

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136952/FO/2023

Date registered valid: 12 May 2023

Proposal: Retention of emergency generator compound with associated boundary treatment.

Address: New Victoria (Residential Phase) , Land At Corporation Street, Manchester, M3 1NX

Ward(s): Deansgate Ward

Applicant: Muse Developments Ltd

Agent (if any): Mr. John Cooper Deloitte LLP

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5 September 2023

Application Details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit: 2 June 2023

Standard consultations:

Printed: 2 June 2023 Expired: 23 June 2023

Neighbour notifications

Printed: 2 June 2023 Expired: 23 June 2023

Site notice

Posted: 2 June 2023 Expired: 23 June 2023

Press advert

Published: 6 June 2023 Expired: 20 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Not applicable

Conservation area: Cathedral Conservation Area 1972

Tree Preservation Order: Not applicable

The New Victoria site is located on the northern edge of Manchester city centre. It lies directly next to Manchester Victoria Station and the NOMA project, which is one of the City Council's key regeneration areas. The overall site over the New Victoria Residential Phase is 1.14 hectares and includes part of Corporation Street and Long Millgate. The majority of the site is used, or has been used, as surface level car parking.

To the east is Corporation Street and the Grade II listed former Co-op buildings which are being renovated. South of the site are four Metrolink tramlines and City Buildings, beyond this are the National Football Museum and the Arndale Centre. To the west is Manchester Victoria Station, one of the three main railway stations in Manchester. Cheetham Hill Road bridge is to the north, along with the former Parker's Hotel.

The site is heavily constrained by the River Irk culvert, which flows under the site from northeast to southwest, the proximity of the Victoria Station roof and train tracks with associated 'no build zones' and a restrictive height covenant.

New Victoria lies next to the Cathedral and the Shudehill Conservation Areas. There are no listed buildings within the red line boundary, but there are several around the application site. These include Parker's Hotel, 109 Corporation Street (Grade II), New Century House (Grade II), the Old Bank Building (Grade II), Hanover Building (Grade II) City Buildings, 67 Corporation Street (Grade II) and Manchester Victoria Station (Grade II).

The proposal only affects a small section of this development, on the lower ground floor of the eastern side of the wider site, immediate north to residential building 2. The location of the compound and associated boundary is overlooked by a high wall to the east that acts as a boundary with Corporation Street.

Description of Development

The proposal concerns the retention of an emergency generator along with an associated boundary treatment.

The emergency generator is being provided as backup power supply to support the building life safety systems such as the evacuation lifts, fire alarms, sprinkler pumps and emergency lighting. In the unlikely event of a total mains power failure, the emergency generator is activated to supply a reliable power source to the life safety systems, ensuring the Building Management team can actively manage the safety of residents and occupants in accordance with the New Victoria (Residential) development's Fire Strategy.

Under normal conditions, the life safety systems are supplied by mains power. The emergency generator does not function under any other event than that described above.

The generator is enclosed by a black louvred fence that serves to screen the generator from view. There is a decorative screen placed above the generator to shield the view of the generator from the apartments and balconies that look out over this structure from the nearby elevation.

Relevant Planning History:

In 2016, planning permission was granted on the site under application number 111777/FO/2016/C1 for the erection of two residential buildings of a maximum 21 and 26 storeys to accommodate 520 apartments (178 x 1 bed, 286 x 2 bed and 56 x 3 bed apartments) (Use Class C3). Erection of one office building of maximum eight storeys comprising up to 11,647 sq. m (GIA) of office accommodation. Ground floor commercial space (Use Class A1, A2, A3 and B1), lower ground level car parking, access and servicing arrangements, alterations to Corporation Street, new public realm and other associated works.

This application was varied under application 128667/JO/2020 for the variation of condition 2 (specified plans) attached to previously approved planning application 111777/FO/2016/C1 to allow for changes to the approved plans to include formation of a new enclosed amenity use bridge link between the two approved residential buildings at upper ground floor level only, together with roof top amenity space/terrace on top of new bridge link.

Consultations & Notification Responses

Highway Services - Have confirmed approval that the proposal will result in no loss of car parking spaces and accepted the submitted swept path analysis. They have recommended continual monitoring and management of parking demands to ensure there is no adverse impact generated on the highway network, an informative has been added to the decision outlining this.

Environmental Health - Have recommended a Plant Noise condition.

Transport For Greater Manchester - Have no comments to make in respect of this application.

Greater Manchester Police - Have confirmed that they are satisfied with the built configuration.

Network Rail - Have accepted the proposals after the roof cover was slightly retracted.

MCC Flood Risk Management - Have confirmed that they accept the proposal. Have requested that an informative be added regarding Flood Risk.

Publicity - Neighbour notification letters were sent to surrounding properties. A site notice and local press advert were also produced. At the time of writing this report, no representations have been received due to this publicity.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy DC26 of the UDP;
- Policies DM1, SP1, CC9, EN4 and EN3 of the Core Strategy;
- The Guide to Development in Manchester (SPD);
- National Planning Policy Framework (NPPF)

Issues

Principle

When considering the proposal for the retention of emergency generator compound with associated boundary treatment, it must be assessed whether the works will have any impact on visual amenity, as well as on public safety. As a main culvert runs under the main New Victoria development, Flood Risk issues must be taken into consideration as well.

Visual Amenity

The generator is screened from the surrounding view on the lower ground level by a black louvred fence that blends in with the surroundings on the lower ground level. The generator is not visible from the street scene on Corporation Street, as it is placed on the lower ground level which is below the street level. There were concerns from a visual amenity perspective about the impact the generator compound would have on the apartments on the nearby elevation, as the windows and balconies of these apartments overlook the generator compound. A decorative roof has been agreed to be placed on the generator compound to help alleviate these visual amenity concerns.

Public Safety

There are no concerns regarding public safety associated with this generator compound. It has been signed off by Design for Security who are confident there nobody would be able to access the New Victoria development by jumping on the roof of the Generator Compound.

Flood Risk

Sufficient evidence has been provided by the applicant to confirm that there are no Flood Risk concerns regarding the Emergency Generator Compound and that it does not affect the main culvert running beneath the development. Flood Risk Management have signed off of this.

Conclusion

It is considered that the scheme is in accordance with relevant planning policy, as set out above, and should be approved.

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 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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions have taken place with the applicant through the course of the application concerning the issues of visual amenity that the proposal might have on the surrounding development, as well as the Design for Security concerns that various other options considered had, which have resulted in an agreement on this proposal. There were also issues to clarify concerning the culvert that runs under the development. Evidence was satisfactorily provided to alleviate these Flood Risk concerns. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

1) The generator roof structure, as approved in the document Generator Compound GA - Roof VIC-PIE-EZ-00L-DR-L-00130 P04, shall be implemented in full within 4 months of the date of this decision.

Reason - In the interests of visual amenity and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

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

Received by the City Council, as local planning authority, on 12 May 2023;

Location Plan VIC-PIE-EZ-00L-DR-L-00118 P01

Generator Application VIC-SRA-XX-XX-DC-A-00003 P01

Generator Spec

Noise Technical Note

Supporting Noise Letter

Received by the City Council, as local planning authority, on 29 June 2023;

Swept Path Analysis

Received by the City Council, as local planning authority, on 11 August 2023;

Proposed Generator Compound GA - Roof VIC-PIE-EZ-00L-DR-L-00130 P04

Proposed Generator Application VIC-SRA-XX-XX-DC-A-00003 P02

Received by the City Council, as local planning authority, on 04 September 2023;

Environmental Agency Permit Notice of Variation

Environmental Agency Permit Variation Letter

Received by the City Council, as local planning authority, on 05 September 2023;

Noise Supporting Letter - Matt Fisher

Fisher Acoustics Noise Assessment PF/PR0631/L10

Fisher Acoustics Noise Assessment Verification MPF/PR0631/L12

3) For as long as the development of the Emergency Generator Compound remains in operation, the plant noise of the emergency generator shall comply with the noise levels outlined in the following documents;

Noise Supporting Letter - Matt Fisher

Fisher Acoustics Noise Assessment PF/PR0631/L10

Fisher Acoustics Noise Assessment Verification MPF/PR0631/L12

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

Informatives

1) There should be continual monitoring and management of parking demands to ensure there is no adverse impact generated on the highway network.

2) The applicant should design and construct drainage system to prevent the increased risk of flooding,

to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 & EN17 of the Core Strategy.

MCC records highlight that the underground culverts, River Irwell (main river) and The Hanging Ditch (ordinary watercourse) are located within close proximity to the site (the River Irwell appears to be located within the site boundary, The Hanging Ditch approximately 10m to the east of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Transport For Greater Manchester
United Utilities Water PLC
Network Rail

Flat 230, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 306, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 317, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 332, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 423, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 3, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 112, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 210, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 226, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 307, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 327, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 4, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 8, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 16, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 206, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 228, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 309, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 335, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 404, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 407, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 425, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 11, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 13, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 102, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 105, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 124, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 125, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 132, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 205, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 209, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 212, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 214, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 218, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 222, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 224, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 409, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 412, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 1, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 109, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 113, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 114, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 126, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 207, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 225, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX

Flat 310, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 313, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 406, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 410, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 414, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 420, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 427, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 2, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 15, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 117, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 128, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 203, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 213, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 217, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 301, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 312, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 318, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 334, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 403, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 421, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 232, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 303, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 418, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 411, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 316, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 324, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 402, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 330, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 231, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Old Bank Building, Hanover Street, Manchester, M4 4AH
Flat 208, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 204, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Victoria Railway Station, Long Millgate, Manchester, M3 1WY
Hot Dog Stand, Victoria Station Approach, Manchester, M3 1NZ
Flat 229, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Java Bar And Espresso, Victoria Station Approach, Manchester, M3 1NZ
Flat 215, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Hanover Building, 130 Corporation Street, Manchester, M4 4GW
W H Smith Ltd, Victoria Station Approach, Manchester, M3 1NZ
2 - 6 Victoria Station Approach, Manchester, M3 1NY
Flat 116, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Club Between 7 And 9, Victoria Station Approach, Manchester, M3 1NZ
Flat 9, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 7, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
SNIPPERS 2 LTD, 1 Victoria Station Approach, Manchester, M3 1NZ
Gourmet Coffee Bar And Kitchen, Victoria Station Approach, Manchester, M3 1NZ
Flat 111, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
109 Corporation Street, Manchester, M4 4DX
Flat 424, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 108, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 115, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 104, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 422, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Joseph Lanzante The Mens Room Barbers, Victoria Station Approach, Manchester, M3 1WY

Flat 216, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 321, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 131, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 129, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 6, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 329, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 14, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 106, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 110, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 123, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 130, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 305, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 408, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 413, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 5, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 103, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 107, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 118, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 127, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX
Flat 227, Parkers Hotel, 113 Corporation Street, Manchester, M4 4DX

Appendix 2 – Planning constraints

Conservation Area - Cathedral Conservation Area 1972