MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140442/NMC/2024
Date registered valid:	4 July 2024
Proposal:	Non-material amendment to planning permission 129406/FO/2021 consisting of alterations to approved plans consisting of relocation of wet riser tank and associated infrastructure.
Address:	Land At Deansgate South, Manchester, M3 4LB
Ward(s):	Deansgate Ward
Applicant:	Fusion Manchester DevCo Ltd
Agent (if any):	Miss Claire Pegg Cushman & Wakefield
Case officer:	Lucy Harrison Tel: 0161 234 5795 Email: lucy.harrison@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**23 July 2024**

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

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:

Tree Preservation Order:

Description of area

The site measures 0.06 ha and is at the junction of Chester Road/Bridgewater Viaduct and Deansgate. To the north east is Deansgate Quay, a seven storey residential building with associated car parking and to the west and north on the opposite side of Bridgewater Viaduct is the residential Castle Wharf. To the north east of the site are a variety of low-rise buildings that form the area of Knott Mill. To the south east is West Tower, which forms part of the Deansgate Square development, and to the south is a cleared site.

The site lies within the Great Jackson Street Development Framework area (SRF), the majority of which lies to the east and south of the site.

Planning permission was granted at appeal on 17 May 2022 for a 28-storey purpose built student accommodation (PBSA) building (Sui Generis).

Description of development

The proposal seeks to amend the layout of the ground and lower ground floors as a result of the detailed fire strategy. This requires the following changes:

• Relocation of Wet Riser tanks from the lower ground floor plant room to sit with below-ground concrete tanks to the North West of the building.
• The associated Wet Riser Pumps will then be relocated to sit adjacent to the tanks, requiring a space to be created next to Stairs 01 and 02.
• To accommodate the above, the below-ground Rainwater Detention Tank will be moved to sit within the main plant room – this results in amendments to both the ground floor and lower ground floor layouts as the LV switch room on the ground floor will need to be relocated, albeit still located within the same extent of the plant room.

Consultations & Notification Responses

None required.

Issues

The main issue to consider is whether the proposed changes would have a material planning impact on the approved scheme. The proposed amendments do not result in any external changes and there is no change to the GIA. The amendments would result in a change to the drainage scheme approved under condition 12, in so far as the layout of pipes within the site would need to change. This change to the approved scheme under Condition 12 is being considered via an application to re-discharge condition 12 (application ref. CDN/24/0490).

As the proposed changes are to do with the internal layout of the scheme, they would not have a material impact on the external appearance of the building and the changes to the drainage scheme are being dealt with under CDN/24/0490, it is considered that the proposed changes are non-material and are 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: Approve

Article 35 Declaration

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

1) The proposal seeks alterations to the approved plans due to the relocation of the wet riser tank and associated infrastructure.

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

Existing - Site Location Plan 20269-0200 P-00
Proposed - Site Location Plan 20269-0300 P-02
Proposed - Block Plan 20269-0301 -P02
Proposed - Plan - Lower Ground Floor 20269-0310 P-08
Proposed - Plan - Ground Floor 20269-0311 P-04
Proposed - Plan - Mezzanine 20269-0312 P-02

Proposed - Plan - Typical 01-21st Floors 20269-0313 P-02
20269-0315 P-02 Proposed - Plan - 10th Floor
20269-0316 P-02 Proposed - Plan - 22nd Floor
20269-0317 P-02 Proposed - Plan - 23rd Floor
20269-0318 P-02 Proposed - Plan - 24th Floor
20269-0319 P-02 Proposed - Plan - 25th Floor
20269-0320 P-02 Proposed - Plan - 26th Floor
20269-0321 P-02 Proposed - Plan - 27th Floor
20269-0322 P-02 Proposed - Plan - Roof
20269-0325 P-02 Proposed - Room Types
20269-0340 P-00 Proposed - Section - A-A
20269-0341 P-00 Proposed - Section - B-B
20269-0342 P-01 Proposed - Section - C-C
20269-0350 P-01 Proposed - Elevations - North and South
20269-0351 P-01 Proposed - Elevations - East and West
20269-0355 P-01 Proposed - Streetscene Elevation - North
20269-0356 P-00 Proposed - Streetscene Elevation - South
20269-0360 P-00 Proposed - Elevation and Sections Study - Typical Ground and Mezzanine
20269-0361 P-00 Proposed - Elevation and Sections Study - Typical Level
20269-0362 P-00 Proposed - Elevation and Sections Study - Level Twenty Sixth External Terraces
20269-0363 P-00 Proposed - Elevation and Sections Study - East Elevation

Environmental Statement Volume 1;
Environmental Statement Appendices;
Planning Statement dated February 2021 by Cushman & Wakefield;
Design and Access Statement 20269-8003-01 by Corstorphine +Wright Architects dated December 2020 as amended by the Design and Access Statement Addendum 20269-8004-00 by Corstorphine +Wright Architects dated November 2021;
Archaeological Desk Based Assessment by Oxford Archaeology dated October 2015;
Blue and Green Infrastructure Statement by Cushman & Wakefield dated February 2021;
Broadband Connectivity Assessment Issue 0.3 dated 07/01/2021 by GTech Surveys Limited;
Television and Radio Reception Impact Assessment Issue 0.3 dated 07/01/2021 by GTech Surveys Limited;
Crime Impact Statement Ref: 2018/0600/CIS/02 Version B: 27/01/21 by Greater Manchester Police Design for Security;
Energy Strategy Report dated 16 December 2020 by Ridge;
BREEAM Pre-Assessment Report dated 14/10/2020 by Impact Sustainability;
Flood Risk Assessment and Drainage Strategy 20047.02.03.D100 dated December 2020 by Shear Design;
Phase 1 Preliminary Risk Assessment Report dated January 2021 by WSP;
Phase 1 Preliminary Risk Assessment Report Appendix C, part 1;
Phase 1 Preliminary Risk Assessment Report Appendix C, part 2;
Phase 1 Preliminary Risk Assessment Report Appendix C, part 3;
Factual Report on Ground Investigation;
Local Labour Agreement dated February 2021 by Cushman & Wakefield;
Residence Management Plan by Fusion Students;
Social Spaces, Amenities & Student Wellbeing Strategy dated January 2021 by Corstorphine + Wright Architects;
Transport Statement Rev 01 and Framework Travel Plan by Calibro;
Student Accommodation Schedule by Corstorphine + Wright Architects;
Tree Planting Proposals by Wardell Armstrong received by the City Council on 25 January 2022;
Updated Environmental Statement - Chapter 12: Wind Microclimate dated February 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL