

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138954/NMC/2024

Date registered valid: 5 January 2024

Proposal: Non-Material Amendment to planning permission 132952/JO/2022 to vary Condition 2 (Approved Drawings and Documents) consisting of alterations to ground floor elevations and materials.

Address: Union T2 , Water Street, Manchester, M3 4JQ

Ward(s): Deansgate Ward

Applicant: Union Living 2 Limited

Agent (if any): Mr Michael Percival Deloitte

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 February 2024

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/Area

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order: Not applicable

The application site, known as T2, is 0.67 ha and bounded by the River Irwell, a canal basin arm to the north, with the Grade II Victoria and Albert Hotel beyond, Water Street to the east and Princes Bridge to the South. Access is gained from Water Street.

The building is a 36 storey plus basement level mixed use building comprising co-living units, amenity space and flexible commercial space (Sui Generis), and co-working uses (Use Class B1).

The site is within the Castlefield Conservation Area and is part of a Masterplan and Strategic Regeneration Framework for St John's. It does not contain any listed structures. Spinningfields is immediately to the north and Castlefield to the south. Beyond St John is to the east is Deansgate. There are offices and hotels on the opposite side of the river in Salford where a number of mixed-use regeneration initiatives are underway.

Description of Development

The proposal seeks a Non-Material Amendment to planning permission 132952/JO/2022 to vary Condition 2 (Approved Drawings and Documents) consisting of alterations to ground floor elevations and materials on the commercial unit.

132952/JO/2022 was approved in April 2023 and sought variation of Condition 2 (Approved Drawings and Documents, including amendments to design details of ground floor to provide for

food and drink use), Condition 5 (Soft Landscaping) and Condition 8 (CMP) attached to Planning Permission ref: 126648/FO/2020.

126648/FO/2020 was approved in November 2021 and sought Full Planning Permission for the erection of 36 storey plus basement level mixed use building comprising co-living units, amenity space and flexible commercial space (Sui Generis), co-work (Use Class B1), landscaping, access and other associated works.

Consultations & Notification Responses

Not applicable.

Issues

The above described changes to Condition 2 is considered to be non-material. The change to a brick material would be acceptable and fit in with the surrounding context. It would also be of a comparable material in terms of quality.

Please see original report for application 132952/JO/2022 for details of the original scheme. A copy of the report for application 132952/JO/2022 will be stored on the application file for this application.

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) The proposal seeks to amend to planning permission 132952/JO/2022 to vary Condition 2 (Approved Drawings and Documents) consisting of alterations to ground floor elevations and materials on the commercial unit of the building. The proposals focus on the changes from the green to red brick materiality on T2's commercial unit, and are not concerning any change to the wind mitigation in relation to the location, or the number, or form of trees on Water Street as part of this application.

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

- Proposed North Elevation 6555-P-B500-E-N Rev G
- Proposed East Elevation 6555-P-B500-E-E Rev H
- Proposed South Elevation 6555-P-B500-E-S Rev G
- Proposed West Elevation 6555-P-B500-E-W Rev F
- Proposed Level 00 GA Plan 6555-P- B500-P-00 Rev J
- Proposed Mezzanine Level GA Plan 6555-P- B500-P-M Rev F
- Proposed Level 01 GA Plan 6555-P- B500-P-01 Rev F
- Proposed Lower Roof Level GA Plan 6555-P- B500-P-LRF Rev C
- Proposed Upper Roof Level GA Plan 6555-P- B500-P-URF Rev D
- Proposed GA Section B-B
- Proposed Typical Façade Details Level 00 6555-P-B500-A-001 Rev D
- Proposed Typical Façade Details Level 00 Commercial Unit 6555-P-B500-A-002 Rev B
- Proposed Typical Façade Details Level 00 Commercial Unit 6555-P-B500-A-003
- Proposed Typical Façade Details Level 00 Commercial Unit Main Entrance 6555-P-B500-A-004 Rev A
- Proposed Typical Façade Details Level 00 Commercial Unit 6555-P-B500-A-005 Rev
- Proposed Typical Façade Details Level 01 6555-P-B500-A-011 Rev C
- Proposed Typical Façade Details Main Entrance Portal 6555-P-B500-A-031

Received by the City Council, as Local Planning Authority, on the 05 January 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

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.

Appendix 1 – List of consultees & neighbours notified

Not applicable.

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 - Castlefield Conservation Area 1979

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 (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: CENTRAL