

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129193/NMC/2021

Date registered valid: 25 January 2021

Proposal: Non material amendment to planning permission 125063/JO/2019 to alter the time frame of planning conditions 3 (ground conditions), 9 (demountable structures) and 21 (Secured by Design) to allow final details to be submitted within 9 months of first occupation.

Address: Land Bounded By Great Ancoats Street, Isaac Way And Advent Way, Manchester, M4 7LD

Ward(s):

Applicant: Mr Knight Bridgestone Construction Hyde Park House, Cartwright Street, Hyde, SK14 4EH

Agent (if any): Mrs Hannah Bolton DK-Architects 26 Old Haymarket, Liverpool, L1 6ER

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation:

Date of recommendation: 10 February 2021

Application details

Type of application: Non-Material Change Application

Development type: Minor Other

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is approximately 0.58 hectares. Planning permission 109948/FO/2015/N2 for the erection of a part 10, part 8, part 7, part 6 and part 5 storey building to form 201 residential apartments (C3a) with ancillary ground floor gym area for residents with pedestrian access from Great Ancoats Street and vehicular access from Advent Way and Isaac Way along with associated hard and soft landscaping, car parking, boundary treatment and other associated works is currently under construction at the application site. Significant above ground works have taken place including the frame of the buildings.

Prior to this the site was hoarded off and had been used for temporary site compounds associated with surrounding developments.

The topography of the site is relatively flat, however, there is a slight gradient to the site as it slopes down to Great Ancoats Street. Vehicle and pedestrian access is currently from Isaac Street. Great Ancoats Street and Every Street bound the application site to the west and south, Advent Way to the North and Isaac Street to the east. To the north of the site is a dense residential development complex. These residential developments, along with the application site, form various phases in connection with the regeneration of the 'lower Eastside Valley'. This gained outlined planning permission in 2003 for 600 residential units (067584/OO/North2/03).

The majority of the sites within the masterplan area have now been developed. This site remains one of the last to be developed and holds a prominent position on Great Ancoats Street marking a gateway into the City Centre fringe.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The surrounding area is residential in nature with high density apartment blocks clustered together. The buildings are of similar scale and are a mixture of buildings which have been converted to residential or modern new building developments.

Description of development

Non material amendment to planning permission 125063/JO/2019 to alter the time frame of planning conditions 3 (ground conditions), 9 (demountable structures) and 21 (Secured by Design) to allow final details to be submitted within 9 months of first occupation.

Consultations & Notification Responses

N/A

Issues

This application seeks to make alterations to the compliance period of 3 conditions. Currently, the conditions require details to be agreed 'prior to the first occupation' of the development. This particular site has faced significant issues with the previous contractor going into administration. In addition, the covid-19 pandemic has caused some delay in the process.

The applicant now wishes to occupy one of the two blocks (which are independent of each other) prior to the other block being ready. As such, they wish to amend the conditions to agree the details 9 months after first occupation of the first block.

The conditions have been previously amended to 3 months under 127086/NMC/2020. However, due to further delays on site the conditions require amendment again.

The conditions which are affected are:

- Ground conditions verification;
- Secured by design accreditation;
- The implementation of the demountable structure to Great Ancoats Street.

It is considered that the change is acceptable and non material in nature.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a

decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation:

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposal involves the amendment to the wording of conditions 3 (ground conditions), 9 (demountable structures) and 21 (Secured by Design) to allow final details to be submitted within 9 months of first occupation.

2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning conditions.

3) The ground conditions shall be carried out in accordance with the documents approved as part of CDN/18/0011

- 10279 2015-03-09(2) and 1838 2015-06-24(4) stamped as received by the City Council, as Local Planning Authority, 8 January 2018

and the following documents:

Phase II Site appraisal, Great Ancoats Street, Manchester, GRM Ref: GRM/P7142/F.1, Dated: Oct 2014 Letter, Gas Completion Report, Great Ancoats Street, Manchester, GRM, Ref: P1742 GLR.01, Dated: 30 Nov 2015, Remediation Method Statement, Great Ancoats Street (South Site), Manchester, GRM, Ref: P7142, Rev A, Dated: Dec 2015 and Calibration certificates stamped as received by the City Council, as Local Planning Authority, on the 23 January 2017

When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority within 9 months of the first occupation of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

9) Notwithstanding drawing 1141-P04 Rev F stamped as received by the City Council, as Local Planning Authority, on the stamped as received by the City Council, as Local Planning Authority, on the 9 October 2017, prior to the first use of the development hereby approved details of the siting, scale and design (including materials) demountable structure shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented within nine month of the first use of the development hereby approved and shall thereafter be retained and maintained in accordance with these details.

Reason - To ensure that the structures are appropriate in terms of visual amenity and is secure pursuant to comply policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy.

21) The development shall be carried out in accordance with the Crime Impact Statement (Version A) (2015/0537/CIS/01) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 23 September 2105. The development shall only be carried out in accordance with these approved details. Within nine months of the first occupation of the development, confirmation of Secured by Design accreditation shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH2