

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136508/NMC/2023

Date registered valid: 17 March 2023

Proposal: Non material amendment to planning permission 125655/FO/2019 to make elevational alterations including the introduction of a facade mounted clock to the west elevation

Address: Water Street, Manchester

Ward(s): Deansgate Ward

Applicant: Union Living Manchester 1 Ltd

Agent (if any): Mr Ollie Eyre Deloitte

Case officer: David
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4556

Recommendation: APPROVE

Date of recommendation: 9th 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: Castlefield Conservation Area 1979

Tree Preservation Order:

Description of area proposed development

This application relates to a recently completed building located in a central part of the St Johns redevelopment area. It is surrounded by recently completed large footprint high rise buildings and also by sites which are currently under construction.

Full Planning Permission for 'the erection of 32 storey plus two basement level mixed use building (sui generis), comprising co-living units, amenity space, gym and flexible commercial space, landscaping, access and other associated works' was granted on 15th July 2021 (ref: 125655/FO/2019). The building is not within a Conservation Area,

Following detailed design work, changes became necessary during the course of construction. This non-material amendment application seeks consent to regularise the approved drawings in respect of minor changes to the proposed external alterations.

Essentially, these minor amendments are:

Material of side spandrel panel to Level 01 windows changed from insulated black back-painted glass to semi opaque black tinted glass;

Material of spandrel panels adjacent to amenity WC area on Level 01 changed from insulated black back-painted glass to insulated black opaque aluminium;

Material of curtain walling spandrel panels concealing Level 01 floor edge changed from insulated black back-painted glass to insulated black opaque aluminium;

Curtain walling panels on Level 01 relocated in connection with internal reorganisation of Level 01 amenity space.

Height of external doors reduced by 200mm to make them 2200mm high;

New external façade-mounted clock proposed to West Elevation only; and

Post room hatch/window on ground floor omitted

The proposed changes, as detailed above, and shown in the submitted plans, are minor alterations and are considered to be acceptable changes to the approved development.

The proposed clock is some 4.5m above the highway, is circular in shape, and is positioned on the west elevation

Consultations & Notification Responses

No consultations required.

Issues

This application does not raise any issues of policy.

The limited scale and nature of the proposals are considered to constitute non-material changes.

The proposed changes, including the proposed clock, relate to the exterior of the building and result in a slightly modified appearance, and are not considered to be significant.

The proposed changes have already been implemented, and construction is complete. The building continues to be a high quality landmark within the overall context of the St Johns Regeneration Area.

The proposed changes are not considered to be detrimental to the visual appearance of the building, and would not impact on residential amenity, the nearest neighbours which would view the proposals being those forming part of the regeneration proposals for the area.

As such, the proposed amendments would not have a material impact upon the previously approved scheme, would not have a material impact upon the overall quality of the development, and there are no material planning considerations to indicate otherwise.

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

Article 35 Declaration

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

1) It should be noted that this letter of consent does not supersede the decision notice attached to planning permission ref:125655/FO/2019 for 'Full Planning Permission for the erection of 32 storey plus two basement level mixed use building (sui generis), comprising co-living units, amenity space, gym and flexible commercial space, landscaping, access and other associated works'.

These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval ref: 125655/FO/2019 still apply to this development.

The proposed amendments, as detailed in condition 2, include:

Material of side spandrel panel to Level 01 windows changed from insulated black back-painted glass to semi opaque black tinted glass;

Material of spandrel panels adjacent to amenity WC area on Level 01 changed from insulated black back-painted glass to insulated black opaque aluminium;

Material of curtain walling spandrel panels concealing Level 01 floor edge changed from insulated black back-painted glass to insulated black opaque aluminium;

Curtain walling panels on Level 01 relocated in connection with internal reorganisation of Level 01 amenity space.

Height of external doors reduced by 200mm to make them 2200mm high;

New external façade-mounted clock proposed to West Elevation only; and

Post room hatch/window on ground floor omitted

2) Condition 2. The development hereby approved shall be carried out in accordance with the following drawings and documents, received on 25th May 2023:

6548-P-B500-E-N Rev G;
6548-P-B500-E-E Rev G;
6548-P-B500-E-S Rev G;
6548-P-B500-E-W Rev G;
6548-P- B500-P-01 Rev C;
6548-P-B500-A-001 Rev C
6548-P-B500-A-011 Rev E;
6548-P-B500-A-002 Rev B;

Clock details ref: FDC915 Flat GRP Drum for 915mm Dial Dimensions received 4th May 2023

The plans hereby supersede:

6548-P-B500-E-N - REV E;
6548-P-B500-E-E - REV E;
6548-P-B500-E-S - REV E;
6548-P-B500-E-W - REV E;
6548-P- B500-P-01 Rev B;
6548-P- B500-P-15 Rev A
6548-P-B500-A-011 - REV A

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to 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 - 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

Conservation Area - Castlefield Conservation Area 1979

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL