

Crown Street Phase 3: NPPF Note

Date: February 2025

To: Manchester City Council

From: Deloitte LLP on behalf of Renaker Build Limited

Subject Crown Street Phase 3 (Application Ref. 137226/FO/2023) - 2024 NPPF Note

This Note has been prepared by Deloitte LLP in support of an application for Full Planning Permission for the redevelopment of Crown Street Phase 3, identified in the Great Jackson Street Development Framework (2018) (GJS Development Framework) ('the Site') as Plot E and part of Plot C. The Applicant is Renaker Build Limited.

An application with reference 137226/FO/2023 was submitted to Manchester City Council (MCC) in June 2023 for:

"Full planning permission for the demolition of existing structures and the phased construction of four residential buildings (two at 47 storeys and two at 51 storeys) to provide 1,746 homes (Use Class C3), flexible commercial, leisure, food and drink uses (all Use Class E) and / or drinking establishment (Sui Generis), basement car parking, cycle parking, landscaping and public realm, servicing and access arrangements, highways alterations and associated works." ("Proposed Development")

The Planning Application was heard at MCC Planning Committee on 29 August 2024 and secured a resolution to grant subject to finalising the section 106 agreement, which is in the process of being finalised.

Since the resolution to grant, a revised version of the National Planning Policy Framework (NPPF) has been published in December 2024.

This note considers the implications of the new NPPF for the Proposed Development. It provides an overview of the relevant NPPF updates that specifically relate to the Proposed Development and provides a justification for the proposal's compliance.

At the time of submission, the planning application was supported by a Planning and Tall Building Statement ('PTBS') that considers the Proposed Development in its strategic and local urban context and assesses its acceptability in the context of the Development Plan and other material considerations. A PTBS Addendum was submitted to the Council in April 2024, in response to stakeholder comments and also to confirm the Proposed Development's compliance against the latest planning policy, notably the 2023 version of the NPPF and Places for Everyone (March 2024).

1 Overview of NPPF

The Ministry of Housing, Communities and Local Government published the new NPPF on 12 December 2024.

2 Relevant NPPF Amendments

A series of amendments were made to the NPPF in December 2024. Relevant updates to the Proposed Development are as outlined below:

1. Paragraph 11 d):

[Paragraph 11 relates to the presumption in favour of sustainable development]

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

*d) where there are no relevant development plan policies **for the supply of land**, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a **strong** reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, **having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.***

[amends highlighted in bold]

2. Paragraph 125 c):

Planning policies and decisions should:

*c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be ~~regarded as acceptable~~ **in-principal approved unless substantial harm would be caused**, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*

[amends highlighted in bold]

Justification of Proposed Development Against Updated Policies

The updates to the NPPF have derived out of the Government's overarching objective to re-build the economy and deliver more homes. The updates to Paragraph 11d) create a stronger presumption in favour of development in sustainable locations. The amendment to Paragraph 125c) gives additional strength to the presumption in favour of the redevelopment of brownfield land, providing that development should be approved unless substantial harm would be caused.

Importantly, there is no change to paragraph 11c) of the NPPF which provides that decision takers should approve proposals that accord with up-to-date development plans without delay. The submitted PTBS and Addendum provide a full assessment of the Proposed Development and concludes that Proposed Development accords with Development Plan as a whole which was a conclusion supported by Officers and endorsed by Members at Planning Committee on 29 August.

Taking into consideration the change to paragraph 125c) of the NPPF, the Proposed Development represents the redevelopment of a long-term under-utilised City Centre brownfield site to deliver a high-quality scheme including 1,746 homes. The principle of housing development in this location is supported by the long-standing aspiration of Manchester City Council, to create a high-quality residential area at Great Jackson Street. Specifically Core Strategy Policies CC3, CC6, EC3 and H1 and the Great Jackson Street Strategic Regeneration Framework (SRF) (2018), which is a material consideration in the determination of the application. The delivery of 1,746 homes will also help Manchester meet its housing targets as identified in Policy JP-HA1 (Places for Everyone). The development of this previously developed brownfield site will provide homes in a highly sustainable well-connected location, that fully aligns with the updated NPPF.

There are no instances of substantial harm identified, and the Proposed Development will result in a number of economic, environmental, social and cultural benefits, as outlined within the originally submitted PTBS and set out in Officers Report to committee. These include:

- **A viable use of an underused site:** The Site has been historically underutilised, currently part cleared with temporary uses including a Marketing Suite and site cabins for construction workers for an adjacent development. The redevelopment of the Site for residential use positively contributes towards the ongoing regeneration of Manchester and the expansion of the City Centre. It will provide an attractive environment and will encourage further investment in the surrounding area. The Great Jackson Street SRF also identifies the need for an increase in

residential homes within the City Centre, outlining the Site as a suitable location for high-rise and high-density residential development.

- **Demand:** The proposed residential development will help to meet the recognised demand for City Centre living for not just young professionals but families too. The Site is ideally located for residents to reach a wide range of facilities including work, leisure, a wide range of social infrastructure and numerous transport options.

In line with the NPPF, the Proposed Development is high-quality in design and delivers much needed homes on brownfield land. It continues to transform the new neighbourhood and wider city centre in becoming a place and setting for people to enjoy over the longer term.

Overall, therefore, the updates to the NPPF (particularly to paragraph 125(c)) further bolster and support the case for the Proposed Development. While these changes to the NPPF are, of course, material the Applicant does not consider, taking account of the principles set out in the *Kides* case (R (On the Application of Erine Kides) v South Cambridgeshire District Council [2002] EWCA Civ 1370) that the updates to the NPPF are such new or changed material planning considerations that could have led Members to make a different decision, or, to have changed the outcome of the application, or, to have changed the recommendation of Officers.