

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134385/NMC/2022

Date registered valid: 15 July 2022

Proposal: Non-material amendment to planning permission 123261/FO/2019 to reconfigure the internal layout of the development, including omitting residential from the DOT building and creating commercial floorspace with associated elevational alterations, together with alterations to the internal layout of the new build element and introduction of an initial phase of development with associated new planning conditions and alteration to the trigger in condition 6 (Ground Conditions) to allow demolition of existing buildings

Address: Land Bounded By Arundel Street, Ellesmere Street, The A57 (M) Inner Ring Road (Mancunian Way) And Worsley Street, Manchester

Ward(s): Hulme Ward

Applicant: Logik Developments (Arundel Street) Ltd C/o Agent

Agent (if any): Mrs Rachel Brown Deloitte LLP The Hanover Building, Corporation Street, Manchester, M4 4AH

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

Recommendation: Approve

Date of recommendation: 8 August 2022

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 site measures 0.5 hectares and is bounded by Arundel Street, Ellesmere Street, Worsley Street and the Inner Ring Road (IRR). It includes the 4 storey DOT building fronting Ellesmere Street and a single storey gym on Arundel Street. It is divided into two plots by Balmforth Street, an un-adopted highway. An area of green space at the top of Balmforth Street contains trees and the land rises, providing a buffer to the IRR.

The site is within the St George's area of the Hulme Ward and has a prominent position on the IRR. It is the city centre for planning and regeneration policy purpose within the core strategy. The area is part of a ribbon of land that links different parts of the regional centre including Salford quays and Trafford.

The regeneration and renewal has been a priority here for over 20 years. Its character is very different to more traditional areas of Hulme which is dominated by lower rise housing with some tower blocks. This area contains much larger city blocks defined by the larger buildings that once occupied the area but most recently has been defined by post-industrial blight.

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order:

Description of area

The immediate context is largely residential with ancillary commercial and leisure uses. Box Works, 6 storey, is to the north with Moho, 7 storey, and Base, 8 storey, to the west fronting Ellesmere Street and Arundel Street. Buildings within St George's Island on the opposite side of

the Bridgewater Canal are between 9 and 15 storeys. St George's Church, a grade II* listed building to the south, has been converted into apartments. The church is surrounded by a substantial former graveyard area and its gates and gate post are grade II listed.

The site is within the Castlefield Conservation Area and the following listed buildings are nearby: Church of St George (Grade II*); Churchyard walls, gate, piers and gates at Church of St George (Grade II); Former Canal Flour Mills (Grade II); Hulme Lock Branch Canal (Grade II); Castlefield railway Viaduct Manchester Central to Dawson Street (Grade II); Rochdale Canal lock number 92 and Castle Street Bridge (Grade II); Merchants warehouse (Grade II); Middle Warehouse at former Castlefield goods yard (Grade II); Bridgewater canal offices (Grade II); 215-219 Chester Road (Grade II); Former Campfield Market Hall (Grade II); Former LNWR goods transfer shed (Grade II); and Former Liverpool Road station goods warehouse (Grade II).

The area has excellent links to public transport and pedestrian and cycle links to a wide range of shops, amenities and leisure facilities. The Bridgewater Canal towpath is immediately to the north and Deansgate/Castlefield transport interchange and the Cornbrook tram stop are within walking distance.

Description of development

Non-material amendment to planning permission 123261/FO/2019 to reconfigure the internal layout of the development, including omitting residential from the DOT building and creating commercial floorspace with associated elevational alterations, together with alterations to the internal layout of the new build element and introduction of an initial phase of development with associated new planning conditions and alteration to the trigger in condition 6 (Ground Conditions) to allow demolition of existing buildings

Consultations & Notification Responses

N/A

Issues

Proposed Amendments

The amendments can be summarised as follows:

DOT Building

- Residential use is now omitted from the DOT building and all floors will be used as commercial space. This is reflected on the layout plans with associated amendments to allow appropriate servicing requirements.
- Associated non-material amendment to the building façade.

New Build

- Increase in social/amenity space through the re-configuration of units on level 8, level 9, level 11 and level 22.
- Integration of the 12 units previously proposed to be located within the DOT into the new build retaining the overall consented number of units, 355. This has been achieved by amending the overall width of each unit, combined with adjustments to the cores and the integration of service cupboards into the apartment layouts. In the approved scheme, the service cupboards were accessed from the communal corridors. Their incorporation into

the apartments has enables the space to be more efficiently utilised to accommodate washing machines as well as the required building services. The amended layouts remain compliant with the criteria of the National Space Standards as defined in the Manchester City Council Residential Quality Guidance. Activity zones within the habitable rooms remain compliant with the London Housing Design Guide.

- Adjustments to the facade modules to suit the revised general arrangement within.
- Adjustments to Level 0 general arrangement to accommodate revised plant and refuse and cycle storage - to suit revised residential accommodation within Buildings 1 and 2 but retaining approved car parking provision (31 spaces) and compliant cycle and refuse storage provision;
- Provision of building management support spaces at ground level
- Adjustments to the cores and common circulation - to suit a revised functional brief and current Building Regulations.
- Adjustments to the roof layouts and lift overrun heights - to suit adjustments to cores and common areas below.
- Amendment condition 6 to allow the demolition of the buildings to allow additional site investigations to take place;
- Introduce a phasing condition into the planning permission.

The changes are considered to be of a non material nature to allow a viable development to be delivered and to allow phasing works to commence.

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 reconfigure the internal layout of the development, including omitting residential from the DOT building and creating commercial floorspace with associated elevational alterations, together with alterations to the internal layout of the new build element and introduction of an initial phase of development with associated new planning conditions.

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.

2) The development hereby approved shall be carried out in accordance with the following additional drawings:

10090-1903-A-G100-P-100 REV P1, 10090-1903-A-G200-E-101 Rev P2, 10090-1903-A-G200-E-102 Rev P2, 10090-1903-A-G200-E-103 Rev P2, 10090-1903-A-G200-E-104 Rev P2, 10090-1903-A-G200-E-151 Rev P2, 10090-1903-A-G200-P-100 Rev P2, 10090-1903-A-G200-P-101 Rev P2, 10090-1903-A-G200-P-102 Rev P2, 10090-1903-A-G200-P-103 Rev P1, 10090-1903-A-G200-P-104 Rev P2, 10090-1903-A-G200-P-105 Rev P2, 10090-1903-A-G200-P-108 Rev P2, 10090-1903-A-G200-P-109 Rev P2, 10090-1903-A-G200-P-110 Rev P2, 10090-1903-A-G200-P-111 Rev P2, 10090-1903-A-G200-P-112 Rev P2, 10090-1903-A-G200-P-113 Rev P2, 10090-1903-A-G200-P-120 Rev P1, 10090-1903-A-G200-P-121 Rev P1, 10090-1903-A-G200-P-122 Rev P2, 10090-1903-A-G200-P-140 Rev P2, 10090-1903-A-G200-P-161 Rev P2, 10090-1903-A-G200-P-162 Rev P2, 10090-1903-A-G200-P-163 Rev P2, 10090-1903-A-G200-P-164 Rev P2, 10090-1903-A-G200-P-165 Rev P2, 10090-1903-A-G200-S-101 Rev P2, 10090-1903-A-G200-S-102 Rev P02, 10090-1903-A-G200-S-103 Rev P2, 10090-1903-A-G200-S-104 Rev P2, 10090-1903-A-G200-S-111 Rev P2, 10090-1903-A-G200-S-112 Rev P2, 10090-1903-A-G251-D-181 Rev P2, 10090-1903-A-G251-D-182 Rev P2 and 10090-1903-A-G251-D-183 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022.

Phasing plan, ventilation strategy (REP-0405920-08-NN-20190312 REVD), Energy Strategy (REP-2323250-05-LR-20220316 REV02), Energy and Environmental Standards Statement (REP-2323250-05-LR-20220316-REV02) and waste management strategy (081100-CUR-XX-XX-T-TP-00001-P02) stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022.

Arundel Street – Phasing Plan 14 July 2022” stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022

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.

6) a) With the exception of demolition works, before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or

Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the residential element of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

12) The development hereby approved shall be carried out in accordance with the Environmental Standards and energy statement prepared by Hoare Lea statement stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

14) Notwithstanding the noise and vibration section of the ES stamped as received by the City Council, as Local Planning Authority, on the 8 April 2019, (a) prior to the first use of each commercial unit as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved scheme shall then be implemented and a post completion survey submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of each of the commercial units. The measures implemented shall be retained and maintained for as long as the development remains in use.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

17) Prior to the first use of the commercial units hereby approved, as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, the refuse arrangements and waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented prior to the first use of the each commercial unit and thereafter be retained and maintained in situ for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the commercial units of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

18) Prior to the first use of each of commercial units, as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial units pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

19) Prior to the first use of each of the commercial units as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

23) Prior to the first use of each commercial unit, as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for each respective unit and shall thereafter be retained and maintained.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

25) The commercial units as shown on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, shall remain as separate units and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

26) The commercial units, as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, can be occupied as A1 (with the exception of convenience retail), A2, B1, D1 (with the exception of a place of worship) and D2. The first use of the each commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

32) Prior to the first occupation of the residential building element, the provision of 361 cycle spaces, as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, shall be implemented prior to the first occupation of the residential element of each phase of the development hereby approved and retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

33) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

39) Prior to the first occupation of the development details of the provision of 4 electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority, within the car parking area as shown on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022. The approved details shall be implemented prior to the first occupation of the development and thereafter made available and retained for as long as the development is in use.

Reason - In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).

43) The phasing of the development shall be carried out in accordance with the "Arundel Street – Phasing Plan 14 July 2022" stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022 and shall be herein have the following meanings:

- Phase 1 – Enabling and permanent drainage and hardstanding works (August 2022); and
- Phase 2 – Remaining works to completion of the development (October 2023 to June 2026)

Reason - The development is to be carried out on a phased basis and details must therefore be agreed in this regard to ensure that a comprehensive development provided at this site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

44) No development associated with Phase 2 shall commence until a contract for the construction and completion of the development has been let and appropriate evidence has been submitted for approval in writing by the City Council, as Local Planning Authority. The contract for construction and completion of the development "Phase 2" must be let no later than the 31 October 2023.

Reason – To allow sufficient time to let the contract for the phase 2 of the development pursuant to policy SP1 of the Manchester Core Strategy (2012).

45) Should the contract for construction and completion of the development not be let by 31 October 2023, then all development activities on the site, associated with phase 1, shall cease and no further development shall be permitted by this planning permission.

Reason – To require the development activities to cease should the contract for phase 2 not be let pursuant to policy SP1 of the Manchester Core Strategy (2012).

46) In the event that phase 2 development does not commence in line with condition 44, and development activity is required to cease in line with condition 45, prior to the 31 October 2023, a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority, for the restoration, landscaping and maintenance of the land. The scheme shall be implemented within three month of approval and thereafter retained and maintained in accordance with this scheme.

Reason - To ensure that the land is reinstated to an appropriate standard in the interest of visual amenity of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

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

Area Team Boundary - Name: CENTRAL