

18th October 2024

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

F.A.O Angela Leckie

Dear Angela,

Laystall Street Hotel, Manchester – Application for Non-Material Amendments to Planning Permission for 135662/FO/2022 (as amended by 140984/NMC/2024)

On behalf of our client, Ancoats (Manchester) Ltd (hereby referred to as ‘the Applicant’), we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 (as amended) to Manchester City Council (the ‘Local Planning Authority’, hereby referred to as ‘MCC’) in order to make Non-Material Amendments (“NMA”) to Planning Permission Ref. 135662/FO/2022 (as amended by 140984/NMC/2024).

Background

On 2nd June 2023, planning permission was granted for the Proposed Development (also referred to as the ‘Laystall Street Hotel’) in Manchester City Centre (Ref. 135662/FO/2022). The description of development approved under application Ref. 135662/FO/2022 is as follows:

“Erection of a 20 storey building to create a 154 bedroom hotel (Class C1) above 2 basement levels with ancillary café / bar / restaurant and gym and other associated works including highway improvements, cycle parking and creation of accessible parking bay following removal of on site structures.”

Subsequently, an application was made for Non-Material Amendments to the above permission following detailed design that sought minor changes to internal layouts, minor increase in floor to ceiling heights as well as rationalisation of building structure. This application (Ref. 140984/NMC/2024) was approved by MCC on 12th September 2024.

Pre-Application Consultation

This application for NMA to the approved development is submitted following engagement with the Local Planning Authority. It was agreed that the proposed amendments to the scheme being sought were acceptable in principle and that they should be progressed through an NMA application.

Non-Material Amendments to the approved permission (Ref: 135662/FO/2022 (as amended by 140984/NMC/2024)

The Applicant has recently submitted an application to discharge the pre-commencement conditions attached to the above planning consent in order to allow development to start on site (subject to approval of this application). One of the conditions (Condition 34) attached to the decision notice requires the submission of an acoustic report detailing the acoustic insulation proposed to mitigate any internal noise impact. The condition is outlined below for reference:

"Notwithstanding the details submitted as set out in the Noise Impact Assessment (Ref: 9840/PR/BL) by Acoustic Consultant Ltd Rev C dated 23-11-22 before the development other than demolition, commences a final scheme for acoustically insulating the development hereby permitted against any actual or potential sources of noise from:

(a) any commercial/industrial premises in the vicinity of the development

(b) the local traffic network;

(c) any mechanical ventilation system installed as part of the development; and

(d) noise transfer from the bar / restaurant area to rooms; shall be submitted to the City Council as local planning authority in writing for its written approval

The mitigation for hotel rooms shall be in accordance with Section 6.7 of the above report in relation to items (a) and (b)

The approved noise insulation scheme shall be completed before each of the approved uses commence."

As outlined above, the condition wording requires that the information is submitted for approval by the Local Planning Authority 'before the development other than demolition, commences'.

The detailed design of the hotel scheme is not yet advanced enough in order for the noise assessment (determining the appropriate / required noise insulation) to be prepared and submitted alongside the other pre-commencement information to be discharged. In order to allow sufficient time for this design to be developed, and in order to ensure the other pre-commencement conditions to be satisfied it is proposed to amend the condition wording so that the time trigger is 'prior to above ground works', allowing for alignment with the current construction programme.

Additionally, Condition 33 is also categorized as pre-commencement. The condition wording is outlined below:

"Notwithstanding the documents detailed in condition 2, prior to the commencement of development a programme for submission of final details of the following shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted.

(a) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the back of pavement and the line of the proposed building on all site boundaries; and

(b) Details of measures to create potential opportunities to enhance and create new biodiversity within the site to include bat boxes and bird boxes; and

(c) Walking and cycling signage.

The detailed scheme shall demonstrate that it complies with Accessibility and Age Friendly principles.

The details shall then be submitted and / or carried out in accordance with the approved programme and approved details.”

At this stage, the landscape consultant is still being determined through the tendering process which is due to take place this year. As such, it is sought that this condition be changed to ‘prior to above ground’ to allow for the landscape consultant to be appointed for them to prepare the information requested by the condition.

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 (2023)	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.

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 as the proposed change is to amend the time trigger for the submission of information relating to a planning condition and therefore does not have any other impact for consideration.

Application Submission

This application comprises this Covering Letter and the following documentation:

- Application Form and Notice Certificates, and
- Site Location Plan.

Summary and Conclusion

This application is to facilitate amendments to Conditions 33 and 34 of the original permission. The proposed Description of Development for this NMA application is as follows:

“Variation of Conditions 33 and 34 attached to Planning Permission 135662/FO/2022 (as amended by 140984/NMC/2024) to alter the time trigger”

The amendments proposed in this application will result in a development that is substantively unchanged from the approved development on-site (Ref: 135662/FO/2022 (as amended by 140984/NMC/2024)). The amendments have been agreed with the Planning Authority as being non-material to the approved permission.

The proposals remain in accordance with the policies of the Development Plan 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-13497673. Payment has been sent via Planning Portal for the sum of £298 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 colleague Cameron Radford (cameronradford@deloitte.co.uk / +44 161 455 6768).

Yours sincerely,

A handwritten signature in dark ink that reads "Deloitte LLP". The signature is written in a cursive, flowing style.

Deloitte LLP

Encl.