

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138627/NMC/2023
Date registered valid: 22 November 2023
Proposal: Non Material Amendment to application ref no 127317/FO/2020 as amended by 130258/NMC/2021, 133355/NMC/2022, 134803/NMC/2022 and 136521/NMC/2023 to include amendments to the landscaping, elevations, the inclusion of plant on levels 21 and 22 amenity areas and addition of aviation lighting.
Address: Land At Heyrod Street, Manchester, M1 2WW
Ward(s): Piccadilly Ward

Applicant: Mr David Green Midgard Ltd
Agent (if any): Mr Will Hannah Turley
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 14-12-23

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 24 November 2023 Expired: 15 December 2023

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/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The site is 0.41 hectares and is bounded by Victoria House (Great Ancoats Street), Epworth Street, a vacant building owned by TFGM to the south / south-west and Longacre Street and the Piccadilly – Ashton-under-Lyne Metrolink line. The site forms part of the delivery of the PSE Strategic Regeneration Framework.

The site is adjacent to Piccadilly Station and the Inner Relief Route with access to all sustainable transport options. The New Islington metro-link stop is to the north and Piccadilly station to the south-west.

Pedestrian connections and permeability are compromised with the environment dominated by traffic and the area feels disconnected from the adjacent areas and Ancoats and New Islington. The environment is dominated by light industrial uses which have seen little investment for a number of years with the exception of Aeroworks on Adair Street.

The nearby Crusader Works (grade II listed), and has been converted to apartments (113363/FO/2016 and 113364/LO/2016) with a 10 storey apartment building to the north. As part of the delivery of the PSE SRF, a part 13 / part 14, 275-bedroom hotel at the junction of Adair Street and Great Ancoats Street (122599/FO/2019) has recently been completed, permission has been granted (122000) for a part 25 part 3 storey residential tower with ground floor commercial space (under construction) and on the site of Rammon House permission has been granted for the construction of two residential buildings 29 and 23 storeys along with a public park (121099/FO/2018).

The Co-operative Warehouse on Pollard Street is Grade II Listed and Vulcan works is considered to be a non-designated heritage asset. The Whitworth Street, Ancoats and Stevenson Square Conservation Areas are close by and the proposal could be seen in views from within these Areas.

The nearest homes are within Crusader Mill as detailed above, to the north of Great Ancoats Street and around the Ashton Canal. There are car parks around the site and a multi-storey car park adjacent to Piccadilly Station.

The site is adjacent to other Strategic Regeneration Framework areas, including; HS2 SRF; Piccadilly Basin SRF; Mayfield SRF; Ancoats & New Islington Neighbourhood Development Framework and Holt Town Regeneration Framework. HS2 should drive significant investment around the Station and the Portugal Street East SRF is a key component of this.

Land to the south and east is in the HS2 safeguarding area. It is expected that the safeguarded land would facilitate the construction of HS2 infrastructure and could subsequently be developed for commercial uses.

Description of development

The application seeks approval for non material amendments to application ref no127317/FO/2020 which approved the following:

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. The development is currently under construction.

There have been a number of subsequent S96 non material amendment applications : 130258/NMC/2021, 133355/NMC/2022, 134803/NMC/2022 and 136521/NMC/2023

The changes necessitate amendments to the wording of conditions 2 (Approved Dwgs) and 11 (Landscaping).

The proposed minor amendments to the consented scheme are summarised below:

- Amendments to landscaping to the level 1 amenity space with the replacement of artificial turf with hard landscaping due to Fire Regulations;
- Amendments to location of airbricks;
- Omission of architectural fins;
- Addition of aviation lighting;
- Addition of external plant to serve communal amenity spaces at 22nd floor level.

Consultations & Notification Responses

Airport Safeguarding – No objections

HS2 – No objections

Issues

Principle of the changes as a non material amendment

Paving on Level 01: The inclusion of artificial turf as existing does not conform with Building Regulations Part B fire requirements. Instead, the hard finish that covers the rest of Level 01 would be extended to this area.

MVHR Airbricks at 1st Floor Level The original consented drawings show the MVHR ventilation units terminating within the soffit above the windows. Due to technical constraints, buildability issues and to improve the visual appearance of the it is proposed to connect to a discrete airbrick in a matching visually recessive colour “farmstead” (215x65mm). There will be 13 airbricks in total.

This option emerged from an appraisals option to ensure that the most appropriate response as set out 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 (Proposed) – 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).

Omission of Fins (Heyrod Street) – The ground floor fins serve no technical purpose and their removal has resulted from concerns about maintenance of these areas given their location.

Aviation Lighting - Since the approval of the planning application, the scheme has been subject to a process of further detailed design development and review, which has confirmed the need for aviation lights in order to fulfil CAA & EASA requirements. Any impacts on residents from the lighting would be considered in discharge of condition 21 attached to application ref no 127317/FO/2020.

Externally Mounted Plant – Further design development of the buildings M&E requirements whilst seeking to keep external plant to an absolute minimum has identified a requirement for some plant to be placed 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.

It is noted that this approach has been carefully considered to ensure minimum impact to the proposed development, both operationally and visually from surrounding streets.

Information submitted to support the application highlights 6 key viewpoints in the local area and illustrates that there would be no additional visual impact as result of the inclusion of externally mounted plant at Level 22. Impacts from noise from the additional plant would be considered alongside that shown on the original approval in discharge of condition 15 attached to application ref no 127317/FO/2020.

Conclusion

The proposed amendments would not result in any material change in the scale and massing of the proposed building or the external appearance of the scheme as a whole. There will therefore be no perceivable additional impact upon the amenity of neighbouring residents or occupiers as a result of the proposed small-scale amendments.

The proposed amendments relate to changes and issues emerging from detailed design and Safety requirements both in terms of Aviation and Fire Regulation requirements. The additional plant has been designed and sited to minimise visual impact. In terms of the options for the air bricks the proposed options is considered to be the most appropriate in terms of deliverability and maintenance of build quality.

Overall, the changes would not undermine the overall quality of the proposals.

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) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development

2) The proposed amendments relate to changes resulting from detailed design development and technical development. In terms of the facades this involves changes to air brick locations due to technical constraints and the addition of externally mounted plant required for the

communal amenity spaces on level 22 again due to technical constraints. A requirement for aviation lighting has also been identified and a requirement for the replacement of the artificial grass at level 1 with additional hard landscaping to meet with fire regulations.

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

(a) 001 - 001 - LOCATION PLAN and 001 - 002 - SITE PLAN;

(b) 010 - 001 - DEMOLITION PLAN;

(c) 011 - 000 - GROUND FLOOR Rev 2, 011 - 001 - MEZZANINE, 011 - 002 - LEVEL 01, 011 - 003 - LEVEL 02 TO 06, 011 - 004 - LEVEL 07, 011 - 005 - LEVEL 08 TO 09, 011 - 006 - LEVEL 10 TO 13, 011 - 007 - LEVEL 14, 011 - 008 - LEVEL 15 TO 20 and 011 - 009 - LEVEL 21 TO 24;

(d) CAS-AXIS-BU1-GF-DR-A-03- 0200 C09, 012 - 002 - PLAN LAYOUT - Lv 02 to 06, CAS AXIS BU1 L01 DR A 00-2101 Rev P00, 012 - 004 - PLAN LAYOUT - Lv 08 to 09, 012 - 005 - PLAN LAYOUT - Lv 10 to 13, 012 - 006 - PLAN LAYOUT - Lv 14, 012 - 007 - PLAN LAYOUT - Lv 15 to 20, 012 - 008 - PLAN LAYOUT - Lv 21 to 24 as amended by CAS-AXIS-BU1-L21-DR-A-00-2102 Rev P00, 020 - 004 - LONGACRE ST ELEVATION, HST-CRL-ZZ-M3-A-0001 - Sheet - 020 - 001 - CONTEXT ELEVATION, CAS-AXIS-BU1-XX-DR-A-11- 0202 C03, CAS-AXIS-BU1-XX-DR-A-11- 0203 C03, CAS-AXIS-BU1-XX-DR-A-11-0203 C03, CAS-AXIS-BU1-XX-DR-A-11-0202 C03, CAS-AXIS-BU1-XX-DR-A-00-2503 Rev P02, CAS-CAS-AXIS-BU1-XX-DR-A-11- 0205 C02, HST-CRL-ZZ-M3-A-0001 - Sheet - 021 - 001 - BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION), HST-CRL-ZZ-M3-A-0001 - Sheet - 021 - 002 - BAY STUDY - LV 11 TO 14 (LONGACRE ELEVATION), HST-CRL-ZZ-M3-A-0001 - Sheet - 021 - 003 - BAY STUDY - LV 19 TO 22 (LONGACRE ELEVATION), HST-CRL-ZZ-M3-A-0001 - Sheet - 030 - 001 - SECTION A-A, HST-CRL-ZZ-M3-A-0001 - Sheet - 030 - 002 - SECTION B-B, 0799-RFM-XX-00-DR-L-0009 Illustrative Sections Level 00, 0799-RFM-XX-00-DR-L-0012 Illustrative GA Level 00; (e) 0799-RFM-XX-00-DR-L-0013 Planting Strategy, 0799-RFM-XX-00-DR-L-0014 Illustrative Terrace Sections, 0799-RFM-XX-00-DR-L-0015 Roof Terrace GAs, 0799-RFM-XX-00-DR-L-8001-Planting Details, 190002-CRL-ZZ-ZZ-DR-A-21-001 - BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION), 190002-CRL-ZZ-ZZ-DR-A-21-002 - BAY STUDY - LV 11 TO 14 (LONGACRE ELEVATION), 190002-CRL-ZZ-ZZ-DR-A-21-003 - BAY STUDY - LV 19 TO 22 (HEYROD ELEVATION) and 190002-CRL-ZZ-ZZ-DR-A-21-004 - BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION), CAS AXIS BU1 XX DR A SK-034 LEVEL 22 PLANT LONGACRE STREET ELEVATIONS, CAS AXIS AME L21 DR A SK-008 21ST FLOOR SECTIONS, CAS-ABE-AME-ZZ-DR-M-57-0052 VENTILATION SERVICES LEVEL 21-22 AMENITY FIT OUT

(e) Curtins Post Submission Response 02-09-20 Surface Water Drainage and SuDS Proposals

(f) Curtins Post Submission Response 02-09-20 (Highways Works)

(g) Turleys e-mails 127317/FO/2020- Plot D - Comments on Submission 1 (points 2, 6,7 and 8) and dated 08.10.20 points 3,4,5 and 7;

(h) Land at Heyrod Street, Piccadilly East, Waste Management Strategy, Curtins Ref: 75424-CUR-00-XX-RP-TP-003, Revision: V03 Dated: 29 June 2020 (Residential only)

(i) Recommendations in sections 3,4,5 and 6 of the Crime Impact Assessment Version A 30-06-20; and

(j) Callison RTKL Design and Access Statement June 2020, Heyrod Street, Rev01 - 22.07.2020 - Section 4.1- Summary of proposed scheme;

(k) Land at Heyrod Street, Manchester, Archaeological Desk-Based, Assessment:Report No: 3486 R01 June 2020 by Nexus Heritage;

(l) Mitigation Measures detailed within Chapter 15 of Heyrod Street, Manchester, Environmental Impact Assessment Environmental Impact Assessment, ES Vol 2 Environmental Statement, June 2020 by Turleys

(m) Inclusions of measures and targets set out in Crookes Walker Heyrod Street, Manchester Planning Report, Energy & Environmental Standards Statement Rev O dated 25/06/2020

(n) Implementation of Broadband installation in accordance with Pager Power Broadband Connectivity Assessment, Heyrod Street, Piccadilly East Packaged, Living Limited, May, 2020

(o) On the basis of the Air Quality Assessment Chapter 10 of the ES -Heyrod Street, Manchester, Environmental Impact Assessment ES Vol2 June 2020 by Turleys

(p) Measures and recommendations within 2 Heyrod Street, Manchester, Flood Risk Assessment and Drainage Strategy, Curtins Ref: 075424-CUR-00-XX-RP-C-92000, Revision: V02, Issue Date: 25 June 202; and

(q) Pager Power, Television Baseline Survey Report, Heyrod Street, Piccadilly East, Packaged Living Limited May 2020 and mitigation measures set out within and

(r) TITON FIRESAFE® - SINGLE AIR BRICK detail stamped and AIR BRICK PRECEDENT IMAGES as received 22-11-23

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan polices DC19.1, DC20 and DC26.1.

11) The development shall be implemented in accordance with the following:

a (hard and soft landscaping): Dwgs CAS-RFM-XX-GF-DR-L-19-0022 P02, CAS-RFM-XX-GF-DR-L-19-0025 P01, CAS-RFM-XX-ZZ-DR-L-19-8012 P01;

b (Biodiversity): Dwgs CAS-RFM-XX-L21-DR-L-19-8011 P01, CAS-RFM-XX-L21-DR-L-19-0024 P01, CAS-RFM-XX-GF-DR-L-19-0025, CAS-RFM-XX-ZZ-DR-L-19-0026 P01 and CAS-RFM-XX-ZZ-DR-L-19-0027 P01;

c (Tree planting Longacre): Dwgs CAS-RFM-XX-ZZ-DR-L-19-8008 P01 and CAS-RFM-XX-00-L0-DR-L-19-0025;

d (Tree Planting specification) : Dwgs CAS-RFM-XX-ZZ-DR-L-19-8008 P01;

(e) (Suds landscaping): Dwg RFM-XX-00-DR-L-0019 P01 in relation to site covered by application ref no 127317/FO/2020 and as detailed and amended by the response within Curtins e-mail 15 12 21;

f (Planting to External Terraces): Dwgs CAS-RFM-XX-L21-DR-L-19-0024 P01, CAS-RFM-XX-GF-DR-L-19-0025, CAS-RFM-XX-ZZ-DR-L-19-0026 P01 and CAS-RFM-XX-L01-DR-L-19-0004 C04 ;

g (Furniture): Dwgs CAS-RFM-XX-GF-DR-L-19-0022 P01, 0799-RFM-XX-00-SP-L-0003-S2-P03, CAS-RFM-XX-GF-DR-L-19-8013 P01 and CAS-RFM-XX-L01-DR-L-19-8009 P01;

h(Street Lighting): Dwg CAS-RFM-XX-GF-DR-L-19-8013 P01;

and Note on Consideration of Age-Friendly Design for Older and Disabled People (doc ref. 0799-RFM-XX-RP-L-0003-S2-P03), prepared by re-form

Details in relation to the following shall be submitted for approval to the City Council as Local Planning Authority in accordance with the Programme of submission as set out in the Reform document Doc Ref: 0799-RFM-XX-RP-L-0003 (approved under CDN/21/0242).

i) Details of a wayfinding strategy to include signage (including for directing cyclists to nearby cycle routes) and any other appropriate methods to ensure the legibility of linkages within the PSE SRF Area with Piccadilly Station, the Metrolink and other adjacent Neighbourhoods (which includes consideration of older and disabled people);

(j) A management strategy for the external amenity areas including hours during which these areas would be open to residents;

(k) A building cleaning schedule;

(l) Details of how the design has minimised any potential hazards to the use of the public realm for the safe use of disabled people to include details of: designated routes for pedestrians; cyclists and vehicles; management of cyclists ; kerb edges; crossing and controlled crossing design and location; location of drop kerbs (including level areas between grass and hardstanding); location of rumble strips; location of raised crossings; design and location of any pop up power supplies; location of on site vehicle parking and drop off points; management of mortar cycle parking; provision of clear routes to ensure unrestricted access for all; and

(m) Details of how the terrace at level 21 would be monitored and managed once occupied to ensure the safety of users in periods of excessively high winds or how any potential impact would be mitigated through the inclusion of design features.

The detailed scheme shall demonstrate adherence to the relevant sections of DFA2 and MCC-recommended guidance in relation to Age Friendly Public Realm including Age-Friendly Seating and Sense of Place and the Alternative Age-Friendly Handbook.

The above shall then be implemented in accordance with the approved details.

The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

Reason - To ensure a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, to ensure that a satisfactory landscaping scheme for the development is carried out that

respects the character and visual amenities of the area, in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited
Manchester Airport Safeguarding Officer

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
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Area Team Boundary - Name: CENTRAL