

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136486/NMC/2023

Date registered valid: 4 April 2023

Proposal: Non Material Amendment to application ref no 131037/VO/2021 to retain amended gate to the plant enclosure, amended profile and increase in height of canopy over plant area and provide additional screening to plant area.

Address: National Football Museum Urbis, Cathedral Gardens, Corporation Street, Manchester, M4 3BG

Ward(s): Deansgate Ward

Applicant: Neil Macinnes Manchester City Council

Agent (if any): Mr Daniel Labella Bowker Sadler Architecture

Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 April 2023

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: 26-01-23

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: Cathedral Conservation Area 1972

Tree Preservation Order: Not applicable

The application relates to an area below street level adjacent to the National Football Museum within the building known as Urbis.

Consent was granted in 2021 for the installation of Heat Rejection Units and associated screening and security gate to within service ramp adjacent to Todd Street.

The existing AHUs were at end of their life and do not deliver the internal environmental conditions (temperature control and ventilation) now required. The installation also presented an opportunity to contribute in terms of working towards the Decarbonisation of the National Football Museum

Description of area

The application site is adjacent to Victoria Station is one of the City's main transport hubs. This is an area rich in cultural institutions and historic buildings including Chetham's School of Music, Manchester Arena, Manchester Cathedral and the National Football Museum. The Long Millgate area to the south of the station provides a link to commercial buildings. The Site is surrounded by a mix of city centre uses, including the office-led, mixed-use development including the adjacent NOMA estate and residential apartments.

Description of development

Consent is now sought for amendments to the approved scheme (Approved Dwgs Condition 2) which include some amendments which have already been implemented and some additional screening works. The delivered in situ scheme includes some amendments to the original proposals which emerged from design development work specifically in relation to the height of the air conditioning units and external canopy structure to the dry cooler units located along the ramp route to the National Football Museum.

Consent is sought to retain the amendments to the previously approved scheme which have been implemented which comprise:

- An increase in height of the canopy over the air conditioning units resulting from a need to amend the concrete plinths to ensure that they provided adequate structural loading and had a minimum height of 200mm from ground level at the upper level of the ramp to ensure adequate air flow below the base of the external chiller units.
- Adjustment to the profile of the overhang curves to each end of the canopy to ensure that they did not clash with the new wall mounted water supply pipework that feeds the chiller units. This adjustment also linked to the need to address the health and safety implications of people potentially striking their head when escaping along the ramped route and this necessitated adjustment to the end both curved profiles.

- Amendment of the gate leading to this plant enclosure from a sliding door arrangement to a swing door arrangement in order to facilitate an easier means of escape in an emergency.

As the above implemented changes have raised the height of the air conditioning and screening the appearance and visibility of elements has changed and Officers have identified a need for additional screening as follows to mitigate the overall visual impact of the development within the street scene. This would comprise.

- Extending the galvanised liner cladding as viewed from the upper end of Todd Street
- Providing additional vertical screening alongside the Todd Street elevation
- An additional need to cladding the new pipework with stucco embossed aluminium pipe sleeves to improve the visual appearance of these has also been identified.

Consultations & Notification Responses

None

Issues

Principle of the changes as a non material amendment

The proposed amendments relate to changes and issues emerging from detailed design, technical development and site surveys and identified need for mitigation for these amendments comprising additional elements of screening to ensure the overall quality of the amended proposals.

It is noted that the implemented amendments were necessary to facilitate effective operation of the air conditioning units and to meet structural loading and health and safety requirements. However there have been consequential impacts on the appearance of the development which now need to be dealt with.

It is considered that the proposed amendments with the additional mitigation as set out above 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. With the mitigation, 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. As the development has been implemented it is necessary to set a timescale for the implementation for the additional screening and this is set out in an additional condition (6) below.

Original condition 2

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

- (a) Site location plan 21-023 1001;
- (b) Dwgs 21-023 1002 1003, 1004, 1005 and 1006;
- (c) Carbon Emission Reduction Calculation

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, T1, T2, EN1,, EN16, EN19 and DM1 of the Core Strategy, saved policy DC26 of the Unitary Development Plan.

Proposed condition 2

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

- (a) Site location plan 21-023 1001;
- (b) Dwgs 21-023 1002 1003, 1004, 1005 and 1006 Revision B;
- (c) 1100 Proposed Enclosure Visualisation 01, 1101 Proposed Enclosure Visualisation 02 and 1103 Rev A Proposed Enclosure Visualisation 04; and
- (d) Carbon Emission Reduction Calculation

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, T1, T2, EN1,, EN16, EN19 and DM1 of the Core Strategy, saved policy DC26 of the Unitary Development Plan.

Additional condition (6)

The proposed additional screening, fence and wrapping of the pipework as shown in dwg 1006 Revision B shall be implemented within 3 months of the granting of this consent.

Reason

In the interests of visual amenity pursuant to policies SP1 and DM1 of the Core Strategy, saved policy DC19 of the Unitary Development Plan.

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

(a) Site location plan 21-023 1001;

(b) Dwgs 21-023 1002 1003, 1004, 1005 and 1006 Revision B;

(c) 1100 Proposed Enclosure Visualisation 01, 1101 Proposed Enclosure Visualisation 02 and 1103 Rev A Proposed Enclosure Visualisation 04; and

(d) Carbon Emission Reduction Calculation

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, T1, T2, EN1,, EN16, EN19 and DM1 of the Core Strategy, saved policy DC26 of the Unitary Development Plan.

2) The proposed amendments relate to changes resulting from detailed design development. There was a requirement to raise the overall height of the installation to ensure the provision of adequate air flow resulting and to meet structural loading requirements resulting in an overall height increase of 250mm. This has necessitated amendments to the canopy profile. As a result of these changes further visual screening is required for the installation. There was also a need to amend the gate to the plant enclosure to meet requirement for safe means of escape.

The proposed additional screening, fence and wrapping of the pipework as shown in dwgs 1006 Revision B and 1103 Rev A Proposed Enclosure Visualisation 04 shall be implemented within 3 months of the granting of this consent.

Reason

In the interests of visual amenity pursuant to policies SP1 and DM1 of the Core Strategy, saved policy DC19 of the Unitary Development Plan.

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 - Cathedral Conservation Area 1972

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL