

21 March 2023

Planning Department
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

F.A.O Jennifer Atkinson

Dear Jennifer,

Bendix Street: Application for Non Material Amendments to Planning Permission Ref: 125681/FO/2019

Please find enclosed an application for a non-material amendment to Planning Permission ref: 125681/FO/2019 granted 23 April 2021. This in accordance with Section 96(a) of the Town and Country Planning Act 1990 (as amended).

The applicant is Mulbury Homes (Central) Ltd. ('the Applicant').

The Planning Permission relates to the erection of an 8 storey residential building on the Site bound by Thompson Street to the north east, Oldham Road to the south, Bendix Street to the south west and a building occupied by Turning Point to the north west. This application addresses a number of minor amendments as result of further design development, which is considered to result in an improved scheme from the previous approved iteration.

The proposed description of development is as follows:

Non-Material Amendment to planning permission 125681/FO/2019 to change wording of condition 2 (Approved Drawings) to agree minor elevational and internal changes.

The proposed amended plans are included at Appendix B.

1 Planning History

Planning Permission 125681/FO/2019 was granted on 23 April 2021 for the following:

Erection of a ground plus 12-storey residential building (Use Class C3) comprising 161 residential units, with ground floor commercial use (Use Class A1, A2, A3, B1, and / or D1 (excluding Places of Worship)) (160sqm) or ancillary residents lounge, disabled car parking, with highways, landscaping and other associated works following demolition of existing buildings.

1.1 Previous Amendment Applications

A previous Section 96a Application was also approved 10 January 2022 (Ref. 132527/NMC/2021) to change wording of condition 9 (Materials) to agree a materials programme.

1.2 Proposed Amendments

The following amendments are proposed following the detailed design process. These amendments are illustrated on the submitted plans and other supporting documents listed at the end of this letter.

In summary, the proposed amendments comprise:

- The building line to move by 300mm towards Oldham Road;
- Changes to the window design, including alteration to the specified window design panel; and altered design of the perforated soffit trim;
- Internal alterations to the Residents Lounge;
- Change in location of access points to the ground floor;
- Installation of gate at either end of the Thompson and Bendix Street walkway, to restrict access;
- Changes to Plant, including alterations of the Ground Floor plant room; and additional rooftop plant and enclosure.

The above proposed amendments do not materially alter the scale, quality or proposed use of the Proposed Development. On this basis it is considered the amendments can be progressed via a Section 96a application, and this has been agreed with the Case Officer in a meeting on the 23 January 2023.

1.3 Building Line

To ensure the proposed development is compliant with building regulations and adheres to fire safety rules, the footprint of the proposed development needs to move 300mm towards Oldham Road, as illustrated by the revised Building Line Plan submitted as part of this application. This is to ensure the windows on the North-West elevation have glazing more than 1 metre away from the site boundary and can have openable panels. The principle of the building's upper floors (level 2 and above) oversailing the footway is unchanged from the original proposal attached to Planning Permission (125681/FO/2019).

This change has been agreed as acceptable in principle to amend via an NMA application with the planning officer at Manchester City Council (MCC) via email correspondence, dated 7 December 2021.

1.4 Window Detail

Following detailed design development, it is proposed that the window detailing to the building's façade be slightly amended. The approved design includes a vertical line pattern on the window panel. The Applicant is seeking to agree that this be amended to a panel design with an umbrella pattern, which references the history of the site as an umbrella factory. This change was developed via discussions with MCC, including presentation of samples on site. These were agreed on Site on 7 March 2023.

In addition, after extensive review of the ventilation system through design development, a perforated panel soffit is proposed to replace the louvre to achieve a neater finish to the window detailing. This is to ensure that the building's exterior is sleek and timeless, without compromising the ventilation efficiency.

1.5 Ground Floor Amendments

The Planning Permission provides flexibility regarding the final use of the two ground floor units - as either commercial or residential amenity. It is proposed that the two units be combined to create one area for resident's amenity. Since the approved use of the ground floor is either residential amenity space and/ or a commercial unit, the proposed use as is deemed acceptable.

The confirmed use as a single resident's amenity space means associated access doors are omitted from Bendix Street and Thompson Street elevations. Furthermore, due to the omission of a commercial unit, there is no longer a requirement for double doors to access this space. One additional access door will be located on Bendix Street, and access through this point will be controlled, for use management only. An additional internal access door has been added from the First Floor also, to allow direct access to the lounge.

The layout of the ground floor plant area has also changed, as detailed further below. It is now proposed that a substation will be located in the area previously identified as plant room. To accommodate the requirements of the utility provider larger doors are required to access the space.

1.6 Pedestrian Walkway

During the development of the Section 278 Highways design works, concern was raised regarding access and security of the 'rear' (north-western) elevation, facing the Smithfield Project and car park. Therefore, the Applicant proposes to install a secure pedestrian gate at either end of the Thompson and Bendix Street walkway, with restricted access for maintenance purposes only.

Greater Manchester Police (Design for Security) have been consulted and confirmed their support for the proposal as the right course of action.

1.7 Changes to Plant

To improve the buildings energy efficiency an alternative energy strategy is proposed, which uses an electric system rather than gas. The proposed heating equipment and associated hot water vessels will be relocated in the proposed rooftop plant room. A new substation would be required at ground floor level, which replaces the original location of the plant room, to handle the increase demand in electricity. Please see the Energy Statement, prepared by Futureserv Ltd and submitted in support of this application for further detail on the revised strategy.

1.7.1 Ground Floor

As illustrated in the Thompson Street Elevation, a wider substation door will replace the louvre to allow access to the substation room. The narrower door, which previously would have given access to the commercial unit is replaced with a louvre for ventilation.

1.7.2 Rooftop

The proposed rooftop plant room will replace the old ground floor plant room, due to insufficient space at ground floor to house the new electric-powered heating equipment. As there is no alternate viable space available within the existing building layout, a new plant enclosure on the roof is required.

The form and external materials have been developed to reduce the plant room's visibility from the street and from afar, which are illustrated in the perspective views section of the 'Non-Material Amendment Report' produced by Tim Groom Architects and submitted with this application. The walls of the rooftop plant room are stepped back from the main building's external walls and the plant is centred in the middle of the roof, to ensure it cannot be seen when in close proximity with the building. In addition, the height of the plant room is minimised for a decreased visual effect when observing the building from afar. The proposed external materials consist of pale grey cladding to reduce visibility of the plant.

2 Planning Policy Assessment

2.1 National Planning Policy Framework (2021)

Since the original application was submitted, a revised NPPF was adopted in 2021 further to revisions that were made in 2019. The revised NPPF continues to set out the Government's planning policies for England and how these are to be applied within a local setting. It requires planning policies to meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.

The presumption in favour of sustainable development – the golden thread running through plan-making and decision taking (para. 11) – remains at the heart of the NPPF. Sustainable development is about positive growth, which supports economic, environmental and social progress for existing and future generations. Paragraph 130 of the 2021 NPPF states that: *"local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme"*

Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life by supporting existing and future generations' health, social and cultural wellbeing. The NPPF also places emphasis on the importance of pre-application engagement with the Local Planning Authority and local community, which will help to resolve any issues and deliver more positive outcomes.

The revised scheme remains in full accordance with the key tenets of the NPPF. The approved proposals, as amended by this application, will provide high quality residential accommodation at a highly sustainable site in Manchester, supporting delivery of the widely recognised requirement for housing supply across the city region.

2.2 Local Planning Policy – Local Development Plan

The key Development Plan documents remain the 2012 Manchester Core Strategy and Saved Policies of the Manchester Unitary Development Plan (UDP). There has been no change in local planning policy since the Planning Permission was granted. Overall, it is considered that the nature of the proposed minor material amendments to the approved scheme means that it remains in full accordance with the key spatial principles of the Core Strategy, which is set out below against each relevant policy.

3 Summary

The application comprises this covering letter and the following documentation:

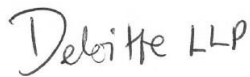
- Completed Application Form;
- Site Location Plan prepared by Tim Groom Architects;
- Application Drawings prepared by Tim Groom Architects (Please see Appendix B for full schedule);
- Non-Material Amendment Report prepared by Tim Groom Architects;
- Energy Statement, prepared by Futureserv Ltd

The Application has the Planning Portal reference: PP-12018131 and the application fee of £234 will be paid online.

On the basis of the information submitted, we seek your agreement that the proposed amendments are acceptable and can be dealt with as a non-material amendment.

I would be grateful for written confirmation of receipt and registration of this application. If there are any points of clarification required, please do not hesitate to contact my colleague Eithne FitzGerald (eithnefitzgerald@deloitte.co.uk / 0161 455 6963) if you have any questions or require any further information.

Yours sincerely

A handwritten signature in black ink that reads "Deloitte LLP". The signature is written in a cursive, flowing style.

Deloitte LLP

Appendix B – Drawing Schedule

The following table provides a list of updated plans.

Drawing Name	Drawing Reference	Original Application	NMA Revision
Ground floor plan (residential amenity)	D480-TGA-XX-00-DR-A-0300	Rev P4	Rev P5
Top Bay Elevation (window details)	D480-TGA-XX-00-DR-A-2101	Rev P2	Rev P3
1 st Floor layout plan	D480-TGA-XX-01-DR-A-0301	Rev P4	Rev P5
Roof layout (plant room)	D480-TGA-XX-13-DR-A-0313	Rev P3	Rev P4
Site Plan	D480-TGA-XX-XX-DR-A-0201	Rev P1	Rev P2
Section AA Elevation	D480-TGA-XX-XX-DR-A-0401	Rev P2	Rev P3
Section BB & CC Elevation	D480-TGA-XX-XX-DR-A-0402	Rev P2	Rev P3
Section DD Elevation	D480-TGA-XX-XX-DR-A-0403	Rev P2	Rev P3
Thompson Street Elevation	D480-TGA-XX-XX-DR-A-0501	Rev P2	Rev P3
Oldham Road and Rear Elevation	D480-TGA-XX-XX-DR-A-0502	Rev P2	Rev P3
Bendix Street Elevation	D480-TGA-XX-XX-DR-A-0503	Rev P2	Rev P3
3D Bay Sketch (window detail)	D480-TGA-XX-XX-DR-A-10000	Rev P2	Rev P5
3D Bay Sketch - Top and Bottom (window panel)	D480-TGA-XX-XX-DR-A-10001	Rev P1	Rev P4
Bay Study - Base & Middle (window panel)	D480-TGA-XX-XX-DR-A-2100	Rev P2	Rev P3