

18 March 2024

Manchester City Council
Planning Department
PO Box 532.
Town Hall
Manchester
M60 2LA

Dear Sir/Madam,

SECTION 96A NON-MATERIAL AMENDMENT APPLICATION TO VARY THE WORDING OF CONDITION 3 (MATERIALS) PURSUANT TO PLANNING PERMISSION 137424/FO/2023 FOR THE ERECTION OF A TWO-STOREY DATA CENTRE (4,153M² GIA), TOGETHER WITH THE RECONFIGURATION OF ACCESS ARRANGEMENTS AND PARKING LAYOUT, LANDSCAPING AND ASSOCIATED WORKS, FOLLOWING THE DEMOLITION OF SIMON HOUSE

SIMON HOUSE, BROWNLEY ROAD, MANCHESTER, M22 5RA

Introduction

This application is submitted by Union4 Planning on behalf of Teledata UK Ltd ('the Applicant') to Manchester City Council (MCC) under Section 96A of the Town and Country Planning Act 1990 (as amended) and complies with all relevant legal requirements.

It seeks the minor re-wording of Condition 3, pursuant to planning permission 137424/FO/2023, to allow above ground development to commence prior to the provision of details of the proposed external materials.

The Application has been prepared in the context of and accords with the relevant policies of the Development Plan and proposes no material change to the permission as previously consented.

The requisite application fee has been paid via the Planning Portal.

Site and Surrounding Area

The application site has an area of approximately 7,572 sqm and is located on the corner of Wavell Road and Brownley Road in Wythenshawe. It consists of Simon House, a vacant two storey flat roof building and Delta House, an 8 storey building to the north.

Simon House is a rectangular building fronting Wavell Road. It was formerly used as a Job Centre and benefits from a lawful Class E use, providing approximately 2,478 sqm of vacant office floorspace. It is constructed of concrete facing panels and white uPVC windows and doors and is surrounded by a 2.5m high steel palisade fencing. The building is surrounded by hard standing with 40 parking spaces. The existing site has a separate single access from Wavell Road.

Delta House is an existing data centre operated by Teledata, which takes the form of an 8 storey three-pronged star shape building. It is surrounded by hard standing with 43 car parking spaces and areas for chillers and generators. In terms of vehicular access, it has separate access and egress from Wavell Road. The site lies to the east of the town centre, within an industrial/commercial park. The surrounding area is largely commercial in nature with Brownley Road establishing an eastern boundary for this, beyond which sits residential properties.

A two storey building occupied by a children's nursery lies directly to the north of Simon House and east of Delta House. The closest current residential properties lie to the north of the nursery building and to the east of Brownley Road.

The land immediately opposite to the south has been cleared ahead of development, identified for residential use within the emerging Wythenshawe Town Centre Development Framework. The framework shows terraces of townhouses on this site although there are no applications or detailed proposals at this stage.

Figure 1: Application Site



Source: Google Maps (2023)

Proposals

The current wording of condition 3 reads as follows:

'Above-ground construction works shall not commence until samples and specifications of all materials, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details'.

This has the effect of precluding any above ground works until details of the external facing materials have been submitted to and approved by the LPA.

At present, discussions are ongoing regarding the details of the proposed external facing materials and ultimately until these are confirmed, under the current wording, construction of the steels and building frame will need to remain on hold, potentially resulting in costly delays.

It is therefore proposed to amend the wording of condition 3 so that it requires approval of the external materials, only prior to their erection/use, which will enable the non-external (and non-visible) elements of the above ground construction works to continue. This will allow greater flexibility for the applicant, whilst still securing the LPA's control over the external appearance of the building.

The following updated wording is therefore proposed:

'No materials to be used on the external elevations of the building, shall be installed/erected until details have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details'.

Assessment

The current condition wording achieves the aim of the condition by ensuring that MCC can review and confirm their agreement to all external facing materials, prior to their installation. However, it also unnecessarily prohibits any above ground works, prior to approval of these materials, whether they are affected by the material choice or not.

As is often the case, the exact detail of the materials is not yet confirmed and will be selected as further detailed work commences, but there is a need to press on urgently with construction work on site in the meantime.

The amended wording as proposed will allow the applicant to continue construction activity and deliver the building as quickly as possible, whilst fully retaining the Councils control over the details of the buildings appearance. As such, we can see no negative impact of amending the condition wording, either from the perspective of the applicant, or Manchester City Council.

Conclusion

The change to the wording is minor and certainly falls within the remit of a non-material amendment application under s96A of the Town and Country Planning Act 1990.

We trust that the information provided is sufficient to confirm approval of this NMA application, but please do not hesitate to contact us should you have any queries.

Yours sincerely



Jonathan Rowlett
Director