

20 December 2023

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

Dear Angela,

Block A/B, Plot 11, First Street South

Application for Non-Material Amendments to Planning Permission Ref. 125573/FO/2019

Please find enclosed an application under Section 96a of the Town and Country Planning Act 1990 (as amended) for a Non-Material Amendment ('NMA') to Planning Permission Ref. 125573/FO/2019 (as amended).

The Applicant is Downing Living (Manchester) Limited Partnership Incorporated.

This application comprises this Covering Letter, and the following:

- Application Form;
- Site Location Plan;
- Approved Ground Floor Plan (10266-Z0-A-G100-PL-00-99001 Rev. P02);
- Approved First Floor Plan (10266-Z0-A-G100-PL-01-99001 Rev. P01);
- Proposed Ground Floor Plan (10266-Z0-A-G100-PL-00-99001 Rev. P03);
- Proposed First Floor Plan (10266-Z0-A-G100-PL-01-99001 Rev. P03); and
- The requisite fee of £357.

1. Background

The Site is located within Manchester City Centre and is bound to the north by Hulme Street; to the east by Wilmott Street; and to the south by Chester Street.

In March 2021, Planning Permission Ref. 125573/FO/2019 was granted for the phased redevelopment of Plot 11, to deliver four co-living buildings (across Blocks A/B, C and D), ranging from 10 to 45 storeys, and delivering 3,804 beds alongside associated amenity facilities. The description of development was as follows:

“Construction of four buildings of heights varying from 10 storeys to 45 storeys together comprising Co-living bedspaces (use class sui generis) and associated amenity facilities, with ground floor commercial units (Use classes A3 (Café / Restaurant and D2 (Gym)), private amenity space and public realm comprising hard and soft landscaping, car parking and cycle facilities and other associated works.”

The buildings are under construction and substantially progressed towards completion.

The planning permission has been subject to a series of subsequent Non-Material Amendment Applications (Ref. 132553/NMC/2021, 132804/NMC/2022, 135358/NMC/2022, 135526/NMC/2022 and 138391/NMC/2023). The Applicant has lawfully implemented the planning permission, and is currently in the process of constructing Blocks A/B (comprising Phase B) (i.e. this Site), as well as Block D (to the east of this Site). Works in relation to Blocks A/B are expected to be complete by August 2024.

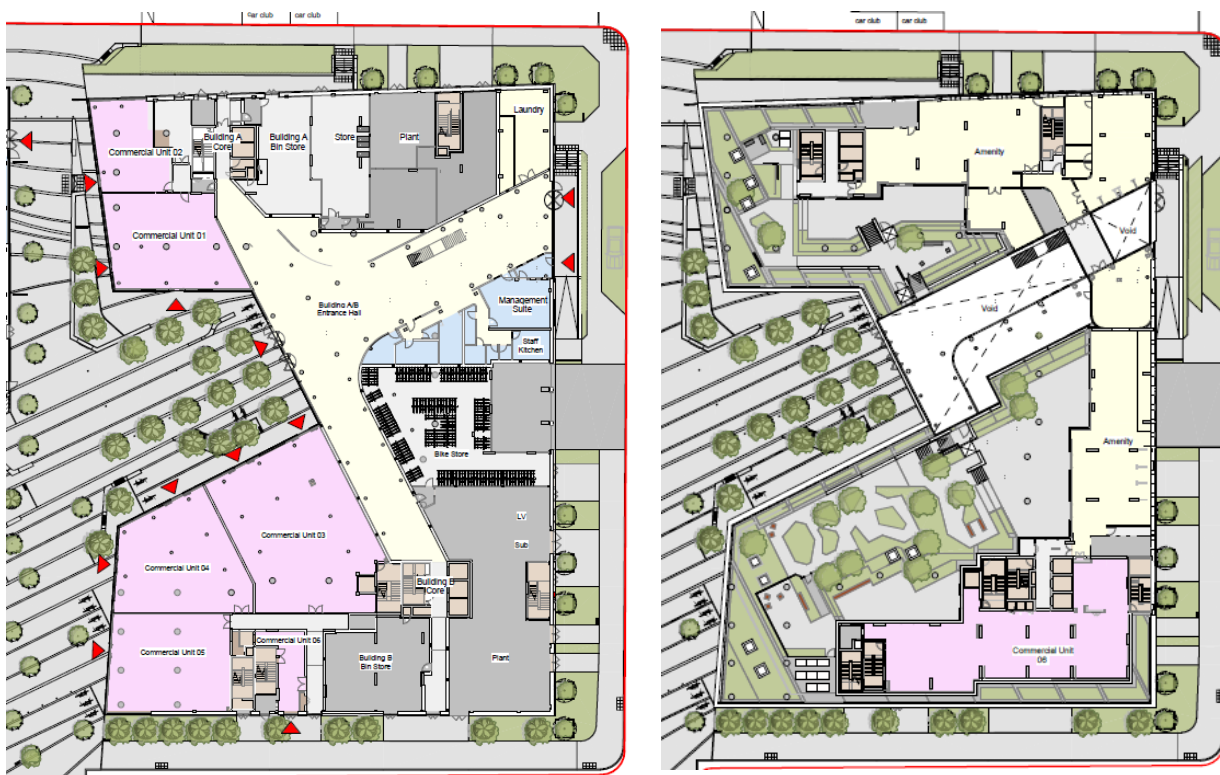
A Full Planning Application (Ref. PP-12570695), seeking approval for the change of use of the ground and first floor commercial units of Block A/B, is being submitted alongside this Planning Application.

2. Proposed Amendments

This Non-Material Amendment Application seeks to remove some minor discrepancies identified between the approved description of development and associated conditions, and approved plans and technical documents. The proposals have been discussed and agreed in principle with the Local Planning Authority prior to submission. The proposed amendments are set out in detail below.

The approved description of development refers to ground floor commercial use only, despite the approved First Floor Plan (10266-Z0-A-G100-PL-01-99001 REV P03) (Figure 1, below), and the submitted Design and Access Statement, showing commercial uses at both ground and first floor level, within Block B.

Figure 1: Approved Ground Floor Plan (left) and Approved First Floor Plan (right)



To address this point, and to reflect updates to the Town and Country Planning (Use Classes) Regulations (September 2020)), we propose to amend the description of development, as follows:

“Construction of four buildings of heights varying from 10 storeys to 45 storeys together comprising Co-living bedspaces (use class sui generis) and associated amenity facilities, with ground floor ~~(Use classes A3 (Café / Restaurant and D2 (Gym))~~ and first floor commercial (Use Class E), private amenity space and public realm comprising hard and soft landscaping, car parking and cycle facilities and other associated works.”

We also propose to amend of the following conditions:

Table 1: Proposed Amendments to Conditions

Condition	Changes Required	Rationale
15) Prior to occupation of: (b) Each of the ground floor commercial units a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with the	15) Prior to occupation of: (b) Each of the ground and first floor commercial units a scheme for the acoustic insulation of any externally mounted ancillary equipment	Change required to reflect the fact that commercial use has been approved on the first floor of Block B.

Condition	Changes Required	Rationale
development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.	associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non-compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.	
17) Before each of (a) the residential accommodation and (b) each of the Class A3 (Cafe and Restaurant) use and D2 (Gym) units within Block B commences a scheme for acoustically insulating the ground floor commercial to ensure that there is no unacceptable level of noise transfer from the ground floor uses to the residential accommodation above shall be submitted to and approved in writing by the City Council as local planning authority.	17) Before each of (a) the residential accommodation and (b) each of the Class A3 (Cafe and Restaurant) use and D2 (Gym) commercial units within Block A/B commences a scheme for acoustically insulating the ground and first floor commercial to ensure that there is no unacceptable level of noise transfer from the ground floor commercial uses to the residential accommodation above shall be submitted to and approved in writing by the City Council as local planning authority.	Change required to reflect updates to the Use Classes Order; and to highlight that there is approved commercial floorspace within Blocks A (ground floor) and B (ground and first floor).

Condition	Changes Required	Rationale
18) Before (a) the Class A3 (Cafe and Restaurant) use and (b) D2 (Gym) use commences details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.	18) Before (a) the Class A3 (Cafe and Restaurant) use and (b) D2 (Gym) ground and first floor commercial use commences details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.	
19) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within the ground floor commercial unit shall be submitted to and approved in writing by the City Council as local planning authority prior to commencement of those uses. The details of the approved scheme shall be implemented prior to occupancy and shall remain in situ whilst the use or development is in operation.	19) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within the ground and first floor commercial unit shall be submitted to and approved in writing by the City Council as local planning authority prior to commencement of those uses. The details of the approved scheme shall be implemented prior to occupancy and shall remain in situ whilst the use or development is in operation.	Change required to reflect the fact that commercial use has been approved on the first floor of Block B.
33) The proposed communal uses within the building hereby approved (excluding the A3 and D2 uses) shall be ancillary to the residential use of the building and not operate as separate planning units or commercial uses for which a separate application for planning consent would be required.	33) The proposed communal uses within the building hereby approved (excluding the A3 and D2 E uses) shall be ancillary to the residential use of the building and not operate as separate planning units or commercial uses for which a separate application for planning consent would be required.	Change required to reflect updates to the Use Classes Order.

3. Planning Policy Assessment

The proposed amendments have been considered against all relevant Development Plan Documents and other material considerations at the time of this application. This includes the 2012 Manchester Core Strategy, Saved Policies of the 2006 Manchester Unitary Development Plan and the National Planning Policy Framework (2023). The proposed amendments are considered to be non-material in nature; and simply seek to ensure consistency between the approved plans, description of development and planning conditions.

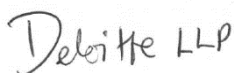
4. Summary

The amendments proposed are non-material in nature, in consideration of the original Planning Permission (Ref. 125573/FO/2019 (as amended)).

The proposed amendments are therefore wholly compliant with the policies of the Development Plan.

We therefore respectfully request that this application be supported by the Planning Authority. We would be grateful if you would notify us of validation of the application. Please do not hesitate to contact Kelly McCann (kmccann@deloitte.co.uk / 0161 455 6671) if you have any queries.

Yours sincerely

A handwritten signature in dark ink that reads "Deloitte LLP". The signature is written in a cursive, slightly stylized font.

Deloitte LLP