

27 September 2022

Planning Department
Manchester City Council
Town Hall
Albert Square
Manchester
M60 2LA

FAO Jennifer Atkinson

Dear Jennifer

Eliza Yard, Manchester

Application for a Non-Material Amendment - Planning Permission Ref: 130354/FO/2021.

Please find enclosed an application for a Non-Material Amendment (NMA) to Planning Permission ref: 130354/FO/2021 (approved 30 July 2021), in accordance with Section 96(a) of the Town and Country Planning Act 1990 (as amended). The Planning Permission relates to the erection of an 8-storey residential-led development in Ancoats, known as Eliza Yard. The applicant is Manchester Life Development Company 2.

The Site comprises 0.24ha of brownfield land and is bound by Poland Street to the west and Jersey Street to the south, the City Court Trading Estate to the north, and a surface car park to the east.

For completeness, the description of development for Planning Permission ref 130354/FO/2021 is:

'Erection of an 8 storey building to form 118 residential apartments (Use Class C3) and ground floor commercial floorspace (Use Class E (a),(c),(g)(i)) (583 sqm) together with amenity space, car and cycle parking provision, hard and soft landscaping, access, servicing and other associated works'.

Proposed Amendments

The following proposed amendments are a result of the detailed design development process, and consideration of construction sequencing. The proposed amendments as set out below, do not alter the form of the development approved. It has been concluded that the changes will not materially alter the originally approved scheme and are therefore considered to be non-material to its determination.

Final details for the corner of the building at Jersey Street and the redundant canal arm

An addendum to the Poland Street Zone NDF was endorsed at Manchester City Council's Executive on 16 March 2022. The addendum provides a strategy for the public realm in the area and is intended to guide the design of public realm across the neighbourhood. Following this an application for the demolition of

the Jersey Street bridge and associated works required to facilitate the re-grading of the road and public realm was submitted by Manchester City Council in April 2022 (planning application ref. 133406/VO/2022). The details of this application have enabled the Eliza Yard design team to undertake further design work to provide the final details for the corner of the building at Jersey Street and the redundant canal arm. To allow the Eliza Yard permission to reflect the further design work that has been undertaken, this application seeks to amend the approved drawings listed in Condition 2 to reference the updated detailed design drawings.

Programme for providing full details and samples of all external materials

Now that a more detailed construction programme is in place, it is considered that it will not be possible to provide full details and samples of all external materials prior to commencing enabling works. To allow progression in line with this construction programme, this application seeks to amend the trigger points of Condition 9 to allow the commencement of the enabling works, foundations and ground floor slab works prior to the full sign off of the external materials.

A sample panel drawing (drawing ref. 9033-BA-XX-XX-DR-A-(21)000-T5) has been prepared by Buttress outlining the materials and details which will be included within the sample panel. This was agreed with MCC as being acceptable as part of the pre-application discussions.

Environmental Standards and Energy Statement

In late 2019, Manchester Life commissioned Buro Happold to conduct a study of their Phase 1 buildings' energy usage in the context of current and future legislation. At that time, the legislative benchmark was a 9% improvement on Part L 2013 and the best estimate of future legislation was a 31% improvement on Part L based upon the MHCLG consultation paper released in September 2019.

Up until that point Manchester Life's design philosophy had been one of ensuring a well-insulated façade and keeping each apartment's heating and hot water systems electrically powered and independent of one another. The study showed that the Manchester Life buildings performed as designed, meeting the 9% improvement on Part L 2013.

Manchester Life's approach in early 2020 was to anticipate a 31% improvement on part L 2013 based on the 2019 consultation document and mandate this as the performance specification for the Phase 3 buildings regardless of the timeline for the implementation of the updates to Part L. This allowed the same servicing strategy to be adopted with an improvement to the u-values in the façade achieved by upgrading to triple glazing and the inclusion of energy generation via PV panels on the roof. This was the basis of the Eliza Yard design which received planning consent with plans submitted to Building Control in July 2021.

Since that time, the updated Part L has been published and the changes have not been as linear as originally anticipated. A 31% improvement on Part L 2013 has not been mandated and the carbon factors within the assessment software for Part L have been updated to reflect the de-carbonisation of the grid.

This, in conjunction with acute viability pressure on the scheme, has led Manchester Life to reconsider the approach to Part L for both Eliza Yard and Jersey Wharf. The proposal for both the schemes is to install double glazing rather than the originally anticipated triple glazing. This change still translates to a 23% improvement on Part L 2013 with an 'all electric' servicing strategy complemented by PV panels on the roof able to take advantage of the decarbonisation of the grid.

We still believe this will deliver a quality scheme which outperforms relevant legislation.

Consultation

The approved scheme was subject to a comprehensive process of pre-application public and stakeholder engagement, including engagement with Historic England, Greater Manchester Police, local businesses and residents, and local Ward Councillors. The proposals were also subject to statutory consultation during the determination period.

This application is submitted following pre-application consultation with the Local Planning Authority on 10 June 2022, when it was agreed with officers that the proposed changes proposed could be applied for via a Non-Material Amendment to the existing permission and the proposed amendments were agreed in principle.

Proposed Amended Condition Wording

This section sets out the relevant documents that are submitted in support of the variation of Conditions 2, 9 and 14.

Condition 2

Table 1.1 below identifies which drawings will be superseded by new drawings as a result of the proposed architectural amendments to the Jersey Street and redundant canal arm corner. The applicant requests that the wording of Condition 2 is updated to reflect the new drawing references in Table 1.1.

Table 1.1 – Plan References

Drawing Name	Approved Drawing	New Drawing Reference
Foundation General Arrangement	n/a	9033-CUR-XX-FN-DR-S-(04)000 Rev T04
Ground Floor General Arrangement	n/a	9033-CUR-XX-GF-DR-S-(04)001 Rev T03
Ground Floor Proposed	9033-BA-XX-00-DR-A-(04)000 Rev P0	9033-BA-XX-00-DR-A-(04)000 Rev T6
Street Elevations	9033-BA-XX-XX-DR-A-(05)003 Rev P0	9033-BA-XX-XX-DR-A-(05)003 Rev T4
Bay Studies	9033-BA-XX-XX-DR-A-(05)010 Rev P0	9033-BA-XX-XX-DR-A-(05)010 Rev T2

Condition 9

On the decision notice Condition 9 is currently worded as follows:

“Prior to the commencement 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. 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.”

The Applicant requests Condition 9 is reworded as suggested below:

“Prior to the commencement of any above ground floor slab 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 in accordance with drawing ref. 9033-BA-XX-XX-DR-A-(21)000-T5) 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.”

Condition 14

On the decision notice, Condition 14 is currently worded as follows:

“The development hereby approved shall be carried out in accordance with the Environmental Standards and Energy Statement by Buro Happold, Sustainability Statement by MLDC/ Buro Happold stamped as received by the City Council, as Local Planning Authority, on the 11 May 2021. A post construction review certificate/statement for the development shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.”

The applicant proposes Condition 14 is reworded as suggested below:

“The development hereby approved shall be carried out in accordance with the Environmental Standards and Energy Statement by Buro Happold, Sustainability Statement by MLDC/ Buro Happold stamped as received by the City Council, as Local Planning Authority, on September 2022. A post construction review certificate/statement for the development shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.”

Application Documentation

The Application is supported by:

- Application Form;
- Foundation General Arrangement Drawing (drawing ref: 9033-CUR-XX-FN-DR-S-(04)000 Rev T04) prepared by Curtins;
- Ground Floor General Arrangement Drawing (drawing ref: 9033-CUR-XX-GF-DR-S-(04)001 Rev T03) prepared by Curtins;

- Ground Floor Proposed Drawing (drawing ref: 9033-BA-XX-00-DR-A-(04)000 Rev T6) prepared by Buttress;
- Street Elevations Drawing (drawing ref: 9033-BA-XX-XX-DR-A-(05)003 Rev T4) prepared by Buttress;
- Bay Studies Drawing (drawing ref: 9033-BA-XX-XX-DR-A-(05)010 Rev T2) prepared by Buttress;
- Sample Panel Drawing (drawing ref: 9033-BA-XX-XX-DR-A-(21)000-T5) prepared by Buttress;
- Environmental Standards and Energy Statement document prepared by Buro Happold (dated May 2022); and,
- Overheating and Performance Review Design Note prepared by Buro Happold (dated May 2022).

Summary

The Site is bound by Poland Street to the west, Jersey Street to the south, the City Court Trading Estate to the north, and a surface car park to the east. Planning permission was granted on the Site on 30 July 2021 (planning permission ref. 130354/FO/2021) for the erection of an 8-storey building comprising 118 residential units, ground floor commercial floorspace, two disabled car parking spaces, cycle parking provision, and ancillary amenity space.

The development proposed in this application is substantively unchanged from the approved development on site. It incorporates a number of amendments which have been agreed with the Planning Authority as being Non-Material Amendments to the determination of the original permission. The proposed amendments to the planning application will have no effect on the siting and density of the planning permission nor will it impact on the residential unit mix and quantum.

The development is therefore wholly compliant with the policies of the Development Plan and there are no material considerations which would justify the refusal of the application. We therefore respectfully request that this application be supported by the Planning Authority.

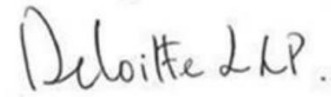
Application Submission

In addition to the supporting information set out in this letter, a Non-Material Amendment Application Form has been submitted via the Planning Portal to formalise this Application (PP-11522614). Based on the information provided, these conditions merit variation by Manchester City Council.

A fee has been paid to Manchester City Council for £266.20, in addition to any administrative fees by the Planning Portal, in respect of the requisite application fee. We trust you will find this application in order and we look forward to receiving written confirmation of its registration.

If you require any further details please do not hesitate to contact myself or my colleague Frances Hampson on 0161 455 6766 (fhampson@deloitte.co.uk).

Yours faithfully

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

Deloitte LLP