

23 January 2023

Delivered by email

Angela Leckie
Manchester City Council
Town Hall
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Dear Angela

APPLICATION UNDER SECTION 96A OF TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – NON MATERIAL AMENDMENT TO PLANNING PERMISSION REFERENCE 131634/JO/2021, VICTORIA HOUSE, GREAT ANCOATS STREET, MANCHESTER, M4 7AB

Further to our recent discussions, on behalf of our client FG Victoria House Limited ('the applicant'), I am pleased to enclose an application under Section 96A of the Town and Country Planning Act 1990 (as amended) for a non-material amendment ("NMA") to planning permission 131634/JO/2021.

The application has been submitted via Planning Portal (ref. PP-11816978) and comprises electronic copies of the following documents:

- Completed Application Forms, prepared by Turley
- This Covering Letter, prepared by Turley
- Wind Microclimate Assessment Report (May 2021), prepared by gia
- Design & Access Statement (doc ref. 10122-SHP-RP-S96A), prepared by Simpson Haugh
- Location Plan (dwg ref. 10122-A-B5D9-G100-P-00-001), prepared by Simpson Haugh
- North East Elevation (dwg ref. 10122-A-B5D9-G200-E-NE-003 Rev 04), prepared by Simpson Haugh
- North West Elevation (dwg ref. 10122-A-B5D9-G200-E-NW-003 Rev 04), prepared by Simpson Haugh
- South East Elevation (dwg ref. 10122-A-B5D9-G200-E-SE-003 Rev 04), prepared by Simpson Haugh
- South West Elevation (dwg ref. 10122-A-B5D9-G200-E-SW-003 Rev 04), prepared by Simpson Haugh
- Typical Level (NE Elevation) (dwg ref. 10122-A-B5D9-G251-D-TY1-003 Rev 04), prepared by Simpson Haugh

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- Residential Entrance (NE Elevation) (dwg ref. 10122-A-B5D9-G251-D-TY2-003 Rev 04), prepared by Simpson Haugh
- Level 02 Parapet (NE Elevation) (dwg ref. 10122-A-B5D9-G251-D-TY3-003 Rev 05), prepared by Simpson Haugh
- Substation (NW Elevation) (dwg ref. 10122-A-B5D9-G251-D-TY5-003 Rev 04), prepared by Simpson Haugh
- Typical Level (SW Elevation) (dwg ref. 10122-A-B5D9-G251-D-TY6-003 Rev 04), prepared by Simpson Haugh
- Retail Entrance (SW Elevation) (dwg ref. 10122-A-B5D9-G251-D-TY7-003 Rev 04), prepared by Simpson Haugh

Please see **Appendix 1** for a list of revised plans.

BACKGROUND

Full planning permission was granted by Manchester City Council ('MCC') on 26 August 2020 for the redevelopment of Victoria House, including the demolition of the existing building and the construction of residential apartments with ground floor commercial space (ref. 122000/FO/2018) ("Victoria House Planning Permission").

This permission relates to the redevelopment Victoria House, which comprises Plot E of the Portugal Street East Strategic Regeneration Framework ('PSE SRF') area located within Manchester City Centre. The development aims to offer a high-specification residential led 'build-to-rent' scheme, complemented by ground floor commercial space and internal and external amenity space.

Since the permission was granted, a number of applications to amend the scheme have been submitted and approved, including:

- NMA application (ref. 131328/NMC/2021) to vary the trigger point for the commencement of highway works (pursuant to Condition 35);
- NMA application (ref. 134708/NMC/2022) to amend the wording of condition 37 (proposed communal areas); and
- Minor-material amendment application to amend the design of the scheme (ref. 131634/JO/2021), with an associated NMA application to update the description of the development to reflect the design amendments (ref. 131607/NMC/2021).

The full wording of the approved development is as follows:

Erection of a part 25-part 3 storey residential tower (Use Class C3) for 177 apartments comprising 57 x 1 bed (34 x 1 bed 1 person and 23 1 bed 2 person), 115 x 2 bed (36 x 2 bed 3 person and 79 x 2 bed 4 person) and 5 x 3 bed (3 bed 5 person) with ground floor commercial space (Use Class A1, A2, A3, A4 and D1) above partial basement level associated shared amenity spaces at 3rd floor level, realm enhancements following demolition of existing buildings.

A full history of the applications post approval can be seen below in **Table 1**.

Table 1: Application History Summary

Application Type	Condition No. (If Applicable)	Reference	Status
Discharge of Condition	3a	CDN/22/0601	Discharged
Discharge of Condition	3b	CDN/21/0605	Discharged
Discharge of Condition	4	CDN/21/0356	Discharged
Discharge of Condition	5	CDN/22/0518	Submitted
Discharge of Condition	6	CDN/21/0841	Discharged
Discharge of Condition	8(a)	CDN/21/0508	Discharged
Discharge of Condition	8(a)	CDN/21/0699	Discharged
Discharge of Condition	9	CDN/21/0285	Discharged
Discharge of Condition	10	CDN/21/0629	Discharged
Discharge of Condition	11a	CDN/21/0762	Discharged
Discharge of Condition	12	CDN/21/0763	Discharged
Discharge of Condition	16	CDN/21/0568	Discharged
Discharge of Condition	17	CDN/21/0568	Discharged
Discharge of Condition	21	CDN/21/0636	Discharged
Discharge of Condition	22(a)	CDN/21/0507	Discharged
Discharge of Condition	24	CDN/22/0706	Discharged
Discharge of Condition	33	CDN/21/0380	Discharged
Discharge of Condition	38	CDN/21/0285	Discharged
Discharge of Condition	38(b)	CDN/22/0359	Discharged
Non-Material Amendment		131328/NMC/2021	Approved
Non-Material Amendment		131607/NMC/2021	Approved
Non-Material Amendment		134708/NMC/2022	Approved
Minor Material Amendment		131634/JO/2021	Approved

Construction commenced on site early 2022 and is anticipated to be completed in mid-2024.

PROPOSED CHANGES

Since the approval of the planning application, the scheme has been subject to a process of further detailed design development and review, with input from the client team together with an experienced and comprehensive team of specialist consultants and contractors. This review and development process has resulted in a number of proposed amendments to the façade and elevations to enhance the consented scheme, which are described below. The proposed minor amendments are described in greater detail within the enclosed Design & Access Statement (doc ref. 10122-SHP-RP-S96A), prepared by Simpson Haugh.

Rapid Vents:

- Design alteration of pivoting solid ventilators to pivoting clear glazed ventilators behind perforated metal screens to enhance the original design to achieve a visually lighter appearance and maximise views and natural light for residents.
- Further details can be found on page 4 of the enclosed Design & Access Statement and dwg ref. 10122-A-B5D9-G251-D-TY1-003 Rev 04.

Inset Brick Banding to Level 02 Residential Garden

- Secondary brick banding around the perimeter of level 02 external residential garden increased and fixed glazing to level 02 crown reduced. Following further design and structural coordination, the level 02 slab has increased 315mm. As a result of this, the thickness of the brick banding around the terrace has increased from a height of 7 to 11 bricks and the clear fixed glazing to the terrace crown has reduced slightly in height to accommodate.
- Further details can be found on page 6 of the enclosed Design & Access Statement and dwg ref. 10122-A-B5D9-G251-D-TY3-003 Rev 05.

Wind Baffles

- Omission of projecting external fins to the lower levels (Ground, Level 01 & 02) of the South West Tower Elevation, as no longer required for wind mitigation. Following construction of The Castings (located on Heyrod Street), Victoria House is sheltered from the south west wind direction, as per the enclosed Wind Microclimate Assessment Report (prepared by gia). Therefore, the external perforated fins are no longer required.
- Further details can be found on page 8 of the enclosed Design & Access Statement and dwg ref. 10122-A-B5D9-G251-D-TY7-003 Rev 04

North East and North West Elevations

- Following technical design development of the curtain wall system, the proposed elevations indicate additional horizontal transom details to the ground floor sliding doors, which is required to provide additional structural support. In both cases, the principles and materiality of the elevation design remain as indicated in the consented scheme.
- Further details can be found on page 10 of the enclosed Design & Access Statement, dwg ref. 10122-A-B5D9-G200-E-NE-003 Rev 04 and dwg ref. 10122-A-B5D9-G200-E-NW-003 Rev 04.

South East and South West Elevations

- Level 01 of the proposed South West and South East elevations have minor window type amendments as a result of further detailed coordination of the internal layout. The window types have changed from clear fixed glazing to rapid vents to suit the additional two apartments that were part of the previous amendments application.
- Level 03 to 23 of the proposed South East elevation have minor window type amendments as a result of further detailed coordination with structure. An extra column was required therefore the window type changed from clear fixed glazing to a solid metal infill panel behind perforated metal screen.
- Following technical design development of the curtain wall system, the proposed elevations indicate additional horizontal transom details to the ground floor sliding doors, which are required to provide additional structural support.

- In both cases, the principles and materiality of the elevation design remain as indicated in the consented scheme.
- Further details can be found on page 12 of the enclosed Design & Access Statement, dwg ref. 10122-A-B5D9-G200-E-SE-003 Rev 04 and dwg ref. 10122-A-B5D9-G200-E-SW-003 Rev 04.

CONSIDERATION OF THE APPLICATION

In accordance with the Planning Practice Guidance, there is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

The proposal is deemed 'non-material' because the changes do not alter the overall principle of the use of the site – it will still remain as a residential tower with ground floor flexible commercial space and public realm. The proposed changes maintain the overall appearance originally approved, with the proposed changes based on further detailed design development.

CONCLUSION

We trust that this submission satisfies the Council's application validation requirements and will allow for the determination of the application. We look forward to receiving formal written notification to this effect in due course, however, should you have any queries or require any further information, please contact myself or my colleague Amy Gaskell (amy.gaskell@turley.co.uk).

Yours sincerely



Will Hannah
Assistant Planner

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Appendix 1: Revised Plans

Drawing Title	Approved Drawing	Author	Updated Drawing
North East Elevation	10122-A-B5D9-G200-E-NE-003 Rev 03	Simpson Haugh	10122-A-B5D9-G200-E-NE-003 Rev 04
North West Elevation	10122-A-B5D9-G200-E-NW-003 Rev 03	Simpson Haugh	10122-A-B5D9-G200-E-NW-003 Rev 04
South East Elevation	10122-A-B5D9-G200-E-SE-003 Rev 03	Simpson Haugh	10122-A-B5D9-G200-E-SE-003 Rev 04
South West Elevation	10122-A-B5D9-G200-E-SW-003 Rev 03	Simpson Haugh	10122-A-B5D9-G200-E-SE-003 Rev 04
Typical Level (NE Elevation)	10122-A-B5D9-G251-D-TY1-003 Rev 03	Simpson Haugh	10122-A-B5D9-G251-D-TY1-003 Rev 04
Residential Entrance (NE Elevation)	10122-A-B5D9-G251-D-TY2-003 Rev 03	Simpson Haugh	10122-A-B5D9-G251-D-TY2-003 Rev 04
Level 02 Parapet (NE Elevation)	10122-A-B5D9-G251-D-TY3-003 Rev 04	Simpson Haugh	10122-A-B5D9-G251-D-TY3-003 Rev 05
Substation (NW Elevation)	10122-A-B5D9-G251-D-TY4-003 Rev 03	Simpson Haugh	10122-A-B5D9-G251-D-TY5-003 Rev 04
Typical Level (SW Elevation)	10122-A-B5D9-G251-D-TY6-003 Rev 04	Simpson Haugh	10122-A-B5D9-G251-D-TY6-003 Rev 04
Retail Entrance (SW Elevation)	10122-A-B5D9-G251-D-TY7-003 Rev 03	Simpson Haugh	10122-A-B5D9-G251-D-TY7-003 Rev 04