

Planning

Growth & Development

Delegated officer report for planning application

Application no.	128579/NMC/2020
Date registered valid:	13 November 2020
Proposal:	Non material amendment to application ref 113832/FO/2016 (as amended by applications refs 118838, 1222080, 125554 and 127913) for the reintroduction of hotel plant area (approved under 113832/FO/2016 but removed by 18838/NMC/2018), replacing 3no. car parking spaces, at level 9 (Total number of spaces amended to 1097 spaces).
Address:	Plot 14 Circle Square Masterplan , Upper Brook Street, Manchester, M1 7DN
Ward(s):	Deansgate Ward
Applicant:	Bruntwood Ltd C/o Agent
Agent (if any):	Mr John Cooper Deloitte LLP PO Box 500, 2 Hardman Street, Manchester, M3 3HF
Case officer:	Angela Leckie Tel: 0161 234 4651 Email: angela.leckie@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	13 November 2020

Application details

Type of application: Non-Material Change Application

Development type: Minor Other

Date of site visit: N/A

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

See 125554

Consultations & Notification Responses

None

Issues

See reasons 1 and 2 below

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: Approve

Article 35 Declaration

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

1) Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City

Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development. It is noted that the plant room was hotel plant area (approved under 113832/FO/2016 but removed by 18838/NMC/2018) so has previously been an acceptable element of this development.

2) The development hereby approved shall be earned out in accordance with the following drawings and documents

(a) 1829-FCB-0100/P1 and 1829-2/P/0120/P2 ;

(b) 1829-2/P/0010/P2 (GEA Summary) and 1829-2/P/0130/P2;

(c) LRW 7691 L(00) 35A, 36A and 37A;

(d) LRW 7691 L(25)10H Level 9 Ninth Floor_Premier Inn Demise Plan

(d) 1829-2/P/0600/P2, 1829-2/P/0603/P2, 1829-2/P/0604/P2, 1829-2/P/0605/P2,

(e)LRW 7691 L(00)42 and 43;

(f) LRW 7691 L(00)42, 43, 38D (as amended by 145779 Rev A) , 39A, 40D (as amended by 145779 Rev A) and 41A ;

(g) PL1502-1B3-P-002, PL1502-1B3-P-003, PL1502-1B3-P-004, PL1502-1B3-P-101, PL1502-1B3-P-201, PL1502-1B3-P-301, PL1502-1B3-P-401;

(h) Mitigation measures as set out in the Flood Risk Assessment (FRa) from Curtings Consulting (Ref ICMA0040/FRNP1 B dated 15th January 2016

(i) Recommendations contained in Hilson Moran Energy Statement dated 26-08-16 and Sustainable Assessments Ltd Environmental Standards Statements dated 19-08-16 and 26-08-16 to enable compliance the achievement of a reduction in compliance with the MCC's Policy EN6;

(j) Recommendations in sections 3.3 and 4 of the Crime Impact Assessment Version A dated 17-08-16 ;

(k) Recommendations within Vital Energy Risk Assessment for the Energy Centre dated 01-10-16;

(l) Russells Construction Construction Management Plan, Client: Bruntwood Limited, Project: Circle Square Plot 14, Manchester, Planning Permission: 113832/FO/2016/C1, Prepared By: Richard Sumner Date: 09th January 2018 Revision: 02;

(m)Timescales set out in the MATERIALS LIST Plot 14 Circle Square Russells Construction Ltd dated 01/11/17 and dwg L(00)44 Rev A;

(n) (Landscaping Pre-commencement)- Compliance with the following timetable: PL1502-WO-026-00 Timetable for Discharge Plot 14 Planit-IE Timetable to Discharge Conditions Application number: 113832/FO/2016/C1

(o) Drainage and SUD's Strategy, Curtins Ref: ICMA0040/Drainage and SUD's Revision: A Issue Date: 30th August 2016 the condition is discharged;

(p) Drainage and SUD's Strategy, Curtins Ref: ICMA0040/Drainage and SUD's Revision: A Issue Date: 30th August 2016 the condition is discharged.

(q) Recommendations in the following: Phase 1 Geoenvironmental Desk Study and Preliminary Phase 2 Assessment for Proposed Car Park and Hotel, Armstrong House, Cloak Street, Manchester, NX Consulting, Reference: NX299, Dated: 23 March 2017. as amended by Ellen Sanderson-Clarks e-mail dated 05-03-18; and Remediation strategy, Plot 14 Circle Square, Manchester, Curtins, Reference: 067163-CUR-00-XX-RP-GE-001-V01, Dated: 29 November 2017

(r) PL1502-MP SK-120 00 as amended by PL1502-14-T-001 02 and PL1502-14-T-101 02 the condition is discharged (pedestrian movement strategy) cycle movement strategy)- On the basis of compliance with the following : PL1502-MP SK-121 01 the condition is discharged

(s) Plot 14, Circle Square, Manchester, Piling Risk Assessment Curtins Ref: 067163-CUR-00-XX-RP-GE-002-V01, Revision: V01 Issue Date: 30 November 2017;

(t) Local Labour Agreement within the Russells Construction Management Plan dated 03-11-17 Rev 0;

(u) (Materials - MSCP) - Sample Panel presented to MCC Officers on 24 January 2019 (photos); Circle Square, Plot 14 - MSCP Cladding; Quality Control Strategy, QA_LM_CS14_001 rev B dated 14.05.19; and Deloitte's e-mail dated 11-09-19 in relation to FCBS role; and

(v) Sample panel photos received on 02-01-20 (Hotel)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP 1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN 8, EN9, EN11, EN14, EN15, EN 16, EN17, EN18, EN19, DM 1 and PA1 saved Unitary Development Plan policies DC18.1, DC19.1, DC20 and DC26.1.

2) The proposed amendments relate to changes as follows: Re-inclusion of the plant area in the same location, reverting to the originally approved arrangement due to further design development. Full consideration of the noise levels associated with the proposed plant were considered and approved as part of the original application. Furthermore, the inclusion of the proposed plant area was considered as part of the noise technical note (L05 to Russells re Planning Condition 20 - Premier Inn Mcr), prepared by Fisher Acoustics. This information was submitted as part of the application to discharge Condition 20 - Plant Noise (attached to planning permission: 125554/JO/2019), under planning ref: CDN/20/0592. The plant area replaces 3 car parking spaces on the 9th floor of the building reducing the overall number to 1097 spaces.

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

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: CITY1

Area Team Boundary - Name: NORTH2