

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140295/NMC/2024

Date registered valid: 14 June 2024

Proposal: Non-material amendment to Planning Application 125573/FO/2019 as amended by 132553/NMC/2021, 132804/NMC/2022, 135358/NMC/2022, 135526/NMC/2022, 138391/NMC/2023 and 138876/NMC/2023 consisting of alteration to materials and design.

Address: Plot 11 First Street Comprising Land Bound By Hulme Street To The North, Wilmott Street To The East, The Unite Parkway Gate Development And Mancunian Way To The South, And Medlock Street To The West, Manchester

Ward(s): Deansgate Ward

Applicant: Downing Downing Living (Manchester) Limited

Agent (if any): Mr Glenn Robinson Simpsonhaugh Architects

Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **02-07-24**

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: Not applicable

Tree Preservation Order: Not applicable

The site measures 1.2ha and is bounded by Hulme Street, Wilmott Street, the Parkway Gate student accommodation, Mancunian Way and Medlock Street. It is within part of the City Centre known as First Street which has been a regeneration priority for over a decade.

Consent was granted under application ref no 125573/FO/2019 for the 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.

Description of development

The above approved development is currently under construction on site.

A number of changes to the approval are required due to detailed design development and review of material samples by Officers. On elevations of buildings A, B & D decorative screens have been developed replacing the original louvre design. There are also adjustments to the interface between different material interfaces. The extend of the useable external areas for residents at level 01 has been extended.

Due to the above changes condition 2 needs to be amended to update the approved drawing numbers. Application ref no CDN/22/0771 signed off materials subject to final sign off of VMU 3 (10266-Z0-A-G251-DE-XX-102), which relates to the Podium element of the building. These materials are now agreed and the agreed and signed off details now need to be amended to make condition 6 a compliance condition.

Consultations & Notification Responses

A holding objection has been received from Cadent due to their infrastructure being in the vicinity if the site.

Issues

It is noted that the proposed changes are considered by to improve the overall proposals and 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.

Cadent- Informatives will be included on the decision notice to sign post the applicants to their requirements in relation to potential impacts from the development the Cadent infrastructure from the development.

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

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.Dwgs 10266-Z0-A-G100-XP-XX-99001 (GA Site Plan - Existing Site Plan), 10266-Z0-A-G100-XP-XX-99002 (GA Existing Site Location Plan) and 10266-Z0-A-G100-XP-XX-99003 (GA Site Plan - Existing Site Plan - Gas Easement Location);

b. Dwgs 10266-Z0-A-G100-EL-EE-99001 (East Elevation) P04, 10266-Z0-A-G100-EL-EE-99002 (Central East Elevation) P04, 10266-Z0-A-G100-EL-EN-99001, (North Elevation) P04, 10266-Z0-A-G100-EL-ES-99001 (South Elevation) P04, 10266-Z0-A-G100-EL-EW-99001 (West Elevation) P03, 10266-Z0-A-G100-EL-EW-99002 (Central West Elevation) P03 and details of amendments as shown in 10266-SHP-RP-PA-008 stamped as received on 05-12-22;

c. Dwgs 10266-Z0-A-G100-PL-00-99001 (GA Site Plan - Ground Floor Plan) P03 as amended by P51 and P52 of Brochure 10244-SHP-A-RP-PA-006 Rev 01, 10266-Z0-A-G100-PL-01-99001 (GA Site Plan - First Floor Plan) P04, 10266-Z0-A-G100-PL-02-99001 (GA Site Plan - Second Floor Plan) P04, 10266-Z0-A-G100-PL-10-99001 (GA Site Plan - Level 10 Floor Plan) P02, 10266-Z0-A-G100-PL-17-99001 (GA Site Plan - Level 17 Floor Plan) P01, 10266-Z0-A-G100-PL-21-99001 (GA Site Plan - Level 21 Floor Plan) P02, 10266-Z0-A-G100-PL-25-99001 (GA Site Plan - Level 25 Floor Plan) P02, 10266-Z0-A-G100-PL-44-99001 GA Site Plan (Level 44 Floor Plan) P02, 10266-Z0-A-G100-PL-RF-99001 (GA Site Plan - Roof Plan) P02, 10266-Z0-A-G100-PL-TY1-03-09-99001 (GA Site Plan - Typical 1 - Levels 03-09) P02, 10266-Z0-A-G100-PL-TY2-11-13-99001 (GA Site Plan - Typical 2 - Levels 11-13) P02, 10266-Z0-A-G100-PL-TY3-14-16-99001 (GA Site Plan - Typical 3 - Levels 14-16) P02, 10266-Z0-A-G100-PL-TY4-18-20-99001 (GA Site Plan - Typical 4 - Levels 18-20) P02, 10266-Z0-A-G100-PL-TY5-22-24-99001 (GA Site Plan - Typical 5 - Levels 22-24) P02, 10266-Z0-A-G100-PL-TY6-26-40-99001 (GA Site Plan - Typical 6 - Levels 26-40 P01) 10266-Z0-A-G100-PL-41-9901 (GA Site Plan Level 41-42) and 0266-Z0-A-G100-PL-43-9901 (GA Site Plan Level 43) and details of amendments as shown in 10266-SHP-RP-PA-008 stamped as received on 05-12-22;

d. Dwgs 10266-Z0-A-G100-SC-XX-99001 (GEA Area Schedule) P02 to include kitchen areas and facilities as shown on pages 12,15,16,18 and 19 of Brochure 10244-SHP-A-RP-PA-006 Rev 01;

e. Dwgs 10266-Z0-A-G100-SE-AA-99001 (Section AA) P01 and 10266-Z0-A-G100-SE-BB-99001 (Section BB P01);

f. Dwgs 10266-Z0-A-G251-DE-XX-99001 (Detail Elevation Type 1 - Double Glazed Unit (Light Frit)), 10266-Z0-A-G251-DE-XX-99002 (Detail Elevation Type 2 - Double Glazed Unit (Dark Frit)), 10266-Z0-A-G251-DE-XX-99003 (Detail Elevation Type 3 - Podium Terracotta Façade) Rev P01, 10266-Z0-A-G251-DE-XX-99004 (Detail Elevation Type 4 - Podium Curtain Walling) Rev P01, 10266-Z0-A-G251-DE-XX-99005 (Detail Elevation Type 5 - Building C Base), 10266-Z0-A-G251-DE-XX-99006 and 10266-Z0-A-G251-DE-01-99001

g. Dwgs M90183 L100 Landscape Masterplan Revision A, M90183 L200 General Arrangement Plan (Sheet 1 of 3) Revision K, M90183 L201 General Arrangement Plan (Sheet 2 of 3) Revision K, M90183 L202 General Arrangement Plan (Sheet 3 of 3) - Revision J, M90183 Landscape Design Statement - Revision 02, M90183 L210 Rev D General Arrangement Podium (Sheet 1 or 3), , M90183 L211 Rev D General Arrangement Podium (Sheet 2 or 3) and M90183 L212 Rev D General Arrangement Podium (Sheet 3 or 3)

h. Dwgs M90183 SK001 Car Club Location Plan, M90183_SK002 Trees in Ground / Planters Plan, M90183SK003 Two Metre Pavement Clearance Plan and M90183 SK004 Smoking Bins Plan;

i. Vectos, Waste Strategy Report, VN91423, December 2019;

j. Simpson Haugh's Design and Access Statement Sections 4.1, 4.1.12 and 5.6;

k. Inclusions of measures and targets set out Element Sustainability - FIRST STREET SOUTH, MANCHESTER, ENVIRONMENTAL STANDARDS STATEMENT, JANUARY 2020, REF: 2019.163

l. Plot 11, First Street South, Manchester, DESIGNING FOR ACCESSIBILITY - ACCESS STATEMENT, 10266-A-RPT-BC-AD-M-001 Date: 1st May 2020 and M4(2) Accessible Schedule- 10266-Z0-A-G100-SC-XX-99002 by Simpson Haugh

m. Implementation of Broadband installation in accordance with Broadband Connectivity Assessment Downing Property Services Limited, First Street South, September, 2019 by Pager Power;

n. Air Quality Assessment - Mitigation set out within ES Appendix 6.2 paragraph 6.13 and on the basis that the agreed mitigation measures set out in the Air Quality Assessment Report (above) shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

o. Measures and recommendations within AJP Flood Risk Assessment & Drainage Strategy Report; FSS-AJP-XX-00RP-C-3000 Rev P03 (see CDN/21/0951);

p. Pager Power, Television and Radio Baseline Survey Report First Street South Downing Living (Manchester) Limited October, 2019 and mitigation measures set out within.

q. Details within Transport Statement (sections 5 and 7) by Sanderson dated November 2019 as amended by Transport Statement Addendum by Sanderson dated 23-03-20; and

r. Foundation Design - Groundwater Considerations Risk Assessment stamped as received on 14-07-20

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 policies DC19.1, DC20 and DC26.1.

2) The proposed amendments relate to changes resulting from detailed design development to the replacement of louvres with decorative screens on buildings A, B & D decorative, adjustments to the interface between different material interface and an increase in the useable external areas at level 01

6) The development shall be implemented in accordance with the following:

Drawing 10266-SHP-RP-PA-010 - relating to Phase A (Building D);

Z9-FOC-G251-TS-XX-002_Ver1 - Quality Control Management Strategy;

Drawing 10266-Z0-AG100-PL-XX-99001 (Phase A) (Building D); and

Document 10266-SHP-RP-PA-015 Planning Amendment NMA-07 June 2024 and Dwgs 10266-Z0-A-G251-DE-XX-99006 and 10266-ZD-A-G251-DE-01-99001

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

2) The consent hereby granted does not negate the need for any statutory consents required in relation to the development relating to Gas Infrastructure from Cadent Gas

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL