21 November 2023
Delivered by email

Angela Leckie
Manchester City Council
Town Hall
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Dear Angela

APPLICATION UNDER SECTION 96A OF TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) NON-MATERIAL AMENDMENT TO PLANNING PERMISSION REFERENCE 127317/FO/2020 – THE CASTINGS, HEYROD STREET, MANCHESTER, M1 2WW

Further to our discussions, I am pleased to enclose an application for the approval of a non-material amendment (Section 96A) to the above planning permission submitted on behalf of Midgard limited ("the applicant").

The application has been submitted via Planning Portal (ref. PP-12611786) and comprises electronic copies of the following documents:

- Completed Application Forms
- This Covering Letter

Paving on Level 01

- Landscape General Arrangement – Level 01 (dwg ref. CAS-RFM-XX-L01-DR-L-19-0004 C04), prepared by re-form

MVHR Airbricks at 1st Floor Level

- Heyrod St Elevation (dwg ref. CAS-AXIS-BU1-XX-DR-A-11-0202 C03), prepared by Axis Architects
- Longacre St Elevation (dwg ref. CAS-AXIS-BU1-XX-DR-A-11-0203 C03), prepared by Axis Architects
- Titon Firesafe – Single Air Brick
- Air Brick – Precedent Images (*Not for Approval*)

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"Turley is the trading name of Turley Associates Limited, a company (No. 2235387) registered in England & Wales. Registered office: 1 New York Street, Manchester M1 4HD."

Omission of Fins (Heyrod Street)

- General Arrangement Ground Floor Plan (dwg ref. CAS-AXIS-BU1-GF-DR-A-03-0200 C09), prepared by Axis Architects
- North Elevation (dwg ref. CAS-AXIS-BU1-XX-DR-A-11-0205 C02), prepared by Axis Architects

Aviation Lighting

- The Castings - Aviation Lighting Statement, prepared by A&B Engineering ESD

Externally Mounted Plant

- Mechanical Services – Ventilation Services – Level 21 & 22 Amenity Fit Out (dwg ref. CAS-ABE-AME-ZZ-DR-M-57-0052 P03), prepared by A&B Engineering ESD
- Longacre St Elevation (dwg ref. CAS-AXIS-BU1-XX-DR-A-11-0203 C03), prepared by Axis Architects
- Site View Locations (dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-037), prepared by Axis Architects
- View 1 (dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-038), prepared by Axis Architects
- View 2 (dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-039), prepared by Axis Architects
- Site Views (dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-040), prepared by Axis Architects
- Twentyfirst Floor Sections (dwg ref. CAS-AXIS-AME-L21-DR-A-SK-008), prepared by Axis Architects
- Level 22 Plant Longacre St Elevation – Sightlines (dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-034), prepared by Axis Architects

A full list of the proposed plans and the relevant superseded plans can be found at **Appendix 1**. All other plans remain as approved.

The requisite fee of £234.00 has been paid via the Planning Portal.

BACKGROUND

As Manchester City Council is aware, planning permission was granted for the redevelopment of the land at Heyrod Street, including the demolition of the existing building and the construction of residential apartments with ground floor commercial space (LPA ref. 127317/FO/2020). The full wording of the approved development is as follows:

> *"Erection of a part 25 part 21, part 14, part 7 storey building for 352 apartments comprising 39 Studios, 77x 1 bed, 227 x 2 bed and 9 x 3 bed (Use Class C3) with ground floor commercial space within 4 units (494m2) for Class A1 (Shop), A2 (Financial and Professional Services) A3 (Café and Restaurant), A4 (Drinking Establishment), A5 (Hot Food Take Away), B1 (Office) and D1-D2 uses, ancillary indoor and outdoor amenity space (including 1st and 21st floor external areas) car parking for 20 vehicles, cycle parking and associated hard and soft landscaping works, following demolition of existing buildings."*

This permission relates to the redevelopment of land at Heyrod Street, which comprises Plot D of the Portugal Street East ("PSE") Strategic Regeneration Framework ("SRF") area located within Manchester City Centre. The development aims offer a high-specification residential led 'build-to-rent' scheme, complemented by ground floor commercial space and internal and external amenity space.

Furthermore, the applicant has secured the discharge of a number of conditions attached to the consented scheme (LPA ref. 127317/FO/2020). Please see below for a summary of submitted applications:

Condition	Application Number	Date of Decision Notice
3a	CDN/21/0379	15th October 2021
3b	CDN/21/0379	15th October 2021
3c	CDN/22/0658	Partial Discharge – 22nd December 2022 26th July 2023
4	CDN/21/0242	19th August 2021
5	CDN/21/0522	16th September 2021
6	CDN/21/0522	16th September 2021
8a	CDN/21/0242 CDN/21/0558 CDN/21/0864	19th August 2021 13th October 2021 16th December 2021
9	CDN/21/0242	19th August 2021
10	CDN/21/0379	15th October 2021
11	CDN/21/0242 CDN/22/0606	19th August 2021 02nd December 2022
11e	CDN/21/0708	21st December 2021
12	CDN/21/0708	21st December 2021
16	CDN/21/0867	30th March 2022
16a	CDN/21/0379	15th October 2021
17	CDN/21/0379	15th October 2021
21	CDN/21/0558	13th October 2021
22a	CDN/21/0242	19th August 2021
35	CDN/23/0197	8th June 2023
38a	CDN/21/0379	15th October 2021

PROPOSED CHANGES

Since the approval of the planning application there have been a number of further detailed design considerations which require an update to the scheme. The latest proposed update is described below:

Paving on Level 01

The Castings require a small amendment to the finish of an existing area of artificial turf, located on the Level 01 Longacre Street Terrace. As existing, the inclusion of artificial turf does not conform with Building Regulations Part B fire requirements. We therefore propose changing this small area of artificial turf, by instead extending the hard

finish that covers the rest of Level 01 to this area. As a result of this change, the proposed development will conform with Building Regulations Part B.

MVHR Airbricks at 1st Floor Level

The original consented drawings show the MVHR ventilation units terminating within the soffit above the windows. As shown on the VMU, on site at The Castings, soffits are generally aluminium. In this particular location, specifically Heyrod Street and Longacre Street, the soffits are brickwork supported on a masonry support system which provides a high-quality feature. As such, it is proposed to connect to a discrete airbrick in the colour "farmstead" (215x65mm) in the brick façade rather than the original consented design which is considered more obtrusive. There will be 13 airbricks in total.

To ensure that the most appropriate response was taken, a number of options were explored, with Option 3 considered the best course of action. Please see full context below:

Option 1 – route the ductwork internally via a shared system to terminal at roof level

The ventilation system to each apartment is independent. The introduction of a shared system for the relevant apartments would require the introduction of shared ductwork and externally mounted plant at roof level (L07, L14). Shared service risers would need to be introduced to accommodate the ductwork. Due to the lengths of ductwork required, the size of the ducts would need to be significantly increased as pressure drops over these increased distances, this would be costly and lead to loss of apartment floor areas. This option was deemed unviable.

Option 2 – terminate via a grille within the brick soffit

The brick soffits are manufactured with brick slips mechanically fixed to a structural carrier system, which is supported from the edge of the floor slab. Due to the structural supports required, it is not possible to coordinate the grille within a brick space (e.g.: substitute a brick with a grille). The grille would need to be set out to suit the structural supporting system, this means that the grille would be offset or, alternatively, an aluminium soffit infill could be provided to minimise the number of cut bricks. It is considered that this option would impact the aesthetic quality of the proposed development.

Option 3 – terminate via an airbrick in the external brickwork

The MVHR ductwork would connect directly to an airbrick set within the brick façade. The MVHR units require a certain free area across the airbricks in order to maintain a sufficient level of air flow. The airbricks would be made from metal and fire resistant. This type of airbrick has a greater ventilation area than other options and, as such, can be achieved within a smaller single brick sized unit (215mm x 65mm). This is the preferred option.

Omission of Fins (Heyrod Street)

Through further design evolution, we are looking to omit the "fins" from the Heyrod Street elevation. The fins do not serve any technical purpose. We are concerned that they may cause maintenance problems (such as gathering litter behind) or issues of vandalism (wilful or accidental). On this basis, the fins are proposed to be removed.

Aviation Lighting

Since the approval of the planning application, the scheme has been subject to a process of further detailed design development and review, with input from the client team together with an experienced and comprehensive team of specialist consultants and contractors. Through this review, the consultant team have confirmed the proposed development requires aviation lights in order to fulfil CAA & EASA requirements. As such, we are proposing to install Building Mounted Obstruction Lighting System to comply with International Civil Aviation Organisation ICAO Annex 14 Standards - 8th Edition. There will be no impact on the residential amenity of the surrounding properties, including those yet to be

developed within the PSE SRF. The impact of the proposed amendments is described in greater detail within the enclosed The Castings - Aviation Lighting Statement.

Externally Mounted Plant

Midgard have been working with the wider consultant team on the final fit out design and M&E requirements for the amenity spaces. Following rigorous efforts by the team to keep external plant to an absolute minimum, we have been able to design out and avoid any externally mounted equipment on the terraces at Level 01. This has avoided any loss of external amenity space. Through consideration of a number of options, some plant is required to be place on the roof of the amenity area at Level 22. This allows the services to pass directly from the ceiling void through the roof to connect to the externally mounted equipment, it avoids excessive distances for the ventilation ductwork to need to be routed which would be unsightly, it allows the size of the external units to be kept to a minimum, and it locates the equipment away from the habitable windows of the apartments. Furthermore, from a Health and Safety perspective it also allows the equipment to be accessed and maintained safely.

This approach has been carefully considered to ensure minimum impact to the proposed development, both operationally and visually.

As shown in (dwg ref.) CAS-ABE-AME-ZZ-DR-M-57-0052 P03, careful consideration has been given to the inclusion of the proposed externally mounted plant to ensure that it is set back, and visual impact is minimal. In order to demonstrate that there is minimal visual impact, four drawings (dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-037, dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-038, dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-039 and dwg ref. CAS-AXIS-BU1-XX-DR-A-SK-040) accompany this submission. These drawings highlight 6 key viewpoints in the local area and confirm that there would be no additional visual impact as result of the inclusion of externally mounted plant at Level 22.

CONSIDERATION OF THE APPLICATION

In accordance with the Planning Practice Guidance, there is no statutory definition of 'non-material'[1]. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under Section 96A of the Town and Country Planning Act 1990.

The proposal is deemed 'non-material' because the changes do not alter the overall principle of the use of the site – it will still remain as a residential tower with ground floor flexible commercial space and public realm. The proposed change maintains the overall appearance originally approved and improve the development aesthetically and functionally.

CONCLUSION

We trust that this submission satisfies the Council's application validation requirements and will allow for the determination of the application. We look forward to receiving formal written notification to this effect in due course, however, should you have any queries or require any further information, please contact myself or my colleague Amy Gaskell (amy.gaskell@turley.co.uk).

Yours sincerely

Will Hannah
Planner

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Appendix 1: Superseded Plans

Drawing Title	Approved Drawing	Author	Updated Drawing
Site Location Plan	001-001	Callison-RTKL	-
Site Plan	001-002	Callison-RTKL	-
Demolition Plan	010-001	Callison-RTKL	-
Ground Floor Plan – Non-Material Amendments	CAS AXIS BU1 L00 DR A 00-2100 Rev P01	Axis Architects	CAS-AXIS-BU1-GF-DR-A-03-0200 C09
Mezzanine Plan	011-001	Callison-RTKL	-
Level 01	011-002	Callison-RTKL	-
Level 02 to 06	011-003	Callison-RTKL	-
Level 07	011-004	Callison-RTKL	-
Level 08 to 09	011-005	Callison-RTKL	-
Level 10 to 13	011-006	Callison-RTKL	-
Level 14	011-007	Callison-RTKL	-
Level 15 to 20	011-008	Callison-RTKL	-
Level 21 to 24	011-009	Callison-RTKL	-
Plan Layout – Lv 01	012-001	Callison-RTKL	-
Plan Layout – Lv 02 to 06	012-002	Callison-RTKL	-
First Floor Plan – Non-Material Amendments	CAS AXIS BU1 L01 DR A 00-2101 Rev P00	Axis Architects	-
Plan Layout – Lv 08 to 09	012-004	Callison-RTKL	-
Plan Layout – Lv 10 to 13	012-005	Callison-RTKL	-
Plan Layout – Lv 14	012-006	Callison-RTKL	-
Plan Layout – Lv 15 to 20	012-007	Callison-RTKL	-
Plan Layout – Lv 21 to 24	012 – 008 CAS-AXIS-BU1-L21-DR-A-00-2102 Rev P00 (*(in relation to Level 21 only)*	Callison-RTKL Axis Architects	-
Heyrod St – Context Elevation	020-001	Callison-RTKL	-
Longacre St – Context Elevation	020-002	Callison-RTKL	-
Heyrod St Elevation	CAS-AXIS-BU1-XX-DR-A-SK-014 P00	Axis Architects	CAS-AXIS-BU1-XX-DR-A-11-0202 C03
Longacre St Elevation	CAS-AXIS-BU1-DR-A-SK-013	Axis Architects	CAS-AXIS-BU1-XX-DR-A-11-0203 C03

South Elevation	CAS-AXIS-BU1-XX-DR-A-00-2503 Rev P02	Axis Architects	-
North Elevation	CAS-AXIS-BU1-XX-DR-A-00-2504 Rev P02	Axis Architects	CAS-AXIS-BU1-XX-DR-A-11-0205 C02
Section A-A	030-001	Callison-RTKL	-
Section B-B	030-002	Callison-RTKL	-
Illustrative Sections – Ground Floor	0799-RFM-XX-00-DR-L-0009 PL01	Re-Form	-
Landscape General Arrangement -Level 00	CAS-RFM-XX-L0-DR-L-19-0022-S2-P01	Re-Form	-
Planting Strategy Level 00	CAS-RFM-XX-L0-DR-L-19-0025-S2-P01	Re-Form	-
Planting Strategy Levels 01 & 21	CAS-RFM-XX-ZZ-DR-L-19-0026-S2-P01	Re-Form	-
Landscape Sections	CAS-RFM-XX-L01-DR-L-19-8010-S2-P01	Re-Form	-
Level 21- Landscape Sections	CAS-RFM-XX-L21-DR-L-19-8011-S2-P01	Re-Form	-
Swing and Structure Details	CAS-RFM-XX-L01-DR-L-19-8009-S2-P01	Re-Form	-
Typical Paving Details	CAS-RFM-XX-ZZ-DR-L-19-8012-S2-P01	Re-Form	-
Street Furniture Details	CAS-RFM-XX-GF-DR-L-19-8013 P01	Re-Form	-
Edgings Plans Levels 01 & 21	CAS-RFM-XX-ZZ-DR-L-19-0019-T04	Re-Form	-
Landscape General Arrangement – Level 01	CAS-RFM-XX-L01-DR-L-19-0023-S2-P01	Re-Form	CAS-RFM-XX-L01-DR-L-19-0004 C04
Landscape General Arrangement - Level 21	CAS-RFM-XX-L021-DR-L-19-0024-S2-P01	Re-Form	-
Tree Details	CAS-RFM-XX-L0-DR-L-19-8008-S2-P01	Re-Form	-
BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION)	190002 - CRL- ZZ- 00- DR-A- 21-004	Calliston-RTKL	-
BAY STUDY - LV 11 TO 14 (LONGACRE ELEVATION)	190002 - CRL- ZZ- ZZ- DR-A- 21-002	Calliston-RTKL	-
BAY STUDY - LV 19 TO 22 (HEYROD ELEVATION)	190002 - CRL- ZZ- ZZ- DR-A- 21-003	Calliston-RTKL	-
BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION)	190002 - CRL- ZZ- 00- DR-A- 21-004	Calliston-RTKL	-