

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136658/NMC/2023

Date registered valid: 3 April 2023

Proposal: Non-material amendment to planning permission 134092/FO/2022 to amend condition 11 (External Materials / Samples) to alter time trigger for requirement of submission of relevant information.

Address: New Victoria (Office Development), Corporation Street, Manchester,

Ward(s): Deansgate Ward

Applicant: Toriview Ltd

Agent (if any): Mr Cameron Radford Deloitte LLP

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 April 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

The application site is bound by Corporation Street to the east, the Metrolink line to the south west, Victoria Station to the west and a construction site to the north known as 'New Victoria' comprising two residential buildings forming 520 apartments. Further north is Manchester inner ring road.

The site is currently hardstanding and is surrounded by hoarding.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site is located in the heart of Manchester City Centre. Manchester Victoria railway station (Grade II) dominates the area to the north and west of the application with the AO arena beyond that. The area is characterised by buildings of different scale, age and architecture which provides a unique setting.

The site is located in flood zone one and a critical drainage area. The Air Quality Management Area (AQMA) covers the site. There are no ecological designations at the site. The site does not fall within a conservation area but is located immediately adjacent to the Shudehill conservation area with the boundary being along Corporation Street. The Cathedral Quarter lies directly to the south of the site.

There are a number of listed buildings in close proximity to the site.

Planning History

Planning permission was granted in September 2016 for two residential buildings containing 520 apartments and one office building comprising 11,647sq.m office accommodation, as well as ground floor commercial space, landscaping, car parking and other associated works (Ref: 111777/FO/2016/C1). This has been subject to a number of non-material amendments:

- 123146/NMC/2019 to allow for an amendment to the wording of condition 6 (approved 25 April 2019);
- 124931/NMC/2019: to allow for a revised wording to condition 7 (approved 26 September 2019); and
- 126994/NMC/2020: to allow for a revision to some of the approved drawings and documents listed in condition 2 (approved 12 June 2020).

The original permission was subsequently superseded by application ref: 128667/JO/2020, approved on 19 March 2021, allowing amendments to the approved plans to introduce a new link bridge between the two residential buildings.

Description of development

Non-material amendment to planning permission 134092/FO/2022 to amend condition 11 (External Materials / Samples) to alter time trigger for requirement of submission of relevant information.

Consultations & Notification Responses

N/A

Issues

Condition 11 currently states:

Prior to the commencement of the development, excluding drainage diversion works, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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.

Due to the timescales associated with the procurement of the samples and materials panel, the applicant wishes to amend the condition to allow ground works to commence. The applicant has provided assurances that the original architect would be retained and the panel would contain materials specified at the application stage. This provides the comfort that the panel would be delivered to be required quality. The condition should therefore be amended as follows:

Prior to the any above ground works of the development, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority in line with drawings V-PCO-ZZZ-XXX-SH-A-001- Samples and Mockups Schedule 01 dated 14 March 2023 prepared by Piercy and Company; Visual Mockup - Typical Floor Precast Facade (Ref. NV-PCO-ZZZ-XX-DR-A-21801) prepared by Piercy and Company received by the City Council, as Local Planning Authority, on the 3 April 2023. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the

development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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.

The change is considered to be non material in nature.

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 seeks to alter to amend condition 11 (External Materials / Samples) to alter time trigger for requirement of submission of relevant information.

2) 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.

11) Prior to the any above ground works of the development, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority in line with drawings V-PCO-ZZZ-XXX-SH-A-001- Samples and Mockups Schedule 01 dated 14 March 2023 prepared by Piercy and Company; Visual Mockup - Typical Floor Precast Facade (Ref. NV-PCO-ZZZ-XX-DR-A-21801) prepared by Piercy and Company received by the City Council, as Local Planning Authority, on the 3 April 2023. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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.

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL