

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136989/NMC/2023

Date registered valid: 16 May 2023

Proposal: Non-Material Amendments to Planning Permission 128667/JO/2020 to amend condition 1 (specified plans) to include formation of a new enclosed amenity use bridge link between the two approved residential buildings at upper ground floor level only, together with roof top amenity space/terrace on top of new bridge link.

Address: New Victoria, Corporation Street, Manchester, M4 4DX

Ward(s): Deansgate Ward

Applicant: Muse Developments Ltd

Agent (if any): Mr. John Cooper Deloitte LLP

Case officer: Tony Mitchell
Tel: 0161 234 4776
Email: anthony.mitchell@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 8 June 2023

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/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The Site - The New Victoria site is located on the northern edge of Manchester city centre. It lies next to Manchester Victoria Station and the NOMA project, one of the City Council's key regeneration areas. The application site is 1.14 hectares and includes part of Corporation Street and Long Millgate. The majority of the site is used, or has been used, as surface level car parking. To the east is Corporation Street and the Grade II listed former Co-op buildings which are being renovated. South of the site are four Metrolink tramlines and City Buildings, beyond this are the National Football Museum and the Arndale Centre. To the west is Manchester Victoria Station, one of the three main railway stations in Manchester. Cheetham Hill Road bridge is to the north, along with the former Parker's Hotel. The site is heavily constrained by the River Irk culvert, which flows under the site from northeast to southwest, the proximity of the Victoria Station roof and train tracks with associated 'no build zones' and a restrictive height covenant.

New Victoria lies next to the Cathedral and the Shudehill Conservation Areas. There are no listed buildings within the red line boundary, but there are several around the application site. These include Parker's Hotel, 109 Corporation Street (Grade II), New Century House (Grade II), the Old Bank Building (Grade II), Hanover Building (Grade II) City Buildings, 67 Corporation Street (Grade II) and Manchester Victoria Station (Grade II).

Description of development

Approved Development

Planning Permission 128667/JO/2020 (as amended) approved Phase 1 (residential) and Phase 2 (office) of the New Victoria development. This note relates to Phase 1 / residential only as the Phase 2 site has subsequently been subject to a new planning permission (ref: 134092/FO/2022). The approved quantum of development of Phase 1 (residential) is set out below).

- Two residential buildings of a maximum 21 and 26 storeys
- Enclosed amenity use bridge link between the two residential buildings at upper ground floor level, with rooftop amenity/ terrace on top of link bridge.
- 520 residential units (apartments) – 178 x 1 bed, 286 x 2 bed and 56 x 3 bed
- 679 sqm (GIA) of ground floor commercial floorspace

The approved development also includes provision for lower ground level car parking, access and servicing arrangements, alterations to Corporation Street, new public realm and other associated works.

Proposed Amendments (136989/NMC/2023) Subject of this application.

The proposed amendments are a result of detailed design development and are summarised as follows:

- Reduction in overall retail floorspace from 679 sqm (GIA) to 647 sqm (GIA) representing a c.4.7% decrease:
 - This results in a reduction in the retail floorspace for retail unit 2, and consequently provides an increase in residential amenity floorspace.
- Landscaping general arrangement layout changes:
 - As a result of detailed design development and feasibility / deliverability constraints.

Consultations & Notification Responses

None needed.

Issues

The proposed amendments seek minor non-material amendments to the internal layout of the approved development. The internal amendments are considered non-material and the changes proposed do not alter the nature of the parent planning permission reference 128667/JO/2020.

The proposed amendments also seek minor amendments to external landscaped areas of the approved development. The changes to the external landscaped areas are considered non-material and the changes proposed do not alter the nature or appearance of the 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:

Article 35 Declaration

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

1) The proposed amendments are a result of detailed design development and are summarised as follows:

1. Reduction in overall retail floorspace from 679 sqm (GIA) to 647 sqm (GIA) representing a c.4.7% decrease:

This results in a reduction in the retail floorspace for retail unit 2, and consequently provides an increase in residential amenity floorspace.

2. Landscaping general arrangement layout changes:

As a result of detailed design development and feasibility / deliverability constraints.

2) Condition 2 to read as follows:

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

5219-SI-00-090 A Proposed Block Plan 1:500 A1

5219-SI-00-110 D Existing Elevations 1:500 A1

5219-SI-00-111 D Existing Elevations 1:500 A1

5219-SI-00-120 C Existing Sections 1:500 A1

5219-P3-20-199 G Office - Lower Ground Floor 1:100 A1
5219-P3-20-200 G Office - Ground Floor 1:100 A1
5219-P3-20-201 H Office - First Floor 1:100 A1
5219-P3-20-202 E Office - Second Floor 1:100 A1
5219-P3-20-203 E Office - Third Floor 1:100 A1
5219-P3-20-204 E Office - Fourth Floor 1:100 A1
5219-P3-20-205 E Office - Fifth Floor 1:100 A1
5219-P3-20-206 E Office - Sixth Floor 1:100 A1
5219-P3-20-207 E Office - Seventh Floor 1:100 A1
5219-P3-20-208 E Office - Eighth Floor (Roof Plant) 1:100 A1
Plot 1 5219-P1-20-301 D Residential 1 - Sections - Sheet 1 1:100 A1
Plot 2 5219-P2-20-301 D Residential 2 - Sections - Sheet 1 1:100 A1
Plot 3 5219-P3-20-301 E Office - Sections - Sheet 1 1:100 A1
5219-P1-20-411 F Residential 1 - Elevations - Sheet 1 1:200 A1
5219-P1-20-412 F Residential 1 - Elevations - Sheet 2 1:200 A1
5219-P3-20-411 E Office - Elevation P3-1 1:200 A1
5219-P3-20-412 E Office - Elevation P3-2 1:200 A1
5219-P3-20-413 E Office - Elevation P3-3 1:200 A1
5219-P3-20-414 F Office - Elevation P3-4 1:200 A1
Plot 2 5219-P2-20-401 _ Residential 2 - Bay Study - Bottom Façade 1:20 A1
Plot 3 5219-P3-21-401 D Office - Typical Cladding Detail 1:20 A1

LANDSCAPE DRAWINGS

PL1487.112 _ Vehicular Access Lower Ground Floor
PL1487.113 _ Vehicular Access Ground Floor
Landscape Masterplan - Lower Ground Floor Level VIC-PIE-EZ-00L-DR-L-00105-P22
Landscape Masterplan - Ground Floor Level VIC-PIE-EZ-00U-DR-L-00106-P20
PL1487.108 3 Landscape Masterplan - Combined Lower GF level and GF level Remove
Hardworks Ground Floor VIC-PIE-EZ-00U-DR-L-00115-P21
Softworks Ground Floor VIC-PIE-EZ-ZZ-DR-L-00116-P18

Documents

Design and Access Statement - prepared by Sheppard Robson;
Heritage and Townscape Impact Appraisal - prepared by KM Heritage;
Environmental Standards Statement- prepared by Arup;
Energy Statement - prepared by Arup;
Ecological Assessment prepared by Penny Anderson Associates;
Transport Assessment prepared by Arup;
Travel Plan Framework prepared by Arup;
Crime Impact Statement - prepared by Greater Manchester Police;
Operational Waste Management Strategy prepared by Sheppard Robson and Arup;
Ventilation Strategy - prepared by Arup;
TV Reception Survey - prepared by Pager Power;
Lighting Assessment - prepared by Arup;
Viability Assessment - prepared by Muse (submitted in commercial confidence);
Residential Management Strategy - prepared by Owen Land and Property;
Statement of Community Consultation - prepared by Deloitte;
Environmental Statement plus Appendices- prepared by Deloitte; and
Environmental Impact Assessment Non-Technical Summary - prepared by Deloitte.

Amended drawings received 11 June 2020:

5219-P1-20-923 A RESIDENTIAL 1 23rd Floor Plan
5219-P1-20-924 A RESIDENTIAL 1 24th Floor Plan
5219-P1-20-925 A RESIDENTIAL 1 25th Floor Plan

5219-P2-20-918 A RESIDENTIAL 2 18th Floor Plan
5219-P2-20-919 A RESIDENTIAL 2 19th Floor Plan
5219-P2-20-920 A RESIDENTIAL 2 20th Floor Plan

5219-P1-21-901 A Bay Study Typical Facade
5219-P1-21-902 A Balcony Study - Middle Facade
5219-P1-21-903 Balcony Study Top Facade
5219-P1-21-904 Balcony Study Bottom Facade
5219-P1-21-905 Bay Study Parapet
5219-P1-21-906 Bay Study Penthouse Corridor Study
5219-P2-21-901 Bay Study Bottom Facade
amended cycle parking layout - Lower Ground Floor VIC-PIE-EZ-ZZ-DR-L-00112-P17
amended cycle parking layout - Ground Floor VIC-PIE-EZ-00L-DR-L-00114-P19

Amended drawings received 27 November 2020:

VIC-SRA-EZ-XX-DR-A-00802 Rev P01
VIC-SRA-EZ-XX-DR-A-00990 Rev P01
VIC-SRA-EZ-00L-DR-A-00900 Rev P01
VIC-SRA-EZ-00U-DR-A-00901 Rev P04
VIC-SRA-EZ-01-DR-A-00902 Rev P01
VIC-SRA-EZ-XX-DR-A-00903 Rev P02
VIC-SRA-EZ-XX-DR-A-00916 Rev P02
VIC-SRA-01-00L-DR-A-20899 Rev P01
VIC-SRA-01-00U-DR-A-20900 Rev P01
VIC-SRA-01-01-DR-A-20901 Rev P01
VIC-SRA-01-26-DR-A-20926 Rev P01
VIC-SRA-02-01-DR-A-20901 Rev P01
VIC-SRA-02 00U DR-A-20900-P07
VIC-SRA-02-00L-DR-A-20899 Rev P01
VIC-SRA-02-26-DR-A-20921 Rev P02
VIC-SRA-01-XX-DR-A-20951 Rev P01
VIC-SRA-01-XX-DR-A-20910 Rev P02
VIC-SRA-EZ-XX DR-A-21941 Site - Link Bridge
VIC-SRA-AL-00L-DR A-20899 Rev P01 - GA Plan - Amenity Link B1 Lower Ground
VIC-SRA-AL-01-DR-A-20901 GA Plan Rev P01- Amenity Link 01 First Floor
VIC-SRA-AL-XX-DR A-20401 Rev P01 - Bay Study - Amenity Link
VIC-SRA-AL-00U-DR-A-20900 Rev P05

Amended drawings received by the Local Planning Authority on 26 February 2021:

VIC-SRA-01-XX-DR-A-20911 Rev P03
VIC-SRA-01-XX-DR-A-20952 Rev P02
VIC-SRA-02-XX-DR-A-20911 Rev P05
VIC-SRA-02-XX-DR-A-20910 Rev P04
VIC-SRA-01-XX-DR-A-20912 Rev P03
VIC-SRA-02-XX-DR-A-20951 Rev P03
VIC-SRA-02-XX-DR-A-20952 Rev P02
VIC-SRA-02-XX-DR-A-20912 Rev P04
VIC-SRA-EZ-XX-DR-A-00925 Rev P03

VIC-SRA-EZ-XX-DR-A-21901 Rev P02
VIC-SRA-AL-XX-DR-A-20910 Rev P02
VIC-SRA-AL-XX-DR-A-20911 Rev P02
VIC-SRA-AL-XX-DR-A-21902 Rev P02
VIC-SRA-EZ-XX-DR-A-00915 Rev P04

Drawing VIC-SRA-EZ-XX-DR-A-00930 Rev P02, received by the Local Planning Authority on 13 January 2021

The New Victoria Planning Document - NMA, dated 23 March 2020, ref. 5219-NV-SRA-XX-XX-D-00950, REVISION P04 - 11th JUNE 2020

The New Victoria Part L Overheating and Noise Technical Note by Arup, dated 9 October 2019, Ref. 255644-00

The Technical Note P6449/6 Stage 4 Interim Part L Summary Technical Note by Futureserv, Ref. 17/6, dated 5 March 2020

For Phases 1 and 2:

- The document entitled 'New Victoria Planning Document - Condition 11 - Servicing Strategy Condition 25 - Refuse Strategy', Revision P01, dated 3 May 2019
- The agent's email of 21 August 2019 that confirms there is only one loading bay proposed on Corporation Street and that servicing will be scheduled to avoid peak hours.

For Phase 1 only:

- The Local Labour Construction template sheet
- The Social Value Plan from Vinci Construction UK

For the pre-commencement elements, the following information is approved for all phases:

- Written Scheme of Investigation for an Archaeological Excavation by Salford Archaeology, dated 23 August 2018

In respect of Phase 1 only, the following information is approved:

- Manchester New Victoria Ground Investigation Report prepared by AEG Ltd (April 2016)
- Earthworks and Remediation Performance Specification prepared by Arup (February 2018)
- Ground Investigation Report prepared by Bridgeway Consulting Limited (March 2012)
- Site Investigation Report Volume 1 Fieldwork and Volume 2 Laboratory Testing report prepared by Soil Mechanics
- Geotechnical Desk Study prepared by Arup (Jun 2008)
- Site Investigation Report prepared by Vertase FLI Limited (April 2018)
- Ground Investigation Report prepared by Arup (May 2016)
- Foundation Works Risk Assessment Report prepared by Arup (April 2018) (Ref: VIC-ARUP-ZZ-XX-RP-CG-001)
- Ground Investigation Addendum Report prepared by Arup (April 2018) (Ref: VIC-ARUP-ZZ-XX-RP-CG-002)
- Performance Specification for Gas Protection Measures prepared by Arup (May 2018) (Ref: VIC-ARUP-ZZ-XX-SP-CG-002)

For the residential aspect of the development, the following information is approved:

- The document entitled 'New Victoria Planning Document - Condition 11 - Servicing Strategy Condition 25 - Refuse Strategy', Revision P01, dated 3 May 2019
- The agent's email of 21 August 2019 that confirms there is only one loading bay proposed on Corporation Street and that servicing will be scheduled to avoid peak hours.

For all phases, the following information is approved:

- Drawings 4511-01 Rev A and 4511-02 Rev A
- The Enabling Works Site Logistics Plan
- The Appendix documents received by the Local Planning Authority on 9 April 2019

as amended by

- Network Rail and TFGM Metro Link Construction Management Plan, ref. VB-PMG-PL-XXXX-0007, Rev 03, dated 04/07/19
- New Victoria Development Construction Management Plan, ref. VB-PMG-PL-XXXX-0007, Rev 3, dated 04.07.19

The following information is approved for Phase 1 only:

- Marshalls Birco 150 Flow Table
- New Victoria Explanation of SuDS Usage drawing, dated 17/07/2019
- Outline Drainage Maintenance Regime by Arup, ref. 255644 4-04-02, dated 16 July 2019
- Drawing VIC-ARUP-P1-EX-DR-CD-2001 Rev P5
- Drawing VIC-ARUP-ZZ-EX-DR-CD-7011 Rev P1
- Muse Developments Ltd New Victoria Development Attenuation Tank Specification, ref. VIC-ARUP-ZZ-XX-SP-CD-0001 P02, dated 17 July 2019
- Ove Arup & Partners International Ltd STORM SEWER DESIGN by the Modified Rational Method, Network Design Table for Storm document
- 2019 Update on Surface Water Drainage Strategy File Note by Arup, ref. 255644 4-05-02, dated 16 May 2019
- New Victoria - Surface and Foul Water Drainage Strategy by Arup, dated 17 February 2016, Job No/Ref 218128

In regard to piling or other penetrative methods, the development shall be carried out in accordance with the following information:

- The document entitled Foundation Design - Groundwater Considerations, Foundation Works Risk Assessment by Foundation Piling Ltd, dated 16 September 2020

Drawings

- Piling Schedule (VIC-AJP-01-00L-DR-S-00102 Rev P08)
- Piling Schedule (VIC-AJP-02-00L-DR-S-00102 Rev P07)
- Piling Layout (VIC-AJP-01-00L-DR-S-00100 Rev P08)
- Piling Layout - Upper (VIC-AJP-02-00L-DR-S-00100 Rev P06)
- Piling Layout - Lower (VIC-AJP-02-00L-DR-S-00101 Rev P06)

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

3) 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

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) 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(a) To C3

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL