

Our Ref: 04B820318
Your Ref:

27 January 2021

Emily Booth
Planning,
Manchester City Council,
Floor 6 Town Hall Extension,
Albert Square,
Manchester,
PO Box 532,
M60 2LA

Dear Ms Booth,

Application for Minor Material Amendments to vary condition 2 (under Section 73 of the Town and Country Planning Act 1990) of planning permission ref: 116164/FO/2017 at Invicta House, 2-4 Atkinson Street, Manchester

I am writing on behalf of Khanna Enterprise Manchester (property) Ltd ('the Applicant'), who is seeking minor material amendments to development approved by planning permission Ref. 116164/FO/2017 by way of Section 73 of the Town and Country Planning Act.

The description of development states:

"Redevelopment of Invicta House for Use Class C1 hotel development comprising 145 no. guestrooms, with ground floor ancillary facilities. Partial demolition of existing building with retention and refurbishment of main facade and erection of a nine storey building to the rear."

The Applicant is seeking permission for minor material amendments during the course of construction for minor elevational changes, including additional louvres and associated changes to horizontal cladding, and an additional guestroom as a result of rearranging the internal layout.

Proposed Amendments

We set out below a brief summary of the rationale behind the changes, with more detail provided in the submitted drawings prepared by ICA Architects, which are submitted in support of this application. It should be noted that there have been no material changes in the Development Plan policies since the approval of the current planning permission, which still strongly supports the proposed development and its contribution to regeneration.

Elevational Changes

The proposed amendments seek the following changes, which should be read in conjunction with the submitted drawings.

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- Louvres in place of spandrel to the top panel of the existing windows on all elevations;
- Continuation of pitched roof on Atkinson Street elevation;
- The subtle horizontal design lines that appeared on the punched and recessed panels within the window openings have been removed on all elevations;
- Louvres made visible on the top floor glazing;
- The height of the plant screen has increased by 100mm;
- Louvres made visible on the 'across floors' vertical screens around the building; and
- Louvres vents visible on the Tivoli Street elevation.

Additional Guestroom

Rearrangement of internal floor layouts has created the opportunity for a new guestroom on the first floor.

In terms of the impact on the operations of the hotel during occupation, whilst the number of guestrooms is increasing by one, it is not considered that this will result in any material impact on the highways, waste strategy, energy strategy, sustainability or any environmental factors that were previously approved under the planning permission. It is worth also noting that a separate planning permission ref: 126945/FO/2020 has also been approved for an additional 19rooms within the same hotel proposal on site, which was supported by detailed assessments which concluded there would be no harm and the principle of development was accepted. This application was subsequently approved 15th September 2020 however, the Applicant is unable to deliver the larger scheme due to funding uncertainties associated with the Covid-19 pandemic.

Nevertheless, the internal rearrangements sought and opportunity for the additional guestroom would go some way in improving the overall design and layout and long term sustainability of the hotel.

Format of the Planning Application

The Applicant has considered the format of the planning application to regularise the proposed minor material changes in light of other similar applications within the City Centre and previous legal advice. It is strongly considered that the City Council can reasonably reach a robust view that the proposed amendments can be dealt with as minor material amendments under Section 73 of the Act, a view that officers have confirmed in writing during pre-application discussions. A consequential change to the description of the development to allow this will be formalised under a separate Section 96a application submitted at the same time as this application. This approach has been used and accepted by other planning authorities across the country and was agreed with Manchester City Council on another project in the City Centre at Oxygen Tower, 50 Store Street, Manchester, M2 1WB (ref: 115545/FO/2017).

On the basis of the above, this proposed Section 73 application for minor material amendments seeks to vary condition 2 contained within planning permission ref: 116164/FO/2017.

The principle of the proposed amendment has been discussed with you prior to submission, as well as the format of the proposed application, in emails dated: 12/10/2020 and 07/12/2020.

Variation of Condition 2

This application seeks the variation of condition 2 to allow changes to the approved drawings. The following schedule sets out those drawings previously approved which are to be updated with newer versions:

**Plans Noted on the Decision Notice for New Updated Plan
116164/FO/2017**

PL(00)010 Rev A – Proposed Basement Plan	PL(00)010 Rev B – Proposed Basement Plan
PL(00)011 Rev A – Proposed Ground Floor Plan	PL(00)011 Rev E – Proposed Ground Floor Plan
PL(00)012 Rev A – Proposed Level 01 Plan	PL(00)012 Rev G – Proposed Level 01 Plan
PL(00)013 Rev A – Proposed Level 02 Plan	PL(00)013 Rev E – Proposed Level 02 Plan
PL(00)016 Rev A – Proposed Level 03-05 Plan	PL(00)016 Rev D – Proposed Level 03-05 Plan
PL(00)018 Rev A – Proposed Level 06-07 Plan	PL(00)018 Rev D – Proposed Level 06-07 Plan
PL(00)019 Rev A – Proposed Level 08 Plan	PL(00)019 Rev D – Proposed Level 08 Plan
PL(00)020 Rev A – Proposed Roof Plan	PL(00)020 Rev H – Proposed Roof Plan
PL(00)040 Rev A – Proposed Elevations Atkinson Street	PL(00)040 Rev G – Proposed Elevations Atkinson Street
PL(00)041 Rev A – Proposed Elevations Scott Place	PL(00)041 Rev H – Proposed Elevations Scott Place
PL(00)042 Rev A – Proposed Elevations Deansgate/ Oddfellows House	PL(00)042 Rev G – Proposed Elevations Deansgate/ Oddfellows House
PL(00)043 Rev A – Proposed Elevations Tivoli Street	PL(00)043 Rev H – Proposed Elevations Tivoli Street

Supporting Information

This variation of condition is supported by:

- This covering letter
- Planning application form and fee, inclusive of the Planning Portal's administrative charge;
- Architectural Drawings:
 - o PL(00)010 Rev B – Proposed Basement Plan
 - o PL(00)011 Rev E – Proposed Ground Floor Plan
 - o PL(00)012 Rev G – Proposed Level 01 Plan
 - o PL(00)013 Rev E – Proposed Level 02 Plan
 - o PL(00)016 Rev D – Proposed Level 03-05 Plan
 - o PL(00)018 Rev D – Proposed Level 06-07 Plan
 - o PL(00)019 Rev D – Proposed Level 08 Plan
 - o PL(00)020 Rev H – Proposed Roof Plan
 - o PL(00)040 Rev G – Proposed Elevations Atkinson Street
 - o PL(00)041 Rev H – Proposed Elevations Scott Place
 - o PL(00)042 Rev G – Proposed Elevations Deansgate/ Oddfellows House

o PL(00)043 Rev H – Proposed Elevations Tivoli Street

The previously approved technical reports and plans that will not materially change as a result of the minor material amendments are also resubmitted as part of this application for completeness:

- Design and Access Statement prepared by ICA Architects
- Sustainable Drainage Statement prepared by Integra Consulting Engineers Ltd
- Planning Statement prepared by NJL Consulting
- Environment Noise Survey Report prepared by Sandy Brown Associates LLP
- Transport Assessment and Travel Plan prepared by Mode Transport Consultants
- Heritage Impact Statement prepared by Stephen Levrant Heritage Architecture Ltd
- Sustainability Statement prepared by Element Sustainability
- BREEAM Pre Assessment prepared by Element Sustainability
- Geo-Environmental Report prepared by Integra Consulting Engineers Ltd
- Bat and Nesting Bird Survey prepared by Martin Prescott Environmental Services
- Utility Services Strategy prepared by Watermans
- Waste Management Strategy prepared by NJL Consulting
- Crime Impact Statement prepared by Greater Manchester Police Design for Security
- Daylight/Sunlight Impact Assessment prepared by Gray Scanlan Hill
- Air Quality Assessment prepared by Watermans
- 781 PL(00)001 Existing Location Plan
- 781 PL(00)002 Existing Site Plan

Fee

The planning application fee and Planning Portal's administrative charge of **£254** has been paid via the Planning Portal.

Conclusion

As explained above, the amendments to the consented proposals are deemed to be minor material changes and are not felt to affect the principle of development nor the high design quality. They will allow for the delivery of an additional guestroom on this highly sustainable site and ensure that the scheme can be delivered.

I trust the above information is sufficient to allow you to validate and determine this application. If you require any additional information, please do not hesitate to contact me.

Yours sincerely



Neil Lucas
Director

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For and on behalf of Avison Young (UK) Limited