MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140168/NMC/2024
Date registered valid:	31 May 2024
Proposal:	Non-material amendment to planning approval 134504/FO/2022 to enable the discharge of condition no. 23 over 6 phases of development
Address:	Olympic Freight Terminal, Bennett Street, Manchester, M12 5NL
Ward(s):	Ardwick Ward
Applicant:	Mr Ray Collins Kellen Homes
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	11 June 2024

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 3 June 2024 Expired: 17 June 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 Ardwick and covers 5.17ha. The site formerly comprised industrial storage land. The site is irregular in shape, with the site in the northwest corner being triangular in nature due to the route of the two rail lines, one of which is elevated and forms the western boundary, with the remainder of the site being broadly rectangular. The site has been cleared and was formerly comprised of a container storage site (Class B8 storage and distribution), which included two warehouse buildings (which have been demolished) in the werst, and a vacant storage and distribution site formerly occupied by M& A Demolition Ltd formed the eastern portion of the site. Much of the western element of the site comprised areas of hardstanding associated with the former use for the open-air storage of shipping containers.

Planning History
126714/OO/2020 - Outline Planning Application with matters of appearance and landscaping reserved to allow for residential-led development comprising up to 340 dwellings (Class C3) within buildings between two and six storeys in height, and up to 317 sqm of flexible use Commercial Hub floorspace Class E) with two altered access points off Bennett Street; a vehicular access from Anthony Close; and associated open space and landscaping Storage Land Olympic Freight Terminal, Bennett Street
Withdrawn 21.07.2022

134504/FO/2022 - Erection of 272 dwellings (Use Class C3) within buildings between two and four storeys in height, and a new community building (Use Class F2(b)), with associated car parking, access from Bennett Street, landscaping, creation of area of public realm, boundary treatment and other associated works, following demolition of existing buildings and structures on the site.
Land Olympic Freight Terminal, Bennett Street

Approved subject to conditions and a section 106 legal agreement 28.02.2023

136680/NMC/2023 - Non material amendment to planning permission referenced 134504/FO/2022 to allow changes to the configuration the floorplate of 3no. proposed apartments blocks, minor alterations to external dimensions of the apartment blocks and rationalisation of internal communal areas, with associated elevational alterations
Land Olympic Freight Terminal, Bennett Street
Approved 10.05.2023

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The application site measures 5.17 hectares in size and is located within the Ardwick ward of Manchester, approximately 2.5km from the City Centre. Although the site is located within the Ardwick ward, it is known locally as the West Gorton area of Manchester. The site is bordered to the north by a linear car parking area used by the Great Universal House office development, which is accessed from under the railway viaduct to the northwest. Beyond the car park is a railway line branching east from the main line. The main line and viaduct immediately bound the site to the west and form a significant barrier along the western edge of the application site. Existing low rise two and three storey residential properties bound the site to the east and south. To the east of the site is the Guinness Trust housing development with predominantly two storey houses located on Hayfield Close and Anthony Close. Bennett Street then forms the boundary to the south, with existing two storey properties to the south of Bennett Street facing the site. The area is mixed in nature, with predominantly residential properties in existing estates, but with some commercial, industrial, educational, community and leisure uses within it. The surrounding area has several listed buildings including the former St Benedict's Church (Grade II*) on Bennett Street, and Nicholls House (Grade II *) forming part of the Nicholls college campus on Hyde Road.

Previously approved scheme
Planning permission was granted for a residential-led development comprising 272 dwellings (Use Class C3) within buildings between two and four storeys in height, and a new community building (Use Class F2(b)), with associated car parking, access from Bennett Street, landscaping, creation of area of public realm, boundary treatment and other associated works, following demolition of existing buildings and structures on the site. The proposal included 272 residential units of accommodation, consisting of a mix of 100 apartments and 172 houses. The mix of accommodation was in form of 100 two bedroom apartments, with six house types comprising 41 two bedroom, 99 three bedroom and 32 four bedroom dwellinghouses. In addition to the residential accommodation, it was also proposed to provide 80 sqm of community use (Class F2b) floorspace within a single storey building fronting Bennett Street. The community use would provide a small recreational space with associated toilet, kitchen and office facilities. The proposed residential development comprised private rented housing. The density of the approved scheme was 53 dwellings per hectare within buildings ranging from two storeys up to four storeys in height (with the exception of the single storey community use building). The scheme predominantly included the provision of two, two and a half and three storey houses across the site, with apartments buildings being four storeys located to the west of the application site. The approved site layout plan for the site included primary circulation through an inner loop road, and secondary roads. Vehicular access to the site would be taken

directly from Bennett. Street, which connects to the major radial route - Hyde Road. Car parking was provided at one space per residential dwelling for both the dwellinghouses and apartments Amenity space was provided for dwelling houses through small front gardens and private rear garden areas, and with areas of shared amenity space within the curtilage of each of the proposed apartment blocks.

Consent was subsequently granted for a non-material amendment to planning approval 134504/FO/2022 to allow changes to the configuration the floorplate of 3no. proposed apartments blocks, with minor alterations to external dimensions of the apartment blocks and minor rationalisation of internal communal areas.

Description of development
Consent is sought for a Non-material amendment to planning approval 134504/FO/2022 to enable the rewording of condition no. 23 to enable this condition to be discharged on a phased basis.
At present condition no.23 restricts occupation of the proposed dwellings until the drainage across the site has been approved and implemented.
A phased approach (on the basis of the phasing plan and associated list of plots within each phase accompanying this application), would enable details of the implementation, maintenance and management of the sustainable drainage scheme and the culverted ordinary watercourses to be considered, as each tranche of plots is completed and allow occupation of that phase.

Consultations & Notification Responses
Not applicable.

Issues
Policy Context
These include Core Strategy policies SP1 (Spatial Principles); Policy H1 (Overall Housing Provision); Policy H2 (Strategic Housing Location); Policy H5 (Central Manchester); Policy H8 (Affordable Housing);EC 2 (Existing Employment Space); Policy EC8 (Central Manchester); EN 1 (Design Principles and Strategic Character Areas); EN3 (Heritage); Policy EN4 (Reducing CO2 emissions by enabling low and zero carbon development); Policy EN6 (Target framework for CO 2 reductions from low or zero carbon energy supplies); EN 8 (Adaptation to Climate Change); EN9 (Green Infrastructure); EN11 (Quantity of Open Space, Sport and Recreation); EN14 (Flood Risk); EN15 (Biodiversity &Geological Conservation; EN16 (Air Quality); Policy EN17 (Water Quality); EN18 (Contaminated Land); EN19 (Waste);T1 (Sustainable Transport); T2 (Accessible areas of opportunity and needs) ; DM1 (Development Management); Saved UDP policies DC20.1 (Listed Buildings); DC26 (Noise) ; AB1 (upgrading housing stock and enhancement of communal areas); AB4 (relates to new housing developments and improvements to the external environment), and the guidance provided within the National Planning Policy Framework ,NPPG, the Guide to Development in Manchester Supplementary Planning Document, Manchester Residential Quality Guidance (2016), Providing for Housing Choice – Supplementary Planning Document and Planning Guidance (2008) , Residential Growth Strategy (2016), Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015), Manchester Climate Change Framework: 2020-2025 and Manchester Zero Carbon Framework (2020), and Ardwick Local Plan 2007.

Non material change
The proposed amendments have been assessed, and it can be confirmed that the changes are considered to be of a non-material nature and are considered to be acceptable to the City Council as the Local Planning Authority. The revision to the approved scheme relates to changes to allow the rewording of condition no. 23 to enable this condition to be discharged on a phased basis.
The proposed revisions would not have a detrimental impact in terms of the visual appearance, and amenity of the proposed adjoining residential properties.

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

Paragraph One

The revisions to the approved scheme relate to changes to allow the rewording of condition no. 23 to enable this condition to be discharged on a phased basis.
It is considered that the proposed revisions would not have a detrimental impact in terms of the visual appearance, and amenity of the proposed residential properties, and that the wording of condition no.23 be amended to reference the proposed phased approach, and that reference in

made in condition no.2 to the List of plots within each of the proposed phases received 31.05.2024 and the Site Layout Phasing plan ref: KH06-A-800 received 05.06.2024.

Condition 23- Drainage management
23) No phase of development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme for that phase have been submitted to and approved by the local planning authority. The approved scheme shall be implemented and thereafter managed and maintained in accordance with the approved details for that phase. Those details shall include:

- Verification report providing photographic evidence of construction as per design drawings, which shall include flow control and attenuation components;

- As built construction drawings if different from design construction drawings;

- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

- Management and maintenance plan for the culverted ordinary watercourses which shall include confirmation of responsible party.

- Evidence of post-installation survey and post-piling survey to confirm culvert integrity.

Reason- To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and a maintenance mechanism for the lifetime of the development, pursuant to policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

Condition no.2 – Specified plans

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

Location plan ref: KH/BSM/LP/01 received 26th July 2022;
Acacia House type floor plans ref: 22041(PL)200 ;
Cedar House type floor plans ref: 22041(PL)201 ;
Hickory House type floor plans ref: 22041(PL)202 ;
Larch House type floor plans ref: 22041(PL)203 ;
Olive House type floor plans ref: 22041(PL)204 ;
Palm House type ground and first floor plans ref: 22041(PL)205 ;
Palm House type second floor plans ref: 22041(PL)206 ;
Acacia House type elevation plans ref: 22041(PL)300 rev.B ;
Cedar proposed elevations plan - A ref: 22041(PL)301 rev.A ;
Hickory proposed elevations plan ref: 22041(PL)302 rev.A ;
Larch proposed elevations plan ref: 22041(PL)303 rev.A ;
Olive proposed elevations plan ref: 22041(PL)304 rev.A ;
Palm proposed elevations plan ref: 22041(PL)305 rev.A ;
Cedar proposed elevations plan - B ref: 22041(PL)306 rev.A ;

Site sections plan ref: KH006 A-104 rev.A (notwithstanding site layout which is superseded by Planning layout KH006 A-100 rev .U)

Design and Access Statement dated July 2022;
Planning Statement July 2022;
Statement of Consultation dated July 2022;
Aboricultural Impact Survey ref: P.1967.22 rev.C dated July 2022;
Air Quality Assessment ref: 5742r2 dated 26th July 2022;
Archaeological Desk- Based Assessment report ref: 3587. R01 dated July 2022;
Archaeological Desktop Report prepared by Nexus Heritage;
Biodiversity Net Gain Assessment V0.5 report ref: 19414 dated July 2022;
Crime Impact Statement Version A 19.07.2022 ref: 2020/0183/CIS/02 ;
Preliminary Ecological Appraisal v0.1 ref: 19414 dated June 2022;
Sustainability Strategy and Environmental Standards Statement;
Flood Risk and Drainage Assessment rev.5 ref:FD019 ;
Local Labour Agreement
Noise and Vibration Assessment doc ref: 50-636-R1-4 dated July 2022;
Residential Travel Plan Framework dated July 2022 ref: 3683;
Transport Assessment dated July 2022 ref: 3683 (as updated by Highways Note V1 (November 2022) -3663;
Ventilation Strategy Construction Environmental Management Plan July 2022;
Phase I & II Geoenvironmental Site Assessment 15-425-R1- Version 2 dated July 2022;
Remediation and Enabling Works Strategy ref: 15-425-R2-2 dated July 2022 received 27th July 2022;
Community plan layout and elevations ref: KH006 A-900;
Bin Store GA plan ref: KH006 A-702;
Waste Management Proforma received 9th August 2022;
Viability Report by Northern Land Agency dated August 2022 received 22nd August 2022;
Agent email dated 14th September 2022 relating to revised levels of cycle storage provision;
Completed Basic Asset of Protection Agreement Proforma received 1st September 2022;

Revised Highways Drainage Strategy rev.C received 30th September 2022;
Email from applicant regarding HS2 access and HS2 Access plan ref: KH006 A-506 received 17th October 2022;
Highways Note V1 (November 2022) -3663 by Eddisons received 18.11.2022;
Site layout plan ref: KH006 A-100 rev.H;
Coloured site layout plan ref: KH006 A-101 rev.C ;
Storey Heights plan ref: KH006 A-102 rev.D ;
Boundary treatments plan ref: KH006 A-300 rev.J;
Hard landscape plan ref: KH006 A-400 rev.E;
Waste Management Plan ref: KH006 A-700 rev.D;
Materials Layout plan ref: KH006 A-200 rev.D

Received 16th December 2022.

Energy Statement v1.5 dated July 2022;received 10th January 2023;
CCTV Survey Inspection report (drains) dated 18.07.2023;
PAS 12 Survey S22-291Utility plan;
PAS 12 Survey S22-291Utility plan (2) received 10th January 2023;
Content of Email from planning agent dated 19th January 2023;
Content of Email from applicant dated 20th January 2023 in regard to electric vehicle charging points;

Surface water diversion plan ref: 22122/104/1 Rev C received 19th January 2023;
Boundary treatment details plan ref KD-A -515 received 20th January 2023;
Landscaping masterplan ref: BS_LP001 rev.C received 23rd January 2023;
Sequential test dated January 2023 received 23rd January 2023 (in regard to flood matters).
Window Gable Plan ref: KH 006 A-105 received 26th January 2023 Culvert Diversion
Masterplan ref: HK 006 -CD-1000 received 20th February 2023.

AS AMENDED BY :-

Site layout plan ref: KH006 A 100 rev L
Straight block 22041 C 04 001 rev.B Ground Floor Plan Apartment Block A
Straight block 22041 C 04 002 rev.B First Floor Plan Apartment Block A
Straight block 22041 C 04 003 rev. B Second Floor Plan Apartment Block A
Straight block 22041 C 04 004 rev.B Third Floor Plan Apartment Block A
Straight block 22041 C 05 001 rev.B Elevations Sheet 1 Apartment Block A
Straight block 22041 C 05 002 rev. B Elevations Sheet 2 Apartment Block A

Corner block 22041 C 04 001 rev.A Ground F Plan Apartment Block B
Corner block 22041 C 04 002 rev.A First Floor Plan Apartment Block B
Corner block 22041 C 04 003 rev.A Second Floor Plan Apartment Block B
Corner block 22041 C 04 004 rev.A Third Floor Plan Apartment Block B
Corner block 22041 C 04 005 rev.A Roof Plan Apartment Block B
Corner block 22041 C 05 001 rev.A Elevations Sheet 1 Apartment Block B
Corner block 22041 C 05 002 rev.A Elevations Sheet 2 Apartment Block B

Received 24th April 2023

AS AMENEDED BY :
Planning layout KH006 A-100 rev U
Larger scale extract plan showing revised layout arrangements.

Received 14th February 2024

AS AMENDED BY:
List of plots within each of the proposed phases received 31.05.2024
Site Layout Phasing plan ref: KH06-A-800 received 05.06.2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012). Paragraph 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.

Paragraph Two
Following an assessment of the details submitted, I can confirm that the proposed amendment is 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

MCC Flood Risk Management

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) 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) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA