MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140998/NMC/2024
Date registered valid:	11 September 2024
Proposal:	Non Material Amendment to planning permission ref no application ref no 127317/FO/2020 as amended by 130258/NMC/2021, 133355/NMC/2022, 134803/NMC/2022, 136521/NMC/2023 and 138627/NMC/2023 to reintroduce a 4th retail unit previously ommited by non material amendment application 133355/NMC/2022.
Address:	The Castings , 2 Heyrod Street, Manchester, M1 2WW
Ward(s):	Piccadilly Ward
Applicant:	Zhi Yang Lim CDL HBT Investments (I) Property Limited
Agent (if any):	Melissa Lee Turley
Case officer:	Angela Leckie Tel: 0161 234 4651 Email: angela.leckie@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**18/09/24**

Application details

Type of application:	Non-Material Change Application
Development type:	Notifications
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

The site is 0.41 hectares and is bounded by Victoria House (Great Ancoats Street), Epworth Street, a vacant building owned by TFGM to the south / south-west and Longacre Street and the Piccadilly – Ashton-under-Lyne Metrolink line. The site forms part of the delivery of the PSE Strategic Regeneration Framework.

The site is adjacent to Piccadilly Station and the Inner Relief Route with access to all sustainable transport options. The New Islington metro-link stop is to the north and Piccadilly station to the south-west.

Pedestrian connections and permeability are compromised with the environment dominated by traffic and the area feels disconnected from the adjacent areas and Ancoats and New Islington. The environment is dominated by light industrial uses which have seen little investment for a number of years with the exception of Aeroworks on Adair Street.

The nearby Crusader Works (grade ll listed), and has been converted to apartments (113363/FO/2016 and 113364/LO/2016) with a 10 storey apartment building to the north. As part of the delivery of the PSE SRF, a part 13 / part 14, 275-bedroom hotel at the junction of Adair Street and Great Ancoats Street (122599/FO/2019) has recently been completed, permission has been granted (122000) for a part 25 part 3 storey residential tower with ground floor commercial space(under construction) and on the site of Rammon House permission has been granted for the construction of two residential buildings 29 and 23 storeys along with a public park (121099/FO/2018).

The Co-operative Warehouse on Pollard Street is Grade II Listed and Vulcan works is considered to be a non-designated heritage asset. The Whitworth Street, Ancoats and Stevenson Square Conservation Areas are close by and the proposal could be seen in views from within these Areas.

The nearest homes are within Crusader Mill as detailed above, to the north of Great Ancoats Street and around the Ashton Canal. There are car parks around the site and a multi-storey car park adjacent to Piccadilly Station.

The site is adjacent to other Strategic Regeneration Framework areas, including; HS2 SRF; Piccadilly Basin SRF; Mayfield SRF; Ancoats & New Islington Neighbourhood Development Framework and Holt Town Regeneration Framework. HS2 should drive significant investment around the Station and the Portugal Street East SRF is a key component of this.

Land to the south and east is in the HS2 safeguarding area. It is expected that the safeguarded land would facilitate the construction of HS2 infrastructure and could subsequently be developed for commercial uses.

Description of development

The application seeks approval for non material amendments to application ref no127317/FO/2020 which approved the following:

Erection of a part 25 part 21, part 14, part 7 storey building for 352 apartments comprising 39 Studios, 77x 1 bed, 227 x 2 bed and 9 x 3 bed (Use Class C3) with ground floor commercial space within 4 units (494m2) for Class A1 (Shop), A2 (Financial and Professional Services) A3 (Café and Restaurant), A4 (Drinking Establishment), A5 (Hot Food Take Away), B1 (Office) and D1-D2 uses, ancillary indoor and outdoor amenity space (including 1st and 21st floor external areas) car parking for 20 vehicles, cycle parking and associated hard and soft landscaping works, following demolition of existing buildings. The development is currently under construction.

This application seeks to reword condition 2. The planning permission consented the provision of four retail units within The Casting's scheme. During previous design development this was amended to three retail units as shown on the latest approved layout plan (dwg ref. CAS-AXIS-BU1-GF-DR-A-03-0200 C09). Following further detailed design considerations, the fourth retail unit is proposed to be reintroduced back into the scheme through the erection of an internal wall (as shown on proposed plan ref. CAS AXIS BU1 GF DR A 03-0200 Rev C09). There will be no changes to the overall floor space or uses granted permission, and there will be no amendments to the elevations.

Consultations & Notification Responses

None

Issues

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. The proposed amendments do not alter the overall principle of the development, and indeed, the principle of a fourth retail unit has been previously established.

On the above basis the amendment is considered to be acceptable

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 polices 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) Reason 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

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

(a) 001 - 001 - LOCATION PLAN and 001 - 002 - SITE PLAN;

(b) 010 - 001 - DEMOLITION PLAN;

(c) 011 - 000 - GROUND FLOOR Rev 2, 011 - 001 - MEZZANINE, 011 - 002 - LEVEL 01, 011 - 003 - LEVEL 02 TO 06, 011 - 004 - LEVEL 07, 011 - 005 - LEVEL 08 TO 09, 011 - 006 - LEVEL 10 TO 13, 011 - 007 - LEVEL 14, 011 - 008 - LEVEL 15 TO 20 and 011 - 009 - LEVEL 21 TO 24;

(d) CAS-AXIS-BU1-GF-DR-A-03- 0200 C013, 012 - 002 - PLAN LAYOUT - Lv 02 to 06, CAS AXIS BU1 L01 DR A 00-2101 Rev P00, 012 - 004 - PLAN LAYOUT - Lv 08 to 09, 012 - 005 - PLAN LAYOUT - Lv 10 to 13, 012 - 006 - PLAN LAYOUT - Lv 14, 012 - 007 - PLAN LAYOUT - Lv 15 to 20, 012 - 008 - PLAN LAYOUT - Lv 21 to 24 as amended by CAS-AXIS-BU1-L21-DR-A-00-2102 Rev P00, 020 - 004 - LONGACRE ST ELEVATION, HST-CRL-ZZ-M3-A-0001 - Sheet - 020 - 001 - CONTEXT ELEVATION, CAS-AXIS-BU1-XX-DR-A-11- 0202 C03, CAS-AXIS-BU1-XX-DR-A-11- 0203 C03, CAS-AXIS-BU1-XX-DR-A-11-0203 CO3, CAS-AXIS-BU1-XX-DR-A-11-0202 C03, CAS-AXIS-BU1-XX-DR-A-00-2503 Rev P02, CAS-CAS-AXIS-BU1-XX-DR-A-11- 0205 C02,HST-CRL-ZZ-M3-A-0001 - Sheet - 021 - 001 - BAY STUDY - LV 00 TO 03

(LONGACRE ELEVATION), HST-CRL-ZZ-M3-A-0001 - Sheet - 021 - 002 - BAY STUDY - LV 11 TO 14 (LONGACRE ELEVATION), HST-CRL-ZZ-M3-A-0001 - Sheet - 021 - 003 - BAY STUDY - LV 19 TO 22 (LONGACRE ELEVATION), HST-CRL-ZZ-M3-A-0001 - Sheet - 030 - 001 - SECTION A-A, HST-CRL-ZZ-M3-A-0001 - Sheet - 030 - 002 - SECTION B-B, 0799-RFM-XX-00-DR-L-0009 Illustrative Sections Level 00, 0799-RFM-XX-00-DR-L-0012 Illustrative GA Level 00;(e) 0799-RFM-XX-00-DR-L-0013 Planting Strategy, 0799-RFM-XX-00-DR-L-0014 Illustrative Terrace Sections, 0799-RFM-XX-00-DR-L-0015 Roof Terrace GAs, 0799-RFM-XX-00-DR-L-8001-Planting Details, 190002-CRL-ZZ-ZZ-DR-A-21-001 - BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION), 190002-CRL-ZZ-ZZ-DR-A-21-002 - BAY STUDY - LV 11 TO 14 (LONGACRE ELEVATION), 190002-CRL-ZZ-ZZ-DR-A-21-003 - BAY STUDY - LV 19 TO 22 (HEYROD ELEVATION) and 190002-CRL-ZZ-ZZ-DR-A-21-004 - BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION), CAS AXIS BU1 XX DR A SK-034 LEVEL 22 PLANT LONGACRE STREET ELEVATIONS, CAS AXIS AME L21 DR A SK-008 21ST FLOOR SECTIONS, CAS-ABE-AME-ZZ-DR-M-57-0052 VENTILATION SERVICES LEVEL 21-22 AMENITY FIT OUT

(e) Curtins Post Submission Response 02-09-20 Surface Water Drainage and SuDS Proposals

(f)Curtins Post Submission Response 02-09-20 (Highways Works)

(g) Turleys e-mails 127317/FO/2020- Plot D - Comments on Submission 1 (points 2, 6,7 and 8) and dated 08.10.20 points 3,4,5 and 7;

(h) Land at Heyrod Street, Piccadilly East, Waste Management Strategy, Curtins Ref: 75424-CUR-00-XX-RP-TP-003,Revision: V03 Dated: 29 June 2020 (Residential only)

(i) Recommendations in sections 3,4,5 and 6 of the Crime Impact Assessment Version A 30-06-20; and

(j) Callison RTKL Design and Access Statement June 2020, Heyrod Street, Rev01 - 22.07.2020 - Section 4.1- Summary of proposed scheme;

(k) Land at Heyrod Street, Manchester, Archaeological Desk-Based, Assessment:Report No: 3486 R01 June 2020 by Nexus Heritage;

(l) Mitigation Measures detailed within Chapter 15 of Heyrod Street, Manchester, Environmental Impact Assessment Environmental Impact Assessment, ES Vol 2 Environmental Statement, June 2020 by Turleys

(m) Inclusions of measures and targets set out in Crookes Walker Heyrod Street, Manchester Planning Report, Energy & Environmental Standards Statement Rev O dated 25/06/2020

(n) Implementation of Broadband installation in accordance with Pager Power Broadband Connectivity Assessment, Heyrod Street, Piccadilly East Packaged, Living Limited, May, 2020

(o) On the basis of the Air Quality Assessment Chapter 10 of the ES -Heyrod Street, Manchester, Environmental Impact Assessment ES Vol2 June 2020 by Turleys

(p)Measures and recommendations within 2 Heyrod Street, Manchester, Flood Risk Assessment and Drainage Strategy, Curtins Ref: 075424-CUR-00-XX-RP-C-92000, Revision: V02, Issue Date: 25 June 202; and

(q) Pager Power, Television Baseline Survey Report, Heyrod Street, Piccadilly East, Packaged Living Limited May 2020 and mitigation measures set out within and

(r) TITON FIRESAFE® - SINGLE AIR BRICK detail stamped and AIR BRICK PRECEDENT IMAGES as received 22-11-23

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan polices DC19.1, DC20 and DC26.1.

3) The proposed amendments relate to changes resulting from detailed design development and technical development. Following market testing the applicant has decided to revert to the 4 ground floor commercial unit approved under the original consent. . There will be no changes to the overall floor space or uses granted permission and there will be no amendments to the elevations as the inserted dividing wall will meet an existing internal pier.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Area Team Boundary - Name: CENTRAL