

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138533/FO/2023
Date registered valid: 15 November 2023
Proposal: Installation of ground anchors in association with residential development as permitted under planning permission reference: 132088/FO/2021
Address: Ramada Renaissance Hotel, Blackfriars Street, Manchester, M3 2EQ
Ward(s): Deansgate Ward
Applicant: Deansgate SOF Alliance LeaseCo Limited
Agent (if any): Mr Ed Harvey Avison Young
Case officer: Angela
Tel: 0161 234 Leckie
Email: angela.leckie@manchester.gov.uk 4651
Recommendation: Approve
Date of recommendation: 09-01-24

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 17 November 2023

Standard consultations:

Printed: 15 November 2023 Expired: 6 December 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 17 November 2023 Expired: 8 December 2023

Press advert

Published: 21 November 2023 Expired: 5 December 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Cathedral Conservation Area 1972

Tree Preservation Order: Not applicable

The application relates to land adjacent to and forming part of the substructure of the Grade II Listed Victoria Bridge and abutting a 0.35 ha site previously occupied by parts of the Premier House (now cleared) a ground floor service yard and areas of hard and soft landscaping adjacent to the River Irwell and to the Grade II Listed Victoria Bridge and Victoria Bridge Street.

That site was subject to the following approvals in 2023:

132088/FO/2021 : Erection of a part ground and 26 storey, part ground and 13 storey building to form 300 no. residential apartments (Class C3) and ground floor retail/ leisure floorspace (Class E/ Sui Generis (drinking establishments), together with private amenity space for residents (gym, cinema room and external terraces), new public realm to include riverside walkway and leisure/ food and beverage space (Class E/ Sui Generis (drinking establishments/ drinking establishments with food provision/ hot food takeaways), new landscaping, parking (36 spaces level -1), 300 cycle parking spaces, servicing, supporting infrastructure and associated works.

and

132508/LO/2021: Listed Building Consent for the part removal of an existing retaining wall adjoining the listed structure and creation of a stair connection to the Grade II listed Victoria Bridge in association with the current residential planning application

There is an approx. 6m level change across the site from Deansgate to the riverside.

Description of area

The surrounding area is characterised by a range of uses including residential, hotels, shops, restaurants, and other commercial uses. The site is not in a Conservation Area but abuts and forms part of the retaining sub structure of the Grade II Listed Victoria Bridge.

Description of development

Consent is now sought for the installation of ground anchors in association with residential development permitted under the above consents.

The works include the installation of ground anchors following the demolition of the existing basement, to enable construction of the new basement and retaining wall for the proposed Residential Tower structure.

Behind the existing basement wall is the Victoria bridge wing wall, the installation of the anchors through this wall require coring through however, following investigative works (for which the results have been presented to the Council prior to submission of this application) this will be avoided as anchors will only be installed where the wing wall is not present. It has previously been

confirmed through an exchange of correspondence that the works would not interfere with listed structure and therefore a supporting Listed Building Consent application is not required.

This application is also sought as a separate application, rather than an amendment to the original permissions 132088/FO/2021 and 132508/LO/202, as the red line boundary for the proposed ground anchors, given their depth, sit outside the original red line boundary for the residential proposals.

Consultations & Notification Responses

Publicity – The application was advertised as affecting the setting of a listed building and site notice was displayed adjacent to the site. No representations have been received.

Head of Highways – MCC Structures Team have requested that a condition requiring their prior approval of any required permits is obtained prior to any works commencing.

Head of Environmental Protection – Have recommended a condition in relation to remediation of Contaminated Land unless it can be confirmed by the relevant technical consultants that the proposed anchors would not result in any contaminant linkages

Flood Risk Team – No objections but have recommended and informative.

Issues

Core Strategy – Manchester Core Strategy - The Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11 July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

The following policies are considered to be most relevant to the proposed development:

Policy SP1 (Spatial Principles), - which guides the strategic development of Manchester identifying the Regional Centre as the focus for economic and commercial development, leisure and cultural activity, alongside high quality city living. It states that all development within the City Centre regeneration area should have regard to the character and issues as identified in the Manchester City Centre Strategic Plan and outlines the following core development principles:

Development should:-

Make a positive contribution to neighbourhoods of choice including: -

- creating well designed places that enhance or create character;
- making a positive contribution to the health, safety and wellbeing of residents;
- considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
- protect and enhance the built and natural environment;
- minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- Improve access to jobs, services, education and open space by being located to reduce the need to travel; and

- Provide good access to sustainable transport provision.

Policy DM1 (Development Management) – Which states that all development should have regard to a number of specific issues the following of which are relevant to this application and for which more detailed guidance may be given within a supplementary planning document:-

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.
- Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Refuse storage and collection.
- Vehicular access and car parking.

The alignment with this policy is set out below

Policy H1 Overall Housing Provision – identifies the need for more housing within the City and supports appropriate forms of residential development within the City Centre. The proposals would support this policy.

Policy CC3 Housing – The proposals would support the provision of high quality residential apartments within the City Centre required by this policy.

Policy CC9 (Design and Heritage) - which states that the design of new buildings will need to be of the highest standard in terms of appearance and function and seeks to preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

Policy EN 3 Heritage – which states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

The alignment with this policy is set out below

The Unitary Development Plan for Manchester – Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

DC19.1 (Listed Buildings) - which seeks to preserve and enhance the settings of listed buildings by appropriate control over new developments within their vicinity.

The alignment with this policy is set out below

Principle of the proposed works - It is noted that the proposals in this application are fundamental to the build out of the residential development as previously approved on the adjacent site. The proposals will ensure that delivery of the residential development and the social, economic and environmental regeneration benefits that this will deliver can be facilitated.

Impact on Heritage Assets – It has previously been determined as detailed above that the works would have no impact on the character or fabric of any listed building fabric. The proposals have been appropriately design as not to cause unacceptable visual or physical impact upon surrounding features.

EHO comments – As requested it has been confirmed by the relevant technical consultants that the proposed anchors would not result in any contaminant linkages.

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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such issues have arisen on this application.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

(a) Site location plans REN-BGE-LBC-RT-001 - Victoria Bridge Proposed Site Location Plan and REN-BGE-LBC-RT-002 - Victoria Bridge Existing Site Location Plan stamped as received on 10-12-23

(b) Dwgs REN-BGE-LBC-RT-003 - Victoria Bridge Existing Elevations REN-BGE-LBC-RT-004 - Victoria Bridge Proposed Elevations stamped as received on 10-12-23;

(c) Dwgs 0000-SISK-006-XX-DR-TW-0001 P01 - Retaining Wall Temporary Support General Arrangement 0000-SISK-006-XX-DR-TW-0002 P01 - Retaining Wall Temporary Support Victoria Bridge Rd Sections and 0000-SISK-006-XX-DR-TW-0003 P01- Retaining Wall Temporary Support Deansgate St Sections stamped as received on 12-11-23;

(d) Technical Memorandum stamped as received on 10-12-23;

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP 1, H1, CC3, CC9 , EN3 and DM 1 and saved Unitary Development Plan policies DC19.1.

3) Works to the proposed retaining wall and installation of the ground anchors shall not commence unless and until evidence of Manchester City Council's Structures Team's technical approval of the detailed design and the associated design & check certificates have been submitted and approved by the City Council as Local Planning Authority.

Reason

In the interests of highway safety pursuant to Core Strategy policies DM1 and SP1

4) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are

required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

Informatives

1) Prior to the commencement of the works a construction management plan outlining working practices with respect to noise and vibration shall be submitted to and approved in consultation with MCC Environmental Protection Officers in line with the EPA 1990

2) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation during the construction phase.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

MCC Flood Risk Management

Highways (Structures)

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

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Conservation Area - Cathedral Conservation Area 1972

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL