

20 December 2023

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

Dear Angela,

Block A/B, Plot 11, First Street South
Full Planning Application for Change of Use

On behalf of our client, Downing Living (Manchester) Limited Partnership Incorporated, we hereby enclose a planning application seeking approval for the change of use of the ground and first floor commercial units of Block A/B, Plot 11, First Street South, from Café/Restaurant ((Use Class A3) (now Use Class E(b)) and Gym ((Use Class D2) (now Use Class E(d))), to flexible commercial use (Use Class E(a), E(b), E(c) and E(d)). The buildings are under construction and substantially progressed towards completion.

The description of development is as follows:

“Change of use of ground and first floor commercial units from café/restaurant (Use Class E(b)) and gym (Use Class E(d)) to retail (Use Class E(a)), café / restaurant (Use Class E(b)), hairdressers (Use Class E(c)) and gym / fitness centre (Use Class E(d))”

To support this application, we have submitted the following:

- Planning Application Form;
- Site Location Plan;
- Ground Floor Plan (10266-Z0-A-G100-PL-00-99001 Rev. P03);
- First Floor Plan (10266-Z0-A-G100-PL-01-99001 Rev. P03);
- Ventilation And Extraction Strategy, prepared by Abacus Consultant;
- Waste Strategy Report, prepared by SLR;

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- Transport Assessment Report, prepared by Sanderson Associates; and
- Noise Impact Report, prepared by Acoustic and Engineering Consultants Limited

In addition to the above, the requisite fee has been paid via the Planning Portal. The Planning Portal reference for this submission is PP-12570695.

This letter serves as our Planning Statement; it sets out details of the proposed change of use and assesses the proposed development against current national and local policy.

Planning Background

In March 2021, Planning Permission Ref. 125573/FO/2019 was granted for the phased redevelopment of Plot 11, to deliver four co-living buildings (across Blocks A/B, C and D), ranging from 10 to 45 storeys, and delivering 3,804 beds alongside associated amenity facilities. The description of development was as follows:

“Construction of four buildings of heights varying from 10 storeys to 45 storeys together comprising Co-living bedspaces (use class sui generis) and associated amenity facilities, with ground floor commercial units (Use classes A3 (Café / Restaurant and D2 (Gym)), private amenity space and public realm comprising hard and soft landscaping, car parking and cycle facilities and other associated works.”

The planning permission has been subject to a series of subsequent Non-Material Amendment Applications (Ref. 132553/NMC/2021, 132804/NMC/2022, 135358/NMC/2022, 135526/NMC/2022 and 138391/NMC/2023). The Applicant has lawfully implemented the planning permission, and is currently in the process of constructing Blocks A/B (comprising Phase B) (i.e. this Site), as well as Block D (to the east of this Site). Works in relation to Blocks A/B are expected to be complete by August 2024.

A Non-Material Amendment (‘NMA’) application (Ref. PP-12526518), seeking to update the description of development and a number of conditions, is being submitted alongside this Planning Application.

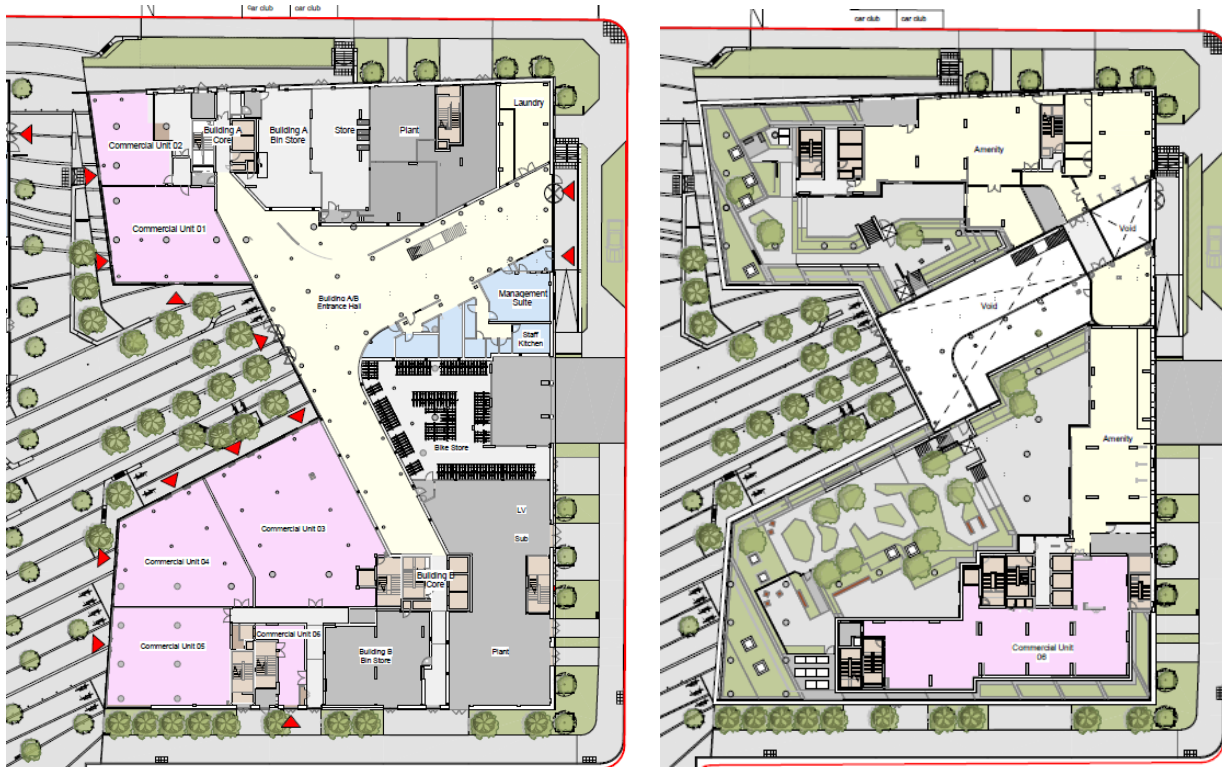
The Site

Blocks A and B, Plot 11, First Street South, are currently under construction, pursuant to Planning Permission Ref. 125573/FO/2019 (as amended). Construction is due to complete in August 2024.

The Site is located within Manchester City Centre and is bound to the north by Hulme Street; to the east by Wilmott Street; and to the south by Chester Street; and to the west by Block D, Plot 11, First Street South.

As shown in Figure 1, below, the commercial units subject to this application are located along the ground floor of Block A and B (fronting onto the public realm within Plot 11), and the first floor of Block B (overlooking Chester Street). These units, measuring 1,581 sq. m., currently have consent to operate as a café (Use Class A3 (now E(b))) and gym (Use Class D2 (now E(d))).

Figure 1: Approved Ground Floor Plan (left) and Approved First Floor Plan (right)



Proposed Development

Planning Permission was granted in March 2021 for the ground and first floor commercial units within Blocks A and B to operate as a café/restaurant (Use Class A3) and gym (Use Class D2). Changes to the Use Classes Order, taking place during the determination of this application, have resulted in these units now falling Under Use Class E (E(b) and E(d) specifically).

Whilst there are no restrictive planning conditions in place to limit the way in which the units can operate under Use Class E, the Applicant seeks comfort that the approved commercial units can also operate flexibly under Use Classes E(a) and E(c). These proposals have been discussed and agreed in principle with the Local Planning Authority prior to submission.

To confirm, this application seeks planning permission to operate the commercial units flexibly, under the following uses:

- Use Class E(a): Retail.

- Use Class E(b): Café / restaurant.
- Use Class E(c): Hairdressers.
- Use Class E(d): Gym / fitness centre.

The proposed uses are considered contextually appropriate for a high-quality residential area and will not adversely impact upon residential amenity, as demonstrated by the suite of technical documents submitted alongside this application.

Widening the uses permitted will provide the Applicant with more flexibility in terms of how they can market and let the space. Furthermore, allowing the units to operate in accordance with market demand will help to limit periods of vacancy, which will in turn will enhance the vibrancy and vitality of Plot 11, and support long-term regeneration ambitions for First Street.

To confirm, this application does not propose to make any external amendments; nor does it seek to increase the amount of commercial floorspace provided. This application simply seeks greater flexibility in how the approved commercial units can operate.

Local Development Framework

The Local Development Framework (LDF) is a collection of statutory Development Plan Documents (DPDs) that together set out the vision and spatial strategy for the future development of Manchester. To date only the Core Strategy DPD has been adopted by Manchester City Council. Within this context, the Development Plan comprises:

- Manchester Core Strategy 2012 (“the Core Strategy”); and
- Saved Policies of the Manchester Unitary Development Plan 2005 (“the UDP”)

The Core Strategy was adopted in July 2012 and is the key overarching DPD within the LDF. The Core Strategy has replaced significant elements of the Manchester UDP as the document that sets out the long-term strategic policies for Manchester’s future development and forms the primary framework that planning applications will be assessed against. Despite being largely superseded by the Core Strategy, several UDP Policies have been “*saved*” and comprises part of the Development Plan also.

Manchester Core Strategy (2012)

The Core Strategy was adopted on 12 July 2012. It sets the overall strategic direction for planning in Manchester over the plan period from 2012 to 2027. The policies of the Core Strategy establish where major development and other forms of investment should be in order to be sustainable, meet local needs and take full advantage of opportunities.

The Core Strategy identifies broad development requirements and spatial locations for delivering new development over the plan-period. It emphasises Manchester's focus for economic and commercial development, retail, leisure and cultural activity, alongside high-quality city living. Importance is placed on the role of the city to the Greater Manchester economy in ensuring its growth reflects the aspirations of its residents. The Regional Centre, with Manchester City Centre at its core, is the economic driver of the City Region and has greatest potential to drive its continued economic growth with the least environmental costs.

Saved Policies of the Unitary Development Plan (1995)

The Unitary Development Plan was adopted in July 1995. Coinciding with the adoption of the Core Strategy in 2012 significant proportions of the UDP have been replaced, however, a number of policies were saved on 11 July 2012 and remain extant. The proposals are fully in accordance with the relevant Saved Policies of the UDP.

Planning Policy Assessment

The proposed amendments have been considered against all relevant Development Plan Documents and other material considerations at the time of this application. This includes the 2012 Manchester Core Strategy, Saved Policies of the 2006 Manchester Unitary Development Plan and the National Planning Policy Framework (2023).

National Planning Policy Framework (2023)

Policy Summary	Compliance
Chapter 6: Building a Strong, Competitive Economy Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. 82 (d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a	This application seeks to enable previously approved commercial units to operate flexibly, in accordance with market demand. This flexibility will reduce the likelihood of long-term vacancy, and ultimately will support the economic vitality and vibrancy of the area. The principle of allowing such flexibility is strongly supported by the NPPF, which encourages development that can respond rapidly to changes in economic and market circumstances.

Policy Summary	Compliance
rapid response to changes in economic circumstances.	
Chapter 9: Promoting Sustainable Transport Proposals should promote walking, cycling and public transport and patterns of movement, streets, parking and other considerations should be integral to schemes. Developments should also consider the potential impacts of the development on transport networks.	It is anticipated that the commercial units will provide local services, and largely serve the new residents of Plot 11, as well as other residents and visitors across First Street. The development is a predominantly motorised vehicle free scheme (except for mobility spaces) and, in consideration of the above, no parking is being provided on site for the commercial uses and with no alternative free parking available within the vicinity of the site.
Section 11: Making effective use of land – Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Development or underutilised land and buildings should be promoted and supported, especially if it would help meet an identified need for housing where land supply is constrained. It is also important to avoid homes being built at low densities and developments should make optimal use of the potential of the Site.	The proposed uses have been designed to fully utilise the potential of the Site, with the ground and first floor commercial units benefiting local residents and visitors. As highlighted above, greater flexibility will help to secure the long-term viable use of the commercial units.

Manchester Core Strategy (2012)

Policy Summary	Compliance
Policy CC1: Primary Economic Development Focus: City Centre and Fringe The Council will support economic development uses such as retail, leisure, entertainment, cultural and tourism in the City	The Site is located within the City Centre, and therefore, the principle of delivering a wide range of “E Class” uses should be considered acceptable.

Policy Summary	Compliance
Centre to attract businesses, employees and visitors to the City Centre.	
Policy CC2: Retail The Council will promote retail provision in the City Centre. Retail will be supported where it would serve a local community (such as small-scale convenience provision) or contribute to the area's character. Mixed developments which include retail units will be expected to demonstrate that reasonable steps have been taken to ensure that these units will be occupied.	The principle of retail use (Use Class E(a)) should be considered acceptable by virtue of the Site's location within the City Centre. The proposed commercial units will form part of a large-scale residential development, and will therefore serve a large, new community. As set out above, by securing a range of "E Class" uses, the Applicant is taking reasonable steps to limit long-term vacancies.
Policy CC7: Mixed Use Development The Policy states that mixed use developments will be an essential part of City Centre development. Residential development will be supported as part of schemes which include employment in locations other than ones mentioned in Policy CC3. Developers are expected to demonstrate that all efforts have been made to ensure proposed active ground floor uses will be delivered and occupied. There is also an expectation that the approach to leasing and management will be flexible to accommodate a range of users, including those from the independent sector.	The purpose of this application – that is to ensure flexibility to accommodate a range of users within the approved commercial units – is directly supported by Policy CC7, which seeks to ensure commercial units remain active and occupied. It should be noted that the commercial units will continue to provide active frontages; enhancing the vitality and vibrancy of Plot 11.
Policy EN19: Waste The Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy.	A Waste Management Strategy, prepared by SLR, has been submitted in support of the application. The Waste Management Strategy details how the proposed development will comply with the principles of the waste hierarchy and accord with MCC's guidance regarding sustainable waste management.
Policy T1: Sustainable Transport	

Policy Summary	Compliance
To deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and prepare for carbon free modes of transport.	A Transport Assessment, prepared by Sanderson Associates, has been submitted in support of this application. Whilst it is likely that a mix of commercial uses will operate across the Site, the Transport Assessment assesses the worst-case trip generation for each specific land use proposed under this application (i.e., assesses 1,581 sq. m. of each individual use). The Assessment confirms that walking is likely to be the principal modal travel choice (reflecting the fact that the majority of trips to the site will be undertaken by local residents) and concludes that the proposed development would not have an adverse impact in transport terms.
Policy T2: Accessible Areas of Opportunity and Need The Council will actively manage the pattern of development to ensure that new development is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport; and is easily accessible by walking, cycling and public transport, connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Proportionate Traffic Impact Assessments and Travel Plans should be provided for all major applications and for any proposals where there are likely to be access or transport issues.	
Policy DM1: Development Management All development should have regard to the specific issues including: effects on amenity such as noise, privacy, light, air quality, road safety and traffic generation; accessibility; community safety and crime prevention; vehicular access; and, green infrastructure.	

Saved Unitary Development Plan (UDP) Policies (1996)

Policy Summary	Compliance
DC26: Development and Noise –	The proposals are supported by a Noise Impact Assessment which concludes that the operational phase of the proposals will not

Policy Summary	Compliance
The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both: a. the effect of new development proposals which are likely to be generators of noise; and b. the implications of new development being exposed to existing noise sources which are effectively outside planning control. New noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.	have an adverse impact on the amenity of surrounding residents.

Summary

This planning application seeks planning permission for the ground and first floor commercial units of Blocks A and B, to operate flexibly under Use Classes E(a), E(b), E(c) and E(d). Such flexibility will enable the units to operate in accordance with market demand, and will help to limit periods of vacancy – thus supporting the vitality of the wider Plot 11 development.

The above proposal fully accords with adopted planning policies, and therefore, in accordance with Paragraph 11 of the NPPF, it should be granted planning permission. We therefore respectfully request that this application be supported by the Planning Authority. We would be grateful if you would notify us of validation of the application. Please do not hesitate to contact Kelly McCann (kmccann@deloitte.co.uk 0161 455 6671) if you have any queries.

Yours sincerely

Deloitte LLP

John Cooper
Deloitte LLP