

7th March 2025

Angela Leckie
Planning Department
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

Dear Angela,

Port Street, Manchester– Non-Material Amendment to Planning Permission 132489/FO/2021 (as amended by 135938/NMC/2023, 138008/NMC/2023 and 140874/NMC/2024)

On behalf of our client, Manchester (Port Street) Limited, we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 (as amended) in order to make Non-Material Amendments (“NMA”) to Planning Permission 132489/FO/2021 (as amended by 135938/NMC/2023, 138008/NMC/2023 and 140874/NMC/2024).

Background

On 7 October 2022, planning permission was granted for Port Street in Manchester City Centre (132489/FO/2021). The description of development approved under application reference 132489/FO/2021 is as follows:

“Erection of a part-33, part-11, part 9 part 7 storey residential building above semi-basement level, with associated residents' amenity space including gym (Use Class C3) (comprising 481 dwellings), commercial space (Use Class E), basement car parking (47 spaces), cycle parking (481 spaces) landscaping, and other associated works”

Following the granting of planning permission, a subsequent application for Non-Material Amendments was submitted to Manchester City Council (“MCC”) on 11th January 2023 to reflect internal design changes and amendment of time triggers for specific conditions to allow for a timely start on site for the contractor. This application (Ref. 135938/NMC/2023) was formally approved by MCC on 25th January 2023.

A second Non-Material Amendment (NMA) application (Ref. 138008/NMC/2023) was formally approved on 18th September 2023 which sought to secure approval for a number of internal and external changes following design development.

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More recently, another NMA application (Ref. 140874/NMC/2024) was approved on 6th September 2024 which sought to make external façade changes by adding in decorative screening to some of the louvres on ground floor level to enhance the visual quality of the development as street level.

Pre-Application Consultation

The approved development on the Site was subject to a comprehensive process of public and stakeholder engagement, including *inter alia* engagement with Historic England, the Environment Agency, Greater Manchester Police, local businesses and residents, and local Ward Councillors.

This application is submitted following engagement with the Angela Leckie (Planning Officer at MCC) throughout 2024. It has been agreed that the proposed changes should be progressed as an NMA to the existing permission, and that the NMA application should be submitted in conjunction with an application for Listed Building Consent (to capture the retaining wall elements of the landscaping changes). The scope of information required for the applications was also agreed.

Summary of Proposed Amendments

NMA Ref. 138008/NMC/2023 secured approval for the inclusion of a residents swimming pool located within the basement at Port Street, which included a skylight directly above the pool into the existing courtyard. This has resulted in a slight reconfiguration to the layout of the courtyard to capture the skylight and as such, this application seeks to regularise these details with the latest landscaping drawings and landscaping strategy. These changes have been highlighted below:

Private residents' courtyard

- Introduction of skylight to courtyard, and subsequent minor alterations to layout within courtyard to accommodate.
- Omission of pergola.

Public gardens

- Minor layout development, including the addition of a required retaining wall, wind mitigation barriers and footpath reconfiguration to allow improved circulation.
- Addition of play space features and improved feature seating areas.

GAS and Port Street footpaths

- Introduction of steps and ramp to GAS / Port Street corner for improved accessibility.
- Alteration to blue line ownership boundary, now aligned around layby parking to Port Street.

Tariff Street Scheme

- A new footpath connection has been proposed to the south west to connect Port Street public realm to the Tariff Street development, and onto Tariff Street itself. Additionally, it is proposed the proposed gate along Great Ancoats is removed which would enable for a through route for pedestrians east to west.

Additionally, as part of the Applicant's Party Wall Agreement with the adjacent property ('Avro'), they are contractually required to build a retaining wall adjacent to the Grade II* Listed Building Avro building, which will retain the pedestrian footpath adjacent to the podium block at Port Street. As part of the works, and as required by the agreement, the Applicant is required to provide a flashing detail to the head of the proposed retaining wall to prevent water ingress between both structures. This detail is identified on Z0-REF-G710-SK-GRD-0894-1002. As this specific retaining wall is to be constructed adjacent to the Avro building, an application is being submitted for Listed Building Consent.

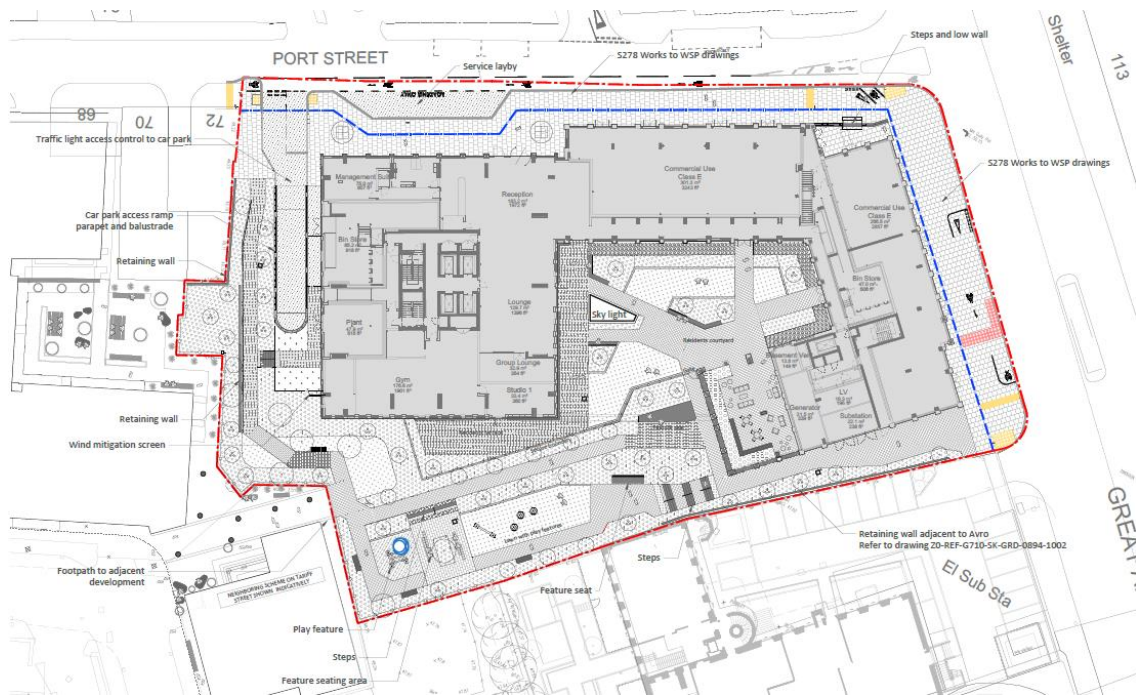
A further series of applications to discharge Condition 9 (Public Realm Details) will be submitted in due course, providing further detail regarding landscape design and specification.

Figures 1 and 2 below show the approved landscaping general arrangement and the proposed landscape general arrangement for reference.

Figure 1 – Approved Landscaping GA



Figure 2 – Proposed Landscaping GA



Summary of Amendments to Approved Plans

The table below identifies which drawings will be superseded by new drawings, as a result of the amendments to Port Street:

Drawing Number (Approved)	Drawing Title	Update / New Revision No.
0894-RFM-XX-00-DR-L-0001 P01	Landscape General Arrangement	0894-RFM-XX-00-DR-L-0001 P10

Planning Policy Framework

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”

The Development Plan and Material Considerations for the Site and Proposed Development is comprised of the following:

DEVELOPMENT PLAN				
REGIONAL		GM Places for Everyone (2024)	GM Joint Waste Development Plan (2012)	GM Joint Minerals Plan (2013)
LOCAL		Manchester Core Strategy (2012)	Manchester Proposals Map (2012)	Saved Unitary Development Plan Policies (1995)
MATERIAL CONSIDERATIONS				
NATIONAL		National Planning Policy Framework (2024)	Historic England’s Guidance Note 4 Tall Buildings (2022)	
LOCAL	Supplementary Planning Documents	Guide to Development in Manchester (2007)	Provision for Housing Choice (2008)	
Supplementary Planning Guidance		Design for Access (2003)	Manchester Residential Quality Guidance (2017)	

The proposed amendments have been considered against all relevant Development Plan Documents and other material considerations at the time of this application, considering that there is an extant permission, and the proposed adjustments are considered to be non-material in their nature. This includes the 2012 Manchester Core Strategy, Saved Policies of the 2006 Manchester Unitary Development Plan, and the National Planning Policy Framework.

The 'Places for Everyone (PfE) Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 To 2039' was adopted on 21 March 2024. Subsequent to this, MCC published an addendum to the Manchester Core Strategy (dated 2024) which outlines where Core Strategy policies have been partially replaced by PfE policies. As such, the application has been prepared with consideration to the policies which supersede these specific Core Strategy policies, as well as any new policy requirements set by PfE itself. An assessment of the relevant additional requirements set by the PfE has been outlined below:

- Strategy:** At the Regional level, PfE enforces the ambition to bring forward urban / brownfield land for development. Policy JP-Strat2 supports the expanding role the City Centre plays in being the primary focus for business, retail, leisure, culture and tourism activity, with an emphasis on development in the City Centre being high density. As such, the Proposed Development is in accordance with the policy requirement as it is bringing forward much needed, residential accommodation to support the local universities, as well as retail / restaurant uses within previously developed land in the City Centre at an appropriate density for its strategic location.
- Sustainable and Resilient Places:** The PfE Plan contains a number of policies which seek to ensure that new development is as sustainable as possible, with a strong emphasis on protecting the environment and minimising waste (Policy JP-S1: Sustainable Development, Policy JP-S2: Carbon and Energy, Policy JP-S3: Heat and Energy Networks, Policy JP-S4: Flood Risk and the Water Environment, Policy JP-S5: Clean Air, Policy JP-S6: Resource Efficiency). The Proposed Amendments seek to increase the function and quality of the external landscaping. Overall, the proposed changes to the scheme do not result in any significant impacts to the sustainability credentials of the approved scheme. The construction will continue to meet the highest of sustainable construction

standards based on the principles of the Building Research Establishment's environmental assessment models, meeting a rating of BREEAM *"Excellent"*.

- **Greener Places:** The Approved Development includes new public realm, which will improve the quality of the green and blue infrastructure and the streetscape and therefore, improving the routes and connectivity to the green infrastructure offer within the Piccadilly Basin and wider City Centre. On this basis, the Proposed Amendments will continue to comply with policy requirements, including requirement set out by PfE (JP-G6 'Urban Green Space' and JP-G8 'A Net Enhancement of Biodiversity and Geodiversity').
- **Places for People:** The Proposed Amendments primarily relate to landscaping changes in order to improve the overall design quality, function and amenity of the landscaped areas. It is considered that these design changes only seek to improve design quality, and are only minor in scale. As such, the Proposed Development does not significantly impact the conclusions of the Heritage and TVIA Statements (JP-P2 'Heritage').
- **Connected Places:** The Proposed Amendments do not result in any changes to the Transport Strategy, however this has been reviewed in line with the Transport related policies outlined within PfE and it can be considered that the Proposed Amendments will ensure that the scheme continues to comply with policies and enables for the promotion of sustainable transport. The proposed amendments will actually enhance the level of pedestrian connectivity through the establishment of a through route (east to west).

It should however be noted that PfE introduces new policy requirements and standards expected for new developments. The proposed NMA to the approved development do not lead to any conflict with these adopted policies.

Planning Considerations

Design and Heritage

A report has been submitted with this application, prepared by Stephen Levrant Heritage Architecture, to assess the potential heritage impact of the proposals.

To ensure visual cohesion and harmony with the new building, both the retaining wall and the zinc flashing detail will be brown in colour. This colour choice is intended to allow the wall interface works to be clearly identifiable as a modern intervention related to the development on Port Street, while still being sympathetic to the materiality and colour palette of the existing boundary wall.

In terms of heritage impact, the report concludes that the proposed works are of a minor nature. Careful consideration has been given to the specification and methodology of installation. As a result, it is anticipated that the works will have a negligible adverse direct impact on the significance of the Grade II* Avro building. While there may be some physical or visual changes, these changes would not diminish the value of the Avro building's significant physical fabric, its setting, or its overall significance in a noticeable way.

The report affirms that the proposed works comply with relevant planning policies.

Application Submission

This application comprises this Covering Letter and the following documentation:

- Application Form and Notice Certificates;
- Site Location Plan;
- Avro Party Wall Heritage Statement, prepared by Steven Levant Heritage Architecture;
- Avro Wall Elevation Survey, prepared by Renaker;
- Avro Boundary Wall photos, prepared by Renaker,
- Avro Wall Sketch Change in Level, prepared by Renaker;
- Avro Party Wall Interface Details Drawing No. Z0-REF-G710-DE-GRD-0894-8015;
- Avro Wall and Steps View Drawing No. RF21-984-LU-01-01, prepared by Reform; and
- Landscape General Arrangement Drawing No. 0894-RFM-XX-00-DR-L-0001-S2-P10, prepared by Reform.

Summary and Conclusion

This application is to facilitate amendments to the approved scheme, following detailed design development. The NMA is for:

“Variation of Condition 2 (Approved drawings) attached to Planning Permission 132489/FO/2021 (as amended by 135938/NMC/2023, 138008/NMC/2023 and 140874/NMC/2024).”

The amendments proposed in this application will result in a development that is substantively unchanged from the approved development on-site. The amendments have been agreed with the Planning Authority as being non-material to the approved permission.

The proposals are considered to be in compliance with the Development Plan when read as a whole and there are no material considerations which would justify refusal of the application. We therefore respectfully request that this application be supported by the Local Planning Authority.

The application is submitted through Planning Portal, reference PP-13717096. Payment has been sent via Planning Portal for the sum of £293 in respect of the application fee.

We would be grateful if you could notify us of validation of the Application and please do not hesitate to contact my colleagues Niall Alcock (nalcock@deloitte.co.uk / 0161 455 6787) or Kelly McCann (kmccann@deloitte.co.uk / 0161 455 6671).

Yours sincerely

Deloitte LLP

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