurant at level 10
 13. removal of plant room on roof of police headquarters and extension of office terrace into this space
- 2.4 In terms of the specifics of the changes to the scheme, as well as those aspects which remain the same, these are summarised in the table below:-

Table 2.1 – Scheme Description Comparison¹

	Approved Scheme	Revised Scheme	Difference
Uses			
Uses Applied For	A1 - retail A3 – cafes/ restaurants A4 – drinking establishment A5 – hot food takeaway B1 - offices C1 - hotel C3 - residential D1 – place or worship D2 – Spa/Gym	A1 - retail A3 – cafes/ restaurants A4 – drinking establishment A5 – hot food takeaway B1 - offices C1 - hotel C3 - residential D1 – place or worship D2 – Spa/Gym	No change. Although the Use Classes Order has been updated since the 2018 planning approval, case law dictates that descriptions of development cannot be changed through a Section 73 application, therefore the use classes contained within the permission will not change.
Floorspace			
Office Floorspace	18,660 sq.m GIA 15,161 sq.m NIA	21,919 sq.m GIA 17,798 sq.m NIA	+3,259 sq.m GIA +2,637 sq.m NIA
Leisure Floorspace (Restaurants, Cafes, Drinking Establishments, Bars, Sandwich and Coffee Shops, Food Kiosks)	2,111 sq.m NIA	1,749 sq.m NIA	-362 sq.m NIA
Synagogue Floorspace	2,620 sq.m GIA	2,620 sq.m GIA	No change
Residential Floorspace	20,529 sq.m GIA 15,675 sq.m NIA	20,529 sq.m GIA 15,675 sq.m NIA	No change
5* Hotel Floorspace (including Meeting, Function and Conferencing Facilities, Gym and Spa)	17,879 sq.m GIA 10,661 sq.m NIA	17,879 sq.m GIA 10,661 sq.m NIA	No change
Boutique Hotel Floorspace	2,064 sq.m GIA	0 sq.m GIA	-2,064 sq.m GIA
Quantum			
No. of Leisure Units	5	5	No change
No. of Apartments	181	181	No change
No. of 5* Hotel Rooms	191	191	No change

	Approved Scheme	Revised Scheme	Difference
No. of Boutique Hotel Rooms	29	0	-29
Residential Mix			
No. of Residential Studios	28 (15%)	28 (15%)	No change
No. of 1-bed Apartments	28 (15%)	28 (15%)	No change
No. of 2-bed Apartments	116 (64%)	116 (64%)	No change
No. of 3-bed Apartments	8 (4%)	8 (4%)	No change
Penthouse	1 (0.6%)	1 (0.6%)	No change
Residential Apartment Sizes (sq.m)			
Studios	38	38	No change
1-bed Apartments	52	52	No change
2-bed Apartments	80-124	80-124	No change
3-bed Apartments	221-240	221-240	No change
Penthouse	813	813	No change
Accessible Apartments			
No. of Part M, Volume 1 M4(2) Apartments	100%	100%	No change
No. of Part M, Volume 1 M4(3a) Apartments	10%	10%	No change
Parking			
Total no. of Parking Spaces	103	54	-49
No. of Disabled Parking Spaces	7 (6.8%)	5 (9.3%)	-2 (+2.5%)
No. of cycle spaces	320 (plus optional folding bike storage in each apartment)	400 (plus optional folding bike storage in each apartment)	+80
No. of motorcycle spaces	8	8	No change
No. of electrical vehicle charging spaces	19 (10.7%)	19 (32.2%)	No change (+24.5%)

¹ GIA is Gross internal area, NIA is net internal area

2.5 In the following sections, each of the main changes are explained. This should be read in conjunction with the Section 73 Supplementary Design Report.

01. Project phasing

2.6 The current approval is for the following phasing:

- Phase 1 – Demolition of the Sir Ralph Abercromby pub kitchen
- Phase 2 – Construction of office building
- Phase 3 – Construction of synagogue, hotel and residential tower
- Phase 4 – Fit out of Boutique Hotel
- Phase 5 – Refurbishment of Pub

2.7 This is proposed to be amended as follows:-

- Phase 1 – Demolition of the Sir Ralph Abercromby pub kitchen
- Phase 2 – Construction of office building and works to former police station
- Phase 3 – Construction of synagogue, hotel and residential tower
- Phase 4 – Refurbishment of Pub

2.8 In summary therefore, whilst it was envisaged that the former police station external works will take place in Phase 2 previously, with the fit out forming a separate element of work in Phase 4, the works to the former police station will now all take place within Phase 2.

2.9 Changes to the development are also proposed in order to aid the practical delivery and operation of the development, such as the splitting of basement level -01 into two distinct parts. This will assist with the logistics of delivering the full project and will reduce uncertainty along the way. In terms of the basement, it is still intended that access will be made between the two parts.

02. Reduction of Lower Basement Footprint

2.10 The basement level -02 under the office block (Block B) has been removed to reduce risk and complications due to existing foundations. The access ramps from basement level -01 to -02 have therefore been removed making basement level -01 more efficient. This space has been reorganised so that Phases 2 and 3 can be constructed and operated independently.

03. Reduction of Car Parking

2.11 The reconfiguration of the basements has resulted in a reduction in parking numbers from 103 to 54. Five disabled parking spaces will be provided, which proportionally increases the level of provision.

04. Increase in Cycle Parking

2.12 Given the increased demand for cycle parking and the decreased level of car parking in the development, cycle parking spaces have increased from 320 to 400. To support the increase in alternative modes of transportation, expansive changing and showering facilities have been added in the basement of the former Police Headquarters.

05. Integration of Police Headquarters into Office Space, Changing from Boutique Hotel and Realignment of Levels

2.13 In the post-pandemic economy, the delivery of the boutique hotel presented greater challenges whilst at the same time the office market in Manchester remains strong. It is therefore proposed to remove the boutique hotel element from the development and extend the office use into the former police station building. This will allow the former police station to be occupied sooner than anticipated to the wider benefit of the development and the city. Further, by integrating the former police station into the offices, it allows the offices to benefit from the frontage to Southmill Street and to create a link directly through to the new proposed public square. To integrate the rooftop extension of the former police station into the office floorplates at the former restaurant mezzanine level, the height of the rooftop extension will increase by 1.25m to allow full expansion of the office floorplate into the extension.

06. Reconfiguration of Core in Response to Integration of Police Headquarters

2.14 With the proposed change and integration of the former Police Headquarters from a boutique hotel use to offices, the core has been reconfigured so that it serves and integrates both elements of the development. The revised office core also creates a more equivalent depth between the facade and the core around the building, allowing access to daylight for more of the office users. Further, it allows the eastern façade of the new build offices to be improved by introducing clear glazing to this elevation whereas the previous core arrangement required solid panels in this location.

07. Introduction of a Lobby Connection to Southmill Street

- 2.15 The consented scheme comprised a double-height office lobby accessed from the proposed public square, and an entrance to the boutique hotel from Southmill Street. Two retail units flanked either side of the office lobby, facing onto Jackson's Row and Bootle Street. With the proposed change and integration of the former Police Headquarters from a boutique hotel use to offices, it is now proposed that an entrance lobby in the former Police Headquarters will connect through to the primary office lobby, creating an interior connection between Southmill Street and the public square. The revised core organisation supports this connection.

08. Reconfiguration of Ground Level Retail, loading bay & Back-Of-House Spaces

- 2.16 To allow Phases 2 and 3 of the development to be constructed and operated independently, and as a result of the creation of the through connection from Southmill Street to the office lobby, and reconfiguration of the core, the back-of-house zone of the office block has been reconfigured and expanded to ensure that it can operate independently from the hotel and residential building (Phase 3), if required. This results in some minor elevational alterations to Bootle Street around the loading bay.

09. Raising Height of Roof Terrace Balustrade for Safety

- 2.17 To ensure the safety and comfort of anyone visiting the roof terrace, as well as members of the public on the streets below, the balustrade around the terrace is proposed to be increased from 1.5m to 3m in height.

10. Raising Height of Plant Deck to Support Restaurant Below

- 2.18 The roof-top plant deck will be raised by 1.87m to improve the food and drink use floorspace at 10th floor level below.

11. Expansion of Plant Deck due to increase in Mechanical Equipment

- 2.18 The proposed office roof-top plant deck is proposed to be expanded by 4m to the north and south to increase space for mechanical equipment that is needed to provide for increased air exchange rates, as required in post-pandemic office buildings. In addition to this, improved and high-performing sustainability criteria has been targeted (such as BREEAM 'Outstanding' instead of 'Excellent') to bring the project forward in a more socially responsible way. This also has a

considerable impact on the size of equipment required on the plant deck. Louvre screens are to be provided at the perimeter of the plant deck to mask the equipment both visually and acoustically.

12. Enclosure of Restaurant at Level 10

- 2.19 Part of the space under the office roof-top plant deck is proposed to be enclosed to ensure usage during all seasons, increasing its function as a publicly accessible space. The remaining area under the plant deck serves as covered terrace space, further supporting all-weather use.

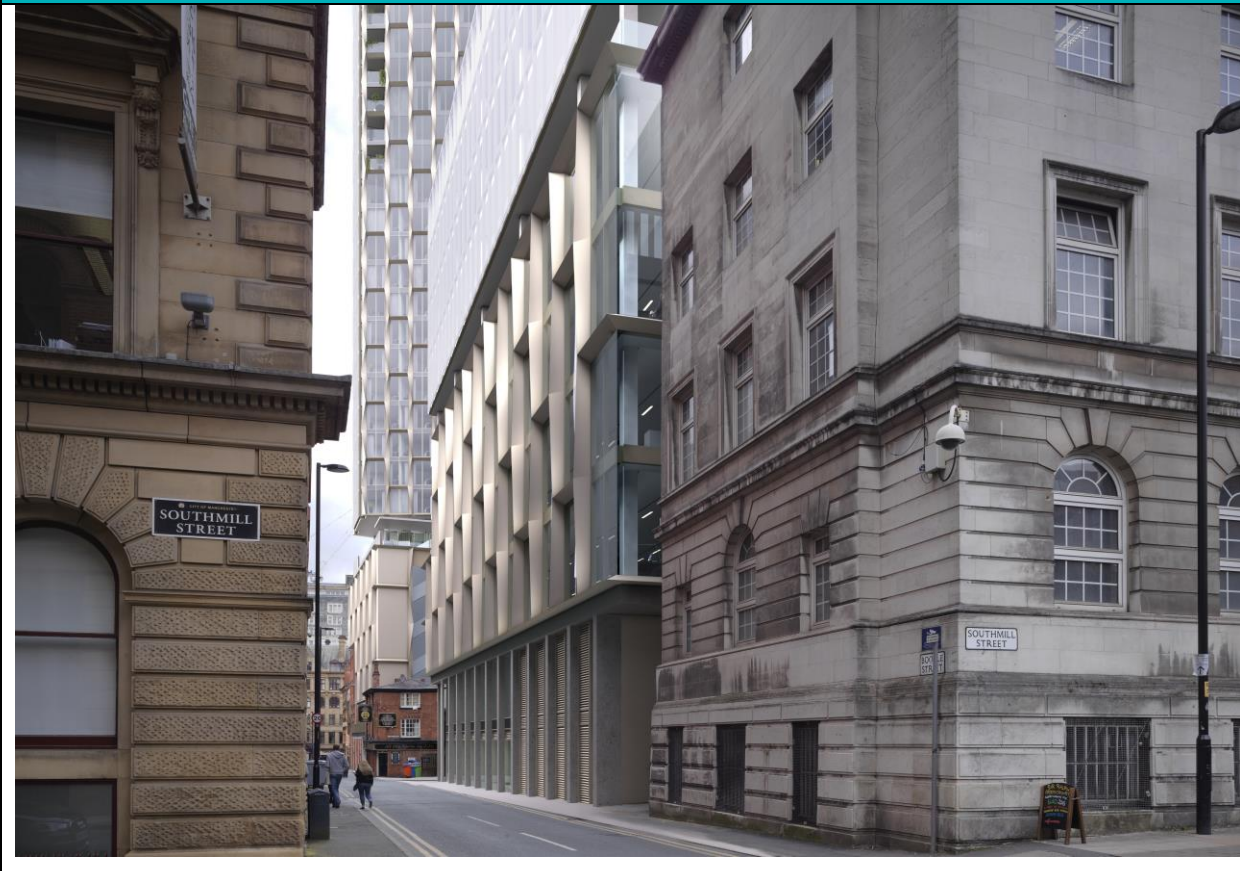
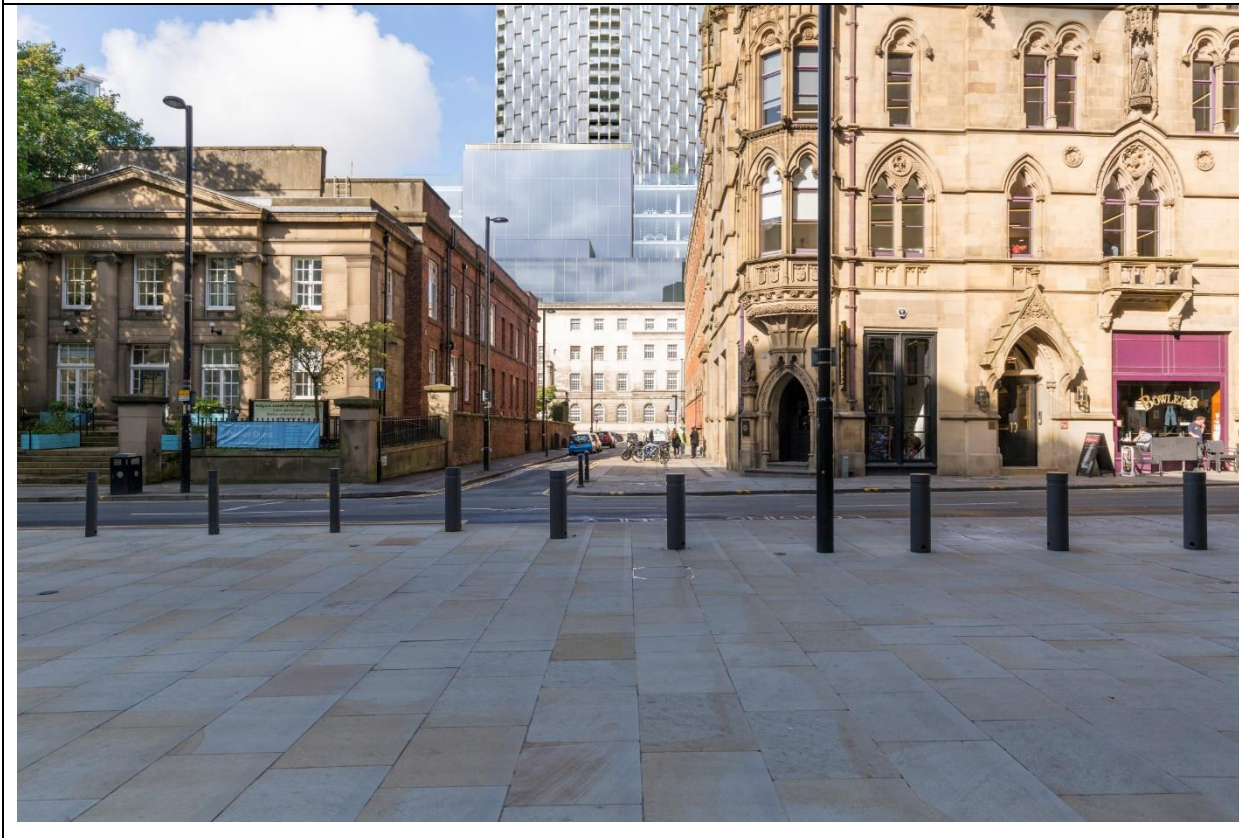
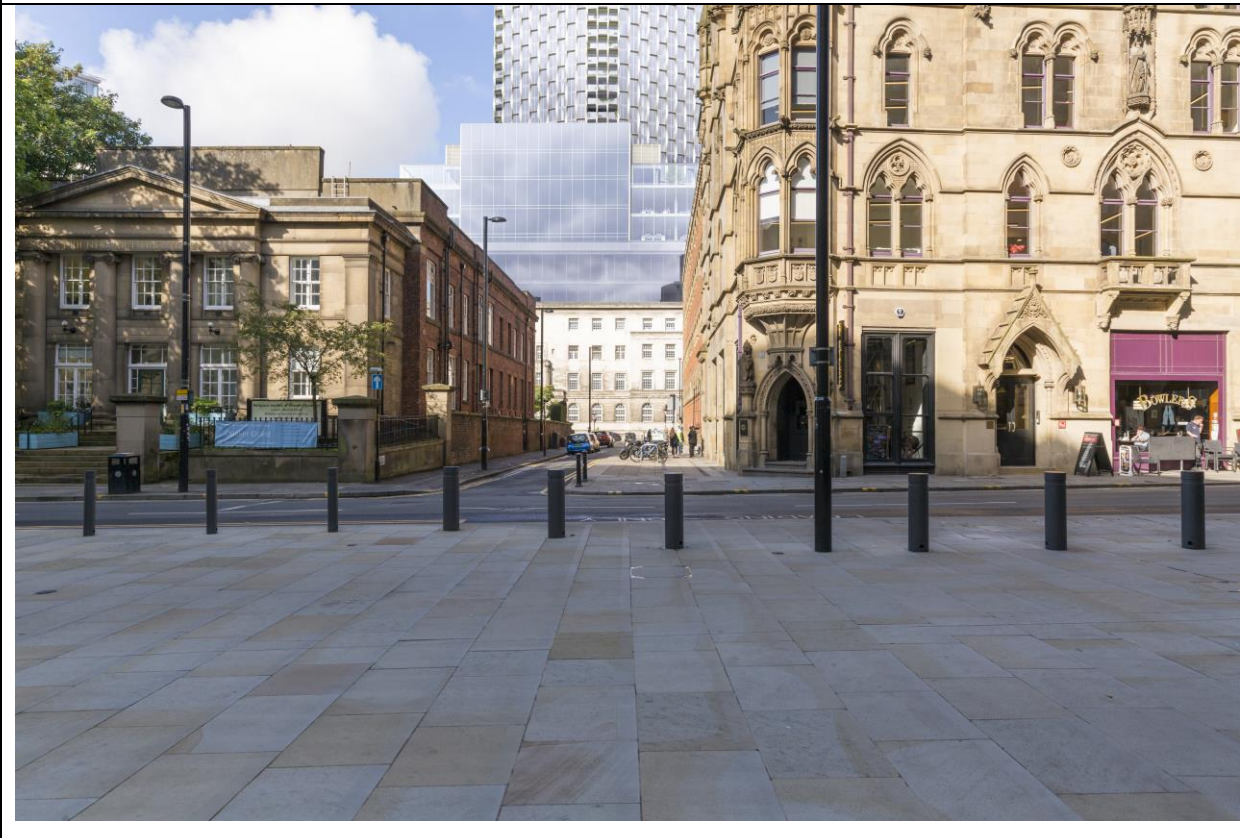
13. Removal of Plant Room on Roof of Police Headquarters and Extension of Office Terrace into this Space

- 2.20 The roof of the proposed extension on top of the former police headquarters was to be inaccessible due to mechanical plant space serving the boutique hotel. Due to the change of the use of the former police headquarters to offices, all the office plant is now proposed on the plant deck on top of the new build offices. This creates an opportunity to create an enlarged outdoor terrace for office users on the roof of the former police station extension. The terrace expands a smaller area at this level approved as part of the consented scheme. Balustrading will be added to the rooftop area.

Visual Changes

- 2.21 In terms of the visual appearance of the scheme as now proposed compared to the scheme approved previously, three views prepared for the previous application have been updated to allow for side-by-side comparison. The views selected to be updated (16, 21 and 27) are those which are most sensitive in townscape and heritage terms, and from which the changes proposed would be visible. The changes would also be visible from view 22, but given the view is similar to view 21, it has not been updated. There will not be any significant, if any, changes visible in the other views originally assessed. The table below sets out a side-by-side comparison of the three updated views.

Table 2.2 – Scheme Visual Comparison

Approved Scheme	Proposed Revised Scheme
	
	

Approved Scheme



Proposed Revised Scheme



3. SECTION 73 PLANNING APPLICATION

- 3.1 Section 73 of the Act allows conditions attached to a planning permission to be varied. The effect of Section 73 is the granting of a freestanding consent, which is based upon the originally consented scheme, subject to such amendments as the Council considers appropriate. Importantly Section 73 does not permit a local planning authority to fundamentally alter the nature of the original permission and the new conditions (or amendment to conditions) must have been ones which could have been imposed on the original². The crucial issue to determine is the land use consequences of the proposed change(s) to the original permission, which must be properly assessed³.
- 3.2 The approach to the Section 73 application has therefore been to update and replace key documents submitted in respect of the original application and previous subsequent amendment applications, so that they accurately describe the proposed scheme, as proposed to be amended. Other documents, which do not describe the scheme in detail and/ or where the scheme changes will have little or no bearing on the conclusions, have not been updated but have been supplemented by new cover pages which briefly explain the approach taken to that document.
- 3.3 The Environmental Statement has not been updated as the proposed changes to the scheme will not alter the previous impact assessment or its conclusions, and the relevant baseline, policy and cumulative development context has not changed such that it would significantly affect the previous impact assessment.
- 3.4 The approach adopted rightly reflects the minor nature of the proposed alterations, whilst providing a full package of documents to reflect the proposed scheme.
- 3.5 The table below describes in more detail the documents which are submitted in support of the Section 73 application.

Table 3.1 –Application Documents

Document	Revised	Addendum	Unaltered	Notes
Planning application form and certificates	✓			New forms required for Section 73 application
Revision Statement	✓			A revision statement was submitted with the original application which explained

Document	Revised	Addendum	Unaltered	Notes
				the major changes made to the scheme prior to its approval. A new revision statement has been provided (this document) which explains the minor changes now proposed.
Section 73 Supplementary Design Report	✓			This document explains the proposed design changes to the scheme and has been fully updated since the previous Section 73 application.
Design & Access Statement	✓			Full replacement document. Context and background sections remain unaltered, the sections describing the development have been fully updated.
Planning & Tall Building Statement	✓			Full replacement document provided which describes the proposed development and assesses the development as proposed to be revised, as a whole, against relevant and updated planning policy.
Regeneration Statement		✓		Whilst the proposed amendments to the scheme will result in some changes to the calculated figures presented in the Regeneration Statement, these are not so significant that the overall report conclusions and benefits of the scheme would vary to any significant degree.
Heritage Significance Statement			✓	There is no change to the significance of any of the heritage assets affected by the proposals and therefore there are no required changes to the Heritage Significance Statement.
Heritage Impact Statement		✓		An addendum report has been produced which appends the original document. An updated assessment of views 16, 21 and 27 is provided.
Demolition Justification Statement			✓	There are no changes to the extent of demolition as previously approved and therefore no change to the justification previously provided.
Flood Risk Assessment			✓	There are no changes to the level of flood risk either potentially affecting the development or as a result of the development in relation to the baseline context, or as a result of the proposed amendments to the scheme.
Drainage Strategy		✓		An addendum Drainage Strategy has been produced relating to the scheme changes. This should be read in conjunction with the 2019 Strategy.

² See R. v Coventry City Council Ex p. Arrowcroft Group plc [2001] P.L.C.R. 7

³ See Powergen UK plc v Leicester City Council (2001) 81 P. & C.R. 5)

Document	Revised	Addendum	Unaltered	Notes
Transport Statement	✓			A fully updated Transport Statement reflecting the design amendments has been provided.
Framework Travel Plan	✓			A fully updated Framework Travel Plan is provided. A condition attached to the planning consent requires a more detailed Framework Travel Plan to be submitted prior to occupation of the development.
Environmental Standards Statement		✓		The proposed environmental standards for Phase 2 have been improved and therefore an addendum ESS is provided.
Energy Statement	✓			A full replacement report has been provided which describes the revised strategy arising from the more advanced design.
Waste Management Strategy and pro-forma	✓			A full replacement report has been provided which updates the scheme description and includes the revised basement layouts.
Ventilation Strategy	✓			A full replacement report has been provided which describes the revised strategy arising from the more advanced design.
TV Reception Survey			✓	The proposed scheme amendments will not result in significantly different results or conclusions than those of the approved scheme. In any event, the planning consent includes a planning condition protecting residents.
Statement of Consultation			✓	Both the original and Addendum Statements of Consultation, which were submitted for the approved scheme, have been resubmitted, unaltered. These document the consultation undertaken in the evolution of the approved scheme. No further consultation has been undertaken for the Section 73 amendments as the minor nature of the changes were not considered to warrant it. Interested parties will have chance to comment on the proposals as part of the statutory consultation process.
Crime Impact Statement			✓	The proposed scheme amendments will not result in significantly different considerations and recommendations than those of the approved scheme. In any event, the planning consent includes a planning condition requiring further

Document	Revised	Addendum	Unaltered	Notes
				details to be submitted in relation to designing out crime.
Existing Site & Demolition Drawings			✓	The existing site drawings remain valid.
Proposed Architectural Drawings	✓			A full, revised drawing package has been provided. These have been prepared by SOM.
Landscape Drawings	✓			A full, revised drawing package has been provided.

Environmental Impact Assessment ('EIA')

3.6 Given that the original application was subject to an EIA, it is accepted that the Section 73 application comprises EIA development. The National Planning Policy Guidance (NPPG), at paragraph 16 (ID: 17a-016-20140306) advises the following in respect of environmental information relating to an application under Section 73:

"Where an Environmental Impact Assessment was carried out on the original application, the planning authority will need to consider if further information needs to be added to the original Environmental Statement to satisfy the requirements of the Regulations. Whether changes to the original Environmental Statement are required or not, an Environmental Statement must be submitted with a section 73 application for development which the local planning authority considers to be Environmental Impact Assessment development."

3.7 The original application was supported by a full Environmental Statement (ES), which was revised during the course of the application's consideration to account for scheme changes (WSP, reference: 70010278, November 2017). The full ES was updated with an Addendum in 2019 for the subsequent Section 73 application (WSP, reference 70061860-ESA001, November 2019). The non-material amendment application did not require an update to the ES given that the changes related only to condition wording and by nature of the fact the changes were non-material, they did not affect the environmental impact assessment.

3.8 In assessing whether changes to the ES are required, we have carefully followed the Regulations in conjunction with Guidance published in National Planning Policy Guidance (NPPG). Given the minor nature of the scheme changes proposed, it is considered that these will not lead to significant environmental effects in themselves, nor will they change the original impact assessment and its conclusions. Further, the relevant baseline, policy and cumulative development context has not changed since the 2019 ES, such that it would not significantly affect the previous impact assessment. A formal screening request has been made to Manchester City Council on this basis and their formal response is awaited.

3.9 In accordance with Regulations, the 2019 ES, unchanged, has been submitted with this Section 73 application. The ES comprises:

- Addendum Environmental Statement (2021) (Covering the ES and explaining the approach);
- Addendum Environmental Statement Volumes 1 (2019);
- Environmental Statement Volume 1 (2017) - Main Text prepared by WSP (unless otherwise stated) which comprises:-
 - Chapter 1 – Introduction;
 - Chapter 2 – Description of the Site and Surrounding Area;
 - Chapter 3 – Description of the Proposed Development;
 - Chapter 4 – Consideration of Alternatives;
 - Chapter 5 – Approach to EIA;
 - Chapter 6 - Noise and Vibration;
 - Chapter 7 – Socio Economics;
 - Chapter 8 - Townscape and Visual, prepared by Planit IE;
 - Chapter 9 - Built Heritage, prepared Stephen Levrant Heritage Architecture;
 - Chapter 10 - Wind;
 - Chapter 11 - Daylight, Sunlight and Overshadowing;
 - Chapter 12 – Archaeology;
 - Chapter 13 - Cumulative Effects; and
 - Chapter 14 – Summary of Environmental Commitments;
- Environmental Statement Volume 2 (2017) – Appendices, comprising;
 - Appendix 2.1: Phase 1 Preliminary Geo-environmental Risk Assessment, prepared by WSP;
 - Appendix 2.2: Biodiversity Assessment (including bat surveys) , prepared by WSP;
 - Appendix 2.3: Preliminary Geotechnical and Environmental Assessment, prepared by WSP;
 - Appendix 2.4: Air Quality Report, prepared by WSP;
 - Appendix 5.1: EIA Scoping Report, prepared by WSP;
 - Appendix 5.2: EIA Scoping Update Note, prepared by WSP;
 - Appendix 6.1: Acoustic Terminology, prepared by;
 - Appendix 6.2: Noise and Vibration Guidance, prepared by WSP;
 - Appendix 6.3: Construction and Operational Assessments, prepared by WSP;
 - Appendix 6.4: Noise Survey Data, prepared by WSP;
 - Appendix 7.1: Socio-Economic glossary, prepared by WSP;
 - Appendix 8.1 :Townscape Baseline and Effects, prepared by Planit IE;
 - Appendix 8.2 :TVIA Baseline and Effects, prepared by Planit IE;
 - Appendix 8.3 : Kinetic view tracks, prepared by Planit IE;
 - Appendix 8.4 : TVIA Figures, prepared by Planit IE;
 - Appendix 8.5 :Views, prepared by Planit IE;
 - Appendix 10.1: Site terrain Adjustment, prepared by WSP;

- Appendix 10.2: Contour Plots for Individual Wind directions, prepared by WSP;
- Appendix 10.3: Contour Plots, prepared by WSP;
- Appendix 10.4: CFD Technical Assumptions, prepared by WSP;
- Appendix 11.1: External Daylight and Sunlight Receptors, prepared by WSP;
- Appendix 11.2: Detailed External Daylight and Sunlight Results, prepared by WSP;
- Appendix 11.3: Detailed internal daylight & sunlight results, prepared by WSP;
- Appendix 11.4: Internal Overshadowing Results, prepared by WSP;
- Appendix 11.5: Glossary, prepared by WSP;
- Appendix 11.6: External Overshadowing Analysis, prepared by WSP;
- Appendix 12.1: Archaeological Desk Based Assessment, prepared by WSP;
- Appendix 12.2: WSI, prepared by WSP;

- Environmental Statement Volume 3 Non-Technical Summary (2019), prepared by WSP; and
- Environmental Statement Volume 4 Technical Summary (2019), prepared by WSP.

4. ASSESSING THE ACCEPTABILITY OF THE PROPOSED SCHEME CHANGES

4.1 In relation to planning considerations, there are several key changes to consider, which are:-

- increased mass of the rooftop extension of the former Police station;
- use of roof of extension to the former Police station as a terrace;
- increased mass of the office building roof-top plant deck;
- increased balustrade height to roof-top terrace;
- change to leisure unit areas;
- change from boutique hotel to offices;
- reduction in basement area;
- reduction in parking numbers;
- increase in cycle parking numbers;
- external alterations to the ground floor of Bootle Street; and
- change to phasing.

Increased Mass of The Rooftop Extension of the Former Police Station

4.2 The approved scheme includes a 'glass box' vertical extension to former police station. This was to accommodate a restaurant at level 05 with a partial mezzanine floor above. Given it is proposed to change the use of the former police station from boutique hotel to offices, it is proposed to remove the internal mezzanine and replace it with a full floor extension to align with level 06 of the new build offices. The previously proposed plant will be removed from the roof of the extension and instead the roof will be used as a terrace to the offices. A balustrade will be added to the perimeter of the roof. As a result, the 'glass box' will be raised by 1.25m, from 63.40m AOD to

64.65m AOD to the top of the balustrade. The previously proposed plant extended to 65.03m AOD however, so overall the maximum height of the extension will reduce by 0.38m.

4.3 It is considered that this massing change is minimal and is unlikely to be perceptible. The benefits of the change in increasing usable internal area and providing a larger external terrace for office workers, which is more desirable post pandemic, increase the attractiveness of the development, and outweigh any effects of the change. The change has no bearing on the heritage and townscape/ visual assessments and does present any issues in relation to worsening of sunlight, daylight and overshadowing of adjacent buildings and spaces, nor would it significantly alter the wind environment. It is therefore considered that the proposed massing change is acceptable.

Use of Roof of Extension to The Former Police Station as a Terrace

4.4 The use of the roof of the extension to the former police station as an extended external office terrace should be considered in relation to amenity issues. In this regard, the precedent for the potential for overlooking was established with the restaurant and bar uses previously proposed on the two levels below. The use of the roof of the extension as a terrace is unlikely to create additional overlooking, indeed it is likely to be reduced given that the office terrace (and offices within the extension on levels 05 and 06) is unlikely to be used out of office hours, unlike the former bar/ restaurant uses. Further, there are no sensitive residential uses near to this part of the St Michael's site. The building at 47 Peter Street has consent for hotel use, which was granted since the original St Michael's consent. However, this property is already overlooked by offices and other commercial buildings and therefore it is expected that if the hotel development were to come forwards, suitable privacy measures will be put in place as part of the hotel development. The buildings are also over 18m distance from each other and are arranged at oblique angles, further reducing the risk of overlooking. It is therefore concluded that the use of the roof of the extension of the former police station as a terrace is acceptable.

Increased Mass of The Office Building Roof-Top Plant Deck

4.5 The roof-top plant deck mass will increase as a result of several changes, this includes the raising of the plant deck by 1.87m and the increase in footprint by extending the deck 4m to the north, west and south. In consideration of the massing changes, given that the change in mass is at rooftop level and predominantly inset from the edge of the main building mass, its visibility from street level will be limited. Further, the change is considered minor in relation to the scale of the scheme as a whole and will be imperceptible to those using and experiencing St Michael's. The change has no bearing on the heritage and townscape/ visual assessments and does present any

issues in relation to worsening of sunlight, daylight and overshadowing of adjacent buildings and spaces, nor would it significantly alter the wind environment. The benefits of the change in improving the sustainability rating of the offices and creating more usable retail/ food and drink space at roof terrace level are considered to outweigh any negative effects of the increase in mass. It is therefore considered that the proposed massing change is acceptable.

Increased Balustrade Height to Roof-Top Terrace

4.6 The increase in height of the proposed rooftop balustrade from 1.5m to 3m is sought on safety grounds. Following consultation with potential operators of the roof top terrace, the increased height is desired to ensure the safety of members of the public using the space and on the streets below, to prevent the opportunity for falls, including from furniture, and objects being thrown. It will further improve the comfort of members of the public using the external space by increasing shelter. The balustrade, whilst having the potential to increase the appearance of the mass of the building, will be transparent glass, and therefore the visual impact of the change will be minimised. This change is considered acceptable given the obvious benefits that the change will provide when compared to the relatively minor increase in height as a proportion of the overall scale of the building. The change would have no bearing on the conclusions of any of the supporting reports which consider amenity.

Change To Leisure Unit Areas

4.7 The proposed scheme changes will result in the loss of the boutique hotel restaurant/ bar, and a slight reduction in the size of the retail/ food and drink units in Block B (Units BG-3 and BG-4) as a result of the reconfiguration of the ground floor internal layouts to create the through lobby to Southmill Street and changes to the core. In contrast, the enclosed space beneath the plant deck on the roof terrace is proposed to be increased. The net effect of these changes is a reduction of 362 sq.m retail/ food and drink floorspace. The floorspace as now proposed will continue to offer a range of unit sizes for potential occupiers and will continue to activate street-level, as well as the upper levels, and will add vitality and vibrancy to St Michael's throughout the day and evening. The changes are therefore considered acceptable.

Change From Boutique Hotel to Offices

4.8 The reason for changing the hotel to offices was twofold. Firstly, securing an operator for a boutique hotel post-pandemic is more challenging than previously, making a hotel use less attractive, and secondly, continued demand for offices, as well as the opportunity provided by

the former police station in providing a more prestigious entrance and address, make the prospect of extending the office use into the former police station more attractive. As the Regeneration Statement identifies, there is an undersupply of Grade A office space within the city, and this remains the case. Therefore, the provision of 3,259 sq.m GIA additional high-quality office space is a positive addition to the city and will help to address the current undersupply. The provision of additional office space aligns with key regeneration and planning policies as set out in Section 4 of the Planning Statement. The loss of the boutique hotel use is not detrimental to the scheme since the more important 5* hotel use remains and the main focus of previous decisions regarding the scheme were based on the retention of the former police station building, rather than the use proposed within it. By allowing the former police station to be occupied as offices, a sustainable long-term use for the former police station will be secured and the building will become occupied in an earlier phase than previously envisaged, therefore securing its future sooner than would otherwise have been the case.

Reduction In Basement Area

- 4.9 The reduction in size of the level -02 basement is positive in many respects, resulting in environmental improvements in relation to less excavation waste, shortened construction time, less use of resources, and a more efficient basement layout. The change is therefore considered acceptable.

Reduction In Parking Numbers

- 4.10 Overall, the parking numbers have reduced from 103 to 54. This change is considered to raise no highways or operational issues given the location of the development within the city centre, where there is easy access to other services and facilities and given the access to alternative sustainable modes of transport. Disabled space provision will increase proportionality from 6.8% to 9.5%, in excess of parking standards, and electric charging spaces will continue to be provided at 19 spaces. The reduction in parking spaces is also balanced against the addition of a further 80 cycle spaces. Overall, this change is considered to be acceptable.

Increase In Cycle Parking Numbers

- 4.11 Cycle parking spaces are proposed to increase from 320 to 400 spaces, with 220 spaces to serve Block A and 180 spaces to serve Block B. Further, expansive changing and showering facilities are proposed to be developed in the basement of the former Police Headquarters. This change is

considered wholly acceptable given the increase in office floorspace and the need to encourage sustainable modes of travel.

External Alterations to The Ground Floor of Bootle Street

- 4.12 As a result of the internal reconfiguration of the ground floor to accommodate the through link from Southmill Street to the main office lobby and to allow Phases 2 and 3 of the development to be delivered and operated separately, the back of house space has slightly increased at ground floor on the Bootle Street frontage. This has resulted in a slight reduction in the active frontage which is marginal given the overall active frontage proposed within the development. For this reason, it is not considered detrimental.

Change to Phasing

- 4.13 The inclusion of the full fit out within Phase 2, instead of Phase 4, will see the former police station building bought back into active use sooner, and this should therefore be seen as a positive. The introduction of physical changes to allow the development to be delivered and operated in distinct phases reduces risk to the overall delivery of the development and is therefore a positive which should be supported.

Other Matters

- 4.14 A further change proposed relates to the energy strategy. Previously it was proposed to use the Civic Quarter district heating network for the offices, however it is now proposed to use air source heat pumps with heat recovery to provide simultaneous heating and cooling via LTHW and CHW systems, serving both ventilation plant and office fan coil units for the offices. Further, to underline the approach to energy and carbon reduction, the office development is seeking a NABERS 5 star rating. NABERS is based on real life energy consumption and encourages the landlord and tenant to operate efficiently, monitor and report energy consumption.
- 4.15 The commercial office development is now targeting a BREEAM assessment result of 'Outstanding', an improvement over the previously proposed 'Excellent' rating, and the sustainable approach to the design and arrangement of the systems will aspire to meet these requirements. In addition to this, the office development will be developed with principles of WELL. This combined approach aims to address energy, carbon and wellbeing.

- 4.16 There are other changes proposed, such as moving internal walls, updating the landscaping to reflect other changes and elevational alterations, as identified on the submitted drawings, but these are considered *de minimis*.
- 4.17 The Section 73 application package includes all of the reports submitted with the application which was approved in June 2020. These technical reports and assessments have been through a full review to establish whether the proposed amendments to the scheme could have resulted in a change to the findings of the original reports or assessments, and/or to identify whether the description of the scheme needed updating. Assessments have been revised where it was concluded that there was potential for the identified impacts to change. As identified within individual reports within the planning package, the result of this review is that there has been no change to any impacts identified in the scheme approved in June 2020.
- 4.18 Similarly, in terms of changes to the public benefits considered previously, there has been no loss of these with the only changes relating to the following benefits:
- *'Provide accommodation for approximately 2,111 new jobs directly, including more graduate level jobs in the conurbation's economy, with companies able to provide more apprenticeships, work placements, and intern places taking advantage of the sectoral makeup of the new employment and industry recruitment and training approaches.'* – the number of jobs has increased from 1,800 to 2,111;
 - *'retain the principal frontage element of the former Police Station and through conversion to offices, provide a sustainable long-term use for the building'* - the reference to offices has replaced hotel; and
 - *'Provide development built to high levels of sustainable design and construction including a CO2 reduction of 15% or greater against Part L of the Building Regulations and a reduction of 25% or greater on typical water consumption (litre/person/day). The offices will seek a BREEAM Outstanding rating'* - the BREEAM rating of Excellent has been upgraded to Outstanding.

5. CONDITION AMENDMENTS

- 5.1 At this stage, it is intended that several of the previous planning conditions will need amending to reflect the proposed changes to the scheme. These are set out in Table 5.1.

No	Existing Condition Wording	Proposed Revised Condition Wording	Reason for Change
1	The development must be begun not later than the expiration of three years beginning with the date of this permission. <i>REASON - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.</i>	The development hereby permitted was certified as having commenced on 21 May 2021, as confirmed by the Certificate of Lawfulness reference 130296/LE/2021 issued on that date. <i>REASON: For the avoidance of doubt, and to comply with Section 91 (as amended) of the Town and Country Planning Act 1990</i>	To recognise that the consent was implemented within the statutory three years.
2	The development hereby approved shall be carried out in accordance with the following drawings and documents: Plans <u>MAKE Architect's drawings</u> • P 1000 A1 Site location plan 1:1250 • P 1050 A1 Existing site plan 1:500 • P 1100 A0 Existing North Elevation 1:250 • P 1101 A0 Existing East Elevation 1:250 • P 1102 A0 Existing South Elevation 1:250 • P 1103 A0 Existing West Elevation 1:250 <u>Hodder + Partners Drawings</u> • Site Demolition Plan (-0)001 1:500@A1 <u>SOM Drawings</u> • S73 000 P01 Cover • S73 002 P01 General Notes • S73 011 P01 Site Plan 1:1000 • S73 101 P01 Basement B2 Plan 1:200 • S73 102 P01 Basement B1 Plan 1:200 • S73 103 P01 Ground Level Ga Plan 1:200 • S73 104 P01 Level 01 Ga Plan 1:200 • S73 105 P01 Level 02 Ga Plan 1:200 • S73 106 P01 Level 03 Ga Plan 1:200 • S73 107 P01 Level 04 Ga Plan 1:200 • S73 108 P01 Level 05 Ga Plan 1:200 • S73 109 P01 Level 06 Ga Plan 1:200 • S73 110 P01 Level 07 Ga Plan 1:200 • S73 111 P01 Level 08 Ga Plan 1:200 • S73 112 P01 Level 09 Ga Plan 1:200 • S73 113 P01 Level 10 Ga Plan 1:200 • S73 114 P01 Level 11 Ga Plan 1:200 • S73 115 P01 Tower Ga Plans Hotel 1:200 • S73 116 P01 Tower Ga Plans Residential 1:200 • S73 117 P01 Tower Ga Plans Residential 1:200 • S73 118 P01 Site Roof Plan 1:200 • S73 201 P01 Elevations East & West 1:200 • S73 202 P01 Elevations North 1:200 • S73 203 P01 Elevations South 1:200 • S73 204 P01 Elevations Courtyard Block A and Block B 1:200 • S73 251 P01 West East Cross Section 1:200 • S73 252 P01 West East Bridge Cross Section 1:200 • S73 253 P01 North South Section Block A 1:200 • S73 254 P01 North South Sections Block B 1:200 • S73 511 P01 Building Enclosure Hotel Podium 1:50	The development hereby approved shall be carried out in accordance with the following drawings and documents: Plans <u>MAKE Architect's drawings</u> • P 1000 A1 Site location plan 1:1250 • P 1050 A1 Existing site plan 1:500 • P 1100 A0 Existing North Elevation 1:250 • P 1101 A0 Existing East Elevation 1:250 • P 1102 A0 Existing South Elevation 1:250 • P 1103 A0 Existing West Elevation 1:250 <u>Hodder + Partners Drawings</u> • Site Demolition Plan (-0)001 1:500@A1 <u>SOM Drawings</u> • S73 000 P03 Cover • S73 002 P03 General Notes • S73 011 P03 Site Plan 1:1000 • S73 101 P03 Basement B2 Plan 1:200 • S73 102 P03 Basement B1 Plan 1:200 • S73 103 P03 Ground Level Ga Plan 1:200 • S73 104 P03 Level 01 Ga Plan 1:200 • S73 105 P03 Level 02 Ga Plan 1:200 • S73 106 P03 Level 03 Ga Plan 1:200 • S73 107 P03 Level 04 Ga Plan 1:200 • S73 108 P03 Level 05 Ga Plan 1:200 • S73 109 P03 Level 06 Ga Plan 1:200 • S73 110 P03 Level 07 Ga Plan 1:200 • S73 111 P03 Level 08 Ga Plan 1:200 • S73 112 P03 Level 09 Ga Plan 1:200 • S73 113 P03 Level 10 Ga Plan 1:200 • S73 114 P03 Level 11 Ga Plan 1:200 • S73 115 P03 Tower Ga Plans Hotel 1:200 • S73 116 P03 Tower Ga Plans Residential 1:200 • S73 117 P03 Tower Ga Plans Residential 1:200 • S73 118 P03 Site Roof Plan 1:200 • S73 201 P03 Elevations East & West 1:200 • S73 202 P03 Elevations North 1:200 • S73 203 P03 Elevations South 1:200 • S73 204 P04 Elevations Courtyard Block A and Block B 1:200 • S73 205 P02 Elevations - Block B West (Temporary Facade) 1:300 • S73 251 P03 West East Cross Section 1:200 • S73 252 P03 West East Bridge Cross Section 1:200 • S73 253 P03 North South Section Block A 1:200 • S73 254 P03 North South Sections Block B 1:200	To correctly reference revised drawings and documents.

No	Existing Condition Wording	Proposed Revised Condition Wording	Reason for Change
	• S73 512 P01 Building Enclosure Hotel Tower 1:50 • S73 513 P01 Building Enclosure Residential Tower 1:50 • S73 514 P01 Building Enclosure Office Podium 1:50 • S73 515 P01 Building Enclosure Office 1:50 <u>Zerum Drawings</u> STM PPP 01 P01 Phasing Plan <u>Planit ie Drawings</u> • STM PIE EX ZZ DR L 0001 Public Realm Ground Floor GA 1:200 • STM PIE EX ZZ DR L 0002 General Arrangement Roof 1:200 <u>Documents</u> • Section 73 Revisions Statement, November 2019 • Section 73 Design & Access Statement, November 2019 • Planning & Tall Building Statement (including correspondence submitted in relation to the approved development at Appendix B), November 2019 • Regeneration Statement, November 2019 • Heritage Report: Significance, November 2019 • Heritage Report: Impact Assessment, November 2019 • Demolition Justification Statement, November 2019 • Flood Risk Assessment, November 2019 • Drainage Strategy Report, November 2019 • Transport Statement, November 2019 • Framework Travel Plan, November 2019 • Environmental Standards Statement, Revision 5, November 2019 • Waste Management Strategy, November 2019 • Ventilation Strategy Statement, November 2019 • Energy Strategy Statement, November 2019 • Baseline Television Signal Survey & Television Reception Impact Assessment, Issue 1.0, November 2019 • Addendum to Statement of Community Involvement, November 2019 • Statement of Community Involvement, November 2019 • Crime Impact Statement, November 2019 • Addendum Environmental Statement Volume 1, November 2019 • Environmental Statement Volume 1 November 2017 • Environmental Statement Volume 3 Non Technical Summary, November 2019 • Environmental Statement Volume 4 Technical Summary of Environmental Statement, November 2019 <u>Appendix Reports</u> • Environmental Statement Volume 2, November 2017 Assessments • Phase 1 Preliminary Geo-environmental Risk Assessment, January 2016 • Biodiversity Assessment (including bat surveys), November 2019 • Preliminary Geotechnical and Environmental Assessment, November 2016 • Air Quality Assessment, November 2017 • Archaeological Desk Based Assessment, November 2016 • Written Scheme of Investigation, Version 1.0, 21st September 2016 <i>Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Core Strategy policies DM1 and SP1</i>	• S73 511 P03 Building Enclosure Hotel Podium 1:50 • S73 512 P03 Building Enclosure Hotel Tower 1:50 • S73 513 P03 Building Enclosure Residential Tower 1:50 • S73 514 P03 Building Enclosure Office Podium 1:50 • S73 515 P03 Building Enclosure Office 1:50 • S73 516 P03 Building Enclosure Synagogue 1:50 • S73 517 P03 Building Enclosure Police Station Entrance 1:50 <u>Zerum Drawings</u> STM PPP 01 P02 Phasing Plan <u>Planit ie Drawings</u> • STM PIE EX ZZ DR L 0001 P07 Public Realm Ground Floor GA 1:200 • STM PIE EX ZZ DR L 0002 P04 General Arrangement Roof 1:200 <u>Documents</u> • Section 73 Revisions Statement, September 2021 • Section 73 Design & Access Statement, September 2021 • Planning & Tall Building Statement (including correspondence submitted in relation to the approved development at Appendix B), September 2021 • Regeneration Statement, September 2021 • Heritage Report: Significance, September 2021 • Heritage Report: Impact Assessment, September 2021 • Demolition Justification Statement, September 2021 • Flood Risk Assessment, September 2021 • Drainage Strategy Report, November 2019 • Drainage Strategy Report Addendum, September 2021 • Transport Statement, September 2021 • Framework Travel Plan, September 2021 • Environmental Standards Statement, Revision 5, September 2021 • Waste Management Strategy, September 2021 • Ventilation Strategy Statement, September 2021 • Energy Strategy Statement, September 2021 • Baseline Television Signal Survey & Television Reception Impact Assessment, Issue 1.0, September 2021 • Addendum to Statement of Community Involvement, September 2021 • Statement of Community Involvement, September 2021 • Crime Impact Statement, September 2021 • Environmental Statement Addendum 2021, September 2021 • Addendum Environmental Statement Volume 1, November 2019 • Environmental Statement Volume 1 November 2017 • Environmental Statement Volume 3 Non Technical Summary, November 2019 • Environmental Statement Volume 4 Technical Summary of Environmental Statement, November 2019 <u>Appendix Reports</u> • Environmental Statement Volume 2, November 2017 Assessments • Phase 1 Preliminary Geo-environmental Risk Assessment, January 2016 • Biodiversity Assessment (including bat surveys), November 2019 • Preliminary Geotechnical and Environmental Assessment, November 2016 • Air Quality Assessment, November 2017 • Archaeological Desk Based Assessment, November 2016 • Written Scheme of Investigation, Version 1.0, 21st September 2016 <i>Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Core Strategy policies DM1 and SP1</i>	

No	Existing Condition Wording	Proposed Revised Condition Wording	Reason for Change
4	No development shall take place unless and until unless and until a Construction Management Plan, including a Site Waste Management Plan, Air Quality Plan, a Noise and Vibration Plan (in addition to a dust emission section) and a plan layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction, has been submitted to, and approved in writing by, the City Council as local planning authority. The strategy shall include details on the timing of construction of scaffolding, the lighting and operation of cranes during construction, and a Human Impact Management Plan. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider contractor parking and ongoing construction works in the locality. In addition, the construction Management Plan shall include the following: • Hours of site opening/operation • A Site Waste Management Plan • Air Quality Plan • A Plan Layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction. • The parking of vehicles of site operatives and visitors • Loading and unloading of plant and materials • Storage of plant and materials used in constructing the development • Construction and demolition methods to be used, including the use of cranes • The erection and maintenance of security hoarding • Measures to control the emission of dust and dirt during construction and • A scheme for recycling/disposing of waste resulting from demolition and construction works • Details of and position of any proposed cranes to be used on the site and any lighting • A detailed programme of the works and risk assessments • Temporary Traffic Management measures to address any necessary bus rerouting and bus stop closures • Details on the timing of construction and scaffolding • A Human Impact Management Plan, including a community consultation strategy which will include how and when local residents and businesses will be consulted <i>Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG)</i>	The development shall be carried out in accordance with the Construction Management Plan 'Zerum Construction & Environmental Management Plan Condition 4 & 45 Rev 5' as approved on 9/3/21 under consent referenced CDN/20/0725. <i>Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 SPG</i>	To reflect that the Construction Management Plan has already been approved and the condition discharged.
5	a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination). In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site	a) The development shall be carried out in accordance with the 'Site Investigation Remedial Statement, Ramboll, March 2021, v3' approved on 30/3/21 under consent referenced CDN/21/0071. Within 4 weeks of the completion of demolition of each phase of the development (as defined by condition 51 of the consent), an updated report is required to be submitted to Manchester City Council, to include the details of the ground investigation, final risk assessment and remediation strategy (if remediation is required) of the ground which is currently inaccessible due to existing buildings still to be demolished, as outlined in the already submitted reports. For the avoidance of doubt, it is accepted that site work will need to begin to allow these buildings to be demolished.	To reflect that the Site Investigation Remedial Statement has already been approved and the condition discharged.

No	Existing Condition Wording	Proposed Revised Condition Wording	Reason for Change
	Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority. <i>Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to section 10 of the National Planning Policy Framework and Core Strategy policies EN14 and EN17</i>	<i>Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to section 10 of the National Planning Policy Framework and Core Strategy policies EN14 and EN17</i>	
6	No development shall take place unless and until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSIs shall cover the following: 1. A phased programme and methodology of investigation and recording to include: • evaluation trenching • informed by the above, targeted archaeological excavation • - a targeted archaeological watching brief 2. A programme for post investigation assessment to include: • analysis of the site investigation records and finds • production of a final report on the significance of the archaeological and historical interest represented. 3. A scheme to disseminate the results of the archaeology to the local and wider community, commensurate with their significance. 4. Provision for archive deposition of the report and records of the site investigation. 5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI. <i>Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible.</i>	The development shall be carried out in accordance with the 'Written Scheme of Investigation for an Archaeological Evaluation and Level 3 Historic Building Survey' approved on 12 January 2021 under permission reference CDN/20/0825 <i>Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible.</i>	To reflect that the Written Scheme of Investigation has already been approved and the condition discharged.
7	No development shall take place unless and until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. <i>Reason: In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.</i>	The development shall be carried out in accordance with the submitted Waste Management Strategy 70061860, dated September 2021. The approved scheme shall remain in situ whilst the use or development is in operation. <i>Reason: In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.</i>	To reflect that the Waste Management Strategy has previously been submitted and discharged through a condition discharge application, but that this Strategy has been updated and submitted with this Section 73 application.
10	No development (except works to the existing public house) shall take place unless and until surface water drainage details for the development have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt these shall be in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards.	Prior to the commencement of each part of development (as defined by condition 51), details of surface water drainage for that part of the development shall have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt these shall be in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards.	To introduce phasing to the wording to aid delivery.

No	Existing Condition Wording	Proposed Revised Condition Wording	Reason for Change
	<i>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.</i>	<i>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.</i>	
12	No above ground construction to each part of development shall take place unless and until full details of the location and arrangements of all areas of solid panels to be used on external elevations in that part, has been submitted to, and approved in writing by, the City Council, as local planning authority. <i>Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Core Strategy.</i>	DELETE	No longer required as the condition was added to allow an improvement to the design of the eastern façade of the proposed offices, but the solid panels originally proposed have now been removed from the scheme.
15	Before the development hereby approved is completed, a paving and surfacing strategy for the public footpaths, vehicular crossings, and vehicular carriageways around the site shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before that relevant phase of the development hereby approved is first occupied <i>Reason: In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to the Guide to Development and policy DM1 of the Core Strategy.</i>	Prior to the completion of each part of development (as defined by condition 51), a paving and surfacing strategy for the public footpaths, vehicular crossings, and vehicular carriageways around that part of the site shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before that relevant phase of the development hereby approved is first occupied <i>Reason: In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to the Guide to Development and policy DM1 of the Core Strategy.</i>	To introduce phasing to the wording to aid delivery.
20	Prior to the first occupation of phase 3 of the development (as defined by condition 51), a detailed parking strategy, including provision for 7 disabled parking spaces, 19 electric car charging points, and details of car parking management, and car parking space allocation, including how priority for vehicles accessing / egressing the car park will be managed, shall be submitted to, and approved by, the City Council, as local planning authority. The detailed parking strategy shall include an implementation programme, a temporary parking strategy and the introduction of fast charging for electric vehicle points. The parking strategy shall be fully implemented in accordance with the approved implementation programme. <i>Reason: To ensure that a satisfactory parking arrangements are provided pursuant to policy DM1 of the Core Strategy and the Guide to Development.</i>	Prior to the first occupation of phase 3 of the development (as defined by condition 51), a detailed parking strategy, including provision for 5 disabled parking spaces, 19 electric car charging points, and details of car parking management, and car parking space allocation, including how priority for vehicles accessing / egressing the car park will be managed, shall be submitted to, and approved by, the City Council, as local planning authority. The detailed parking strategy shall include an implementation programme, a temporary parking strategy and the introduction of fast charging for electric vehicle points. The parking strategy shall be fully implemented in accordance with the approved implementation programme. <i>Reason: To ensure that a satisfactory parking arrangements are provided pursuant to policy DM1 of the Core Strategy and the Guide to Development.</i>	To update revisions in parking numbers
37	An air quality impact assessment for the development shall be submitted to and approved in writing by the City Council as local planning authority, prior to the commencement of any phase of the development. <i>Reason: To secure a reduction in air pollution from traffic or other sources in order to protect future residents from air pollution, pursuant to policies SP1 and DM1 of the Core Strategy.</i>	The development shall be carried out in accordance with the 'Air Quality Assessment' reference 70010278-411, dated November 2017 approved on 11 January 2021 under consent reference: CDN/20/0573. <i>Reason: To secure a reduction in air pollution from traffic or other sources in order to protect future residents from air pollution, pursuant to policies SP1 and DM1 of the Core Strategy.</i>	To reflect that the Air Quality Assessment has already been approved and the condition discharged.
45	The wheels of contractor's vehicles leaving the site shall be cleaned and the access road leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council, as local planning authority prior to any works commencing on site. <i>Reason: In the interests of pedestrian and highway safety, pursuant to policies SP1 and DM1 of the Core Strategy.</i>	The development shall be carried out in accordance with the 'Wheel Washing Facilities Condition 45' document prepared by Zerum as approved on 9/3/21 under consent referenced CDN/20/0725. <i>Reason: In the interests of pedestrian and highway safety, pursuant to policies SP1 and DM1 of the Core Strategy.</i>	To reflect that the details of wheel washing facilities has already been approved and the condition discharged.
47	Studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:	a) The development shall be carried out in accordance with the 'Baseline Television Signal Survey & Television Reception Impact Assessment' dated November 2019, as approved on 11 January 2021 under consent reference CDN/20/0573.	To reflect that the pre-development TV reception impact assessment has already been approved and this part of the condition discharged.

No	Existing Condition Wording	Proposed Revised Condition Wording	Reason for Change
	a) Measure the existing television signal reception within the potential impact area, as defined in the submitted Radio and TV Reception Impact Assessment, before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications and shall include an assessment of the survey results obtained.		
	b) Assess the impact of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of the development and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (a) above. <i>Reason: To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built will effect TV reception and to ensure that the development at least maintains the existing level and quality of TV signal reception as advised in PPG 8 and pursuant to policy</i>	b) A study to assess the impact of Phases 2 and 3 of the development (as defined by Condition 51) on television signal reception within the potential impact area identified in (a) above shall be submitted to and approved in writing by the City Council as local planning authority within one month of the practical completion of each phase and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (a) above. <i>Reason: To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built will effect TV reception and to ensure that the development at least maintains the existing level and quality of TV signal reception as advised in PPG 8 and pursuant to policy</i>	To introduce phasing and amend the condition so that it makes sense following changes to part (a).
48	The demolition hereby permitted shall not be undertaken before a contract has been made for the carrying out of the building works for each part of the redevelopment of the site (as defined by condition 51) to which such demolition relates, which is the subject of this application (ref 125549/JO/2019). Evidence of that contract for each part of the development shall be supplied to the City Council as local planning authority. <i>Reason - To ensure the satisfactory development of the site, pursuant to policies DM1 and SP1 of the Core Strategy.</i>	The demolition hereby permitted shall not be undertaken before a contract has been made for the carrying out of the building works for each part of the redevelopment of the site (as defined by condition 51) to which such demolition relates. Evidence of that contract for each part of the development shall be supplied to the City Council as local planning authority. <i>Reason - To ensure the satisfactory development of the site, pursuant to policies DM1 and SP1 of the Core Strategy.</i>	Remove the words ', which is the subject of this application (ref 125549/JO/2019)' which are not necessary.
51	The development hereby permitted shall be delivered in accordance with the Phasing Plan STM-PPP-01 P01 unless otherwise agreed in writing by Manchester City Council as local planning authority. <i>Reason: To clarify how the site is to be phased to assist with the determination of condition discharge applications and in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development as it is delivered, pursuant to Core Strategy policies DM1 and SP1.</i>	The development hereby permitted shall be delivered in accordance with the Phasing Plan STM-PPP-01 P02 unless otherwise agreed in writing by Manchester City Council as local planning authority. <i>Reason: To clarify how the site is to be phased to assist with the determination of condition discharge applications and in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development as it is delivered, pursuant to Core Strategy policies DM1 and SP1.</i>	Update the phasing plan reference to P02 to reflect the updated phasing.

6. CONCLUSION

- 6.1 As highlighted in the previous sections, the application package has demonstrated that the proposed amendments will have no significant detrimental effects on heritage, townscape, key views, amenity, wind microclimate, biodiversity, flood risk, sunlight, daylight, overshadowing, highways, waste, residential design quality, air quality, noise, vibration, archaeology, potential for crime, and disabled access.
- 6.2 Notwithstanding that some of the proposed amendments will lead to further public benefit, such as an increase in office space to accommodate jobs, and the upgrade of the BREEAM rating, these benefits are not of a significant scale and therefore no further significant public benefits have been identified in relation to the proposed amendments.
- 6.3 The proposed amendments to the conditions are to correctly reference the scheme as now proposed, to assist with delivery, and to update some conditions to recognise that they have already been discharged. None of the proposed condition changes in themselves represent material changes to the planning consent and are considered acceptable. Further changes to the conditions may also be required should live condition discharge applications be approved prior to the determination of this Section 73 application.
- 6.4 The National Planning Policy Framework (NPPF) has been updated since planning consent for the approved development was granted in June 2020. The new NPPF has been considered in the updates to each relevant technical area, as well as in the Planning Statement, and it has been found that this has not resulted in any change to the original conclusions reached under the previous NPPF. The development plan has not changed and there are no other significant changes in policy or guidance context since the original grant of consent.
- 6.5 The Planning and Tall Building Statement has undertaken a balancing exercise in relation to the entire scheme as now proposed, and has concluded that the scheme taken as a whole complies with the development plan and that planning permission should therefore be forthcoming. This is notwithstanding that, given the existence of the approved development as a lawful fallback position, it is the acceptability of the proposed amendments that should be considered in determining whether planning permission for this Section 73 application should be granted. It therefore follows that since no additional harm is caused by the proposed amendments, and they are acceptable in all other respects, planning permission for this section 73 application should be forthcoming.