

Planning & Regeneration
Manchester City Council
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Our ref EKPS/220109/KK

7 February 2023

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FAO Anthony Mitchell

Dear Sir or Madam,

Planning Permission Reference 122280/FO/2019 for Development at and Bounded By Great Ducie Street And Mirabel Street, Manchester, M3 1PJ: Application for Non-Material Amendments

On behalf of our client, One Heritage Limited, we are delighted to submit an application which seeks approval for 'Non Material Amendments' in respect of the above development which was granted consent by the Council on 31 August 2022.

This application is supported by the following plans and documents:

- i. Application Form;
- ii. 34 no. drawings, prepared by DAY Architects, and associated Drawing Schedule (17. no. annotated plans showing location of proposed amends and 17 no. 'clean' plans for approval); and,
- iii. 'Proposed Amendments' document prepared by DAY Architects showing the proposed amendments in the context of the approved development.

Proposed Amendments

The Proposed Amendment document prepared by DAY Architects provides details of all the amendments for which approval is sought. These have been briefly summarised below:

- Change to the general arrangement layout to ground floor retail units within Block A (bound by Great Ducie Street and Breslyn Street) and car parking provision within Block B (bound by Mirabel Street and Breslyn Street).
- Change to general arrangement layout change to apartments within Block B due to 'no build zone' with adjacent Beaumont Building.
- Change to the layout of and access to the external amenity space (roof level of Block A) including provision of access ramp and WC.
- Recessed shop windows to Block A omitted and made flush with building façade to remove opportunities for anti-social behaviour.
- Amendments to gable windows on the west elevation of Block A (overlooking World Wide Fancy Goods) to reduce the size of the openable window to 1sqm in line with fire regulations. The remainder of the window is to be opaque glazed with a fire rated wall constructed to the rear of the window.
- Omission of roof mounted plant / feature aluminium screens to perimeter of roofs and terrace areas.

- Increase to height of masonry parapets to perimeter of roof areas following omission of plant screen.
- Outward opening windows amended to opening inwards with externally mounted glazed balustrades.
- Reduction of level 14 roof parapet fronting Great Ducie Street and the lift overrun surround.
- Amendments to feature saw tooth windows to allow for construction requirements and buildability, as well as long term maintenance considerations.
- Inclusion of louvres to head of retail windows to allow for future mechanical ventilation.
- Amendments to windows in line with mechanical ventilation strategy and inclusion of glass balustrades in line with guarding requirements as set under Part K of Building Regulations.
- Removal of openable windows adjacent to the railway line in line with request from Network Rail.

As a result, these proposed amendments will lead to the replacement of some of the drawings currently listed under Condition 2. Further information regarding the proposed changes is set out below.

Justification and Explanation of the Proposed Amendments

The consented scheme was originally designed and submitted for approval in February 2019. However, One Heritage has now acquired the site and it has become apparent that a number of minor amendments are required in order to ensure the successful delivery of the development.

Almost all of the changes are required in order to meet current building regulations and fire regulations, to respond to comments received during the planning application process (e.g. from Network Rail) and to safeguard the future maintenance of the building.

The proposed amendments relate to minor changes to the internal layout and the external appearance of the approved building.

Section 96A of the Town and Country Planning Act 1990 ("TCPA") allows a local planning authority ("LPA") in England to make a change to any planning permission where they are satisfied that the change is not material. Specific powers (at Section 96A(3)) are also provided to remove or alter existing conditions, including those listing approved drawings and documents.

Section 96a(2) of the TCPA states that in deciding whether a change is material, an LPA must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted. Whilst there is no definition of what constitutes a non-material amendment, National Planning Practice Guidance ("PPG") recognises that it will be in the context of the overall scheme.

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 original application that was consulted upon.

The proposed amendments also seek minor amendments to the external appearance of the approved development. The external amendments are considered non-material and the changes proposed do not alter the nature or appearance of the original application, such that it would have a greater material impact than that which was consulted upon.

It is therefore considered that the changes sought by this application constitute non-material amendments in accordance with the provisions set out in Section 96A of the Town and Country Planning Act 1990.

Summary

As set out above, the proposed amendments to the consented scheme are all non-material in nature and are required to ensure the scheme can be delivered in line with current building regulations and fire regulations, to respond to comments received during the planning application process (e.g. from Network Rail) and to safeguard the future maintenance of the building.

The proposed amendments seek 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 original application that was consulted upon.

I would be grateful if you could confirm receipt of this application and also confirm in writing that it has been successfully registered and validated. Please do not hesitate to contact me by 'phone (07904 225814) or by e-mail (kelly@euankellie.co.uk) should any matters arising from the application require clarification.

Yours faithfully,



Kelly Paddick
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