MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139403/NMC/2024
Date registered valid:	29 February 2024
Proposal:	Non-Material Amendment to planning permission 136492/FO/2023 to amend wording of conditions 6 (surface water drainage) and condition 32 (details of roller shutters).
Address:	Land Off Great Ducie Street, Manchester
Ward(s):	Cheetham Ward
Applicant:	The LTE Group
Agent (if any):	Miss Rachel May Avison Young
Case officer:	Jennifer Atkinson Tel: 0161 234 4517 Email: jennifer.atkinson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**23.03.2024**

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 4 March 2024 Expired: 25 March 2024

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

The site is located in the area of Strangeways, north of Manchester City Centre, next to the Manchester Arena and Victoria Station. The site measures approximately 0.3 hectares (0.71 acres) and is located on the edge of the City Centre boundary.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The surrounding area contains a mixture of light industrial buildings, warehouses and surface level car parks. There is a Travelodge hotel to the north of the site and a residential development to the south west. The Manchester Arena is opposite the site on New Bridge Street. Srangeways Prison is to the north east. The site is part of the Boddingtons Strategic Regeneration Framework. Victoria Station is directly opposite the site providing access to trains, trams and bus services across Manchester and beyond.

Description of development

Non-Material Amendment to planning permission 136492/FO/2023 to amend wording of conditions 6 (surface water drainage) and condition 32 (details of roller shutters).

Consultations & Notification Responses

Flood Risk Management Team – No objection to the changes.

Issues

The proposal would amend condition to remove reference to 15 l/s and replace with 16 l/s. There is no objection from drainage perspective to this change.

With regards to condition 32, no roller shutters are proposed. However, should they be installed in future then the amendment to the condition allows this to be considered.

The changes are considered to be acceptable and are non material in nature.

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 to amend wording of conditions 6 (surface water drainage) and condition 32 (details of roller shutters).

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.

6) Notwithstanding the details submitted on the Drainage Strategy prepared by AECOM received by the City Council, as Local Planning Authority, on the 16 March 2023 and emails from Ed Harvey of Avison Young dated the 21 and 22 June 2023,

(a) the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- A finalised drainage layout showing all components, outfalls, levels and connectivity including confirmed as-built information where reliant on phase 1 infrastructure;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, to a maximum of 16 l/s.
- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements) and managed within the proposed development boundary. Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Where an application is part of a larger site which already has planning permission it is essential that the new proposal does not compromise the drainage scheme already approved.
- Hydraulic calculation of the proposed drainage system including all parameters of the model;
- Construction details of flow control and SuDS elements.

(b) The development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

32) Prior to the installation of any roller shutter doors, details of any roller shutters to the ground floor of the building shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first use of the building and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL