

Our ref: Q220358/hr
Your ref: 121380/FO/2018
Email: Helen.rodger@quod.com
Date: 5th October 2022



Jenifer Atkinson
Planning
Manchester City Council
PO Box 532
Manchester
M60 2LA

By Planning Portal: PP-11591785

Dear Ms Atkinson,

Town and Country Planning Act 1980 (as amended)
Non-Material Amendment Pursuant to Planning Permission Reference
121380/FO/2018
Swan House, Swan Street, Manchester M4 5DF

Please find enclosed a non-material amendment (NMA) application on behalf of Ridge Manchester s.a.r.l (the “Applicant”) pursuant to planning permission 121380/FO/2018 (the “Consent”) at Swan House, Swan Street, Manchester (the “Site”).

The Consent was approved on 24th October 2019 and the development commenced in February 2021 following the discharge of pre-commencement conditions. This NMA seeks to amend the approved plans listed under condition 2 of the Consent.

In addition to this cover letter, the application comprises the following submission documents:

- NMA application form
- Drawing Schedule
- Design Report of the non-material amendments
- Site Location Plan
- Consented planning drawings (for information) (see drawing schedule for full list)
- Proposed planning drawings (see drawing schedule for full list)

The application has been submitted via the Planning Portal (reference: PP-11591785). An online payment for £234 has been made via the Planning Portal, in accordance with the Town and Country Planning (Fee for Applications, Deemed Applications, Requests and Site Visits (England) Regulations 2012 (as amended)).



Proposed Amendments

The proposed amendments comprise modest changes to the design and internal layout, comprising:

1. Removal of refuse chute
2. Minor amendments to overall façade including:
 - a. Brick pier setting out
 - b. Opening window locations
 - c. Back painted glass locations
 - d. Green wall height clarification
 - e. Roof enclosure reduced in width
 - f. Alterations to substation at ground floor
 - g. Alteration to fire escape door
 - h. Glazed door replaced with glazing and louvered panel replaced with louvered door to retail unit
3. Updated curtain wall spandrel panel, with aluminium panel revised to a perforated finish.

Importantly, these modest changes do not materially affect the design established in the approved scheme. The enclosed design report sets in further detail the proposed amendments to each drawing.

The design changes have been discussed with Officers during pre-application meetings and email exchanges during 2021 to 2022. During these exchanges, Officers accepted the proposed changes and confirmed they were non-material and therefore could be addressed by way of a s96a application in an email dated 3rd August 2022. This is discussed in further detail below.

In addition to the above, it is noted that the decision notice for the Consent does not include revision numbers to the approved drawings. It is therefore proposed this is rectified, and condition 2 updated to include the correct revision numbers of the previously approved drawings received by MCC on the 20th December 2018. The drawing schedule submitted as part of this NMA includes the full list of previously approved drawings (with the revision numbers indicated) along with those drawing references which are proposed to be amended under this NMA application.

Removal of Refuse Chute

The amendments seek the removal of the two refuse chutes (one in each tower), with residents delivering waste to the refuse store on the mezzanine level. This solution results in a small number of properties falling marginally short of the Building Regulations requirements for waste storage areas to be no more than a 30m distance. This change has been accepted by the Planning Officer, Environmental Health Officers (EHO) and the approved Building Regulations Inspector, noting only a



small number of properties are affected. It was confirmed this change can be addressed by way of an NMA application (email dated 11th May 2021).

Minor Amendments to Overall Façade

Several negligible amendments are proposed to the façade including brick pier setting out; opening windows; back painted glass; the green wall height increase; inclusion of a fire escape door; and glazed door and louvered panel replacements. These changes were shared with and accepted by Officers during a meeting on 8th December 2021.

The amendments include the provision of openable windows and back painted glass on to the general arrangement elevations. This is required for consistency with the approved detailed elevation drawings where these details are shown. In addition, the green wall height on the south elevation has been updated to match the height required by the wind report submitted with the Consent.

A reduction in the roof enclosure is proposed, as shown in the east and west elevations, with the full extent shown on the approved plans no longer required.

At ground floor level, two brick piers have been removed to enable the substation design to be integrated, with precast piers provided in replacement, with a central brick pier located between the substation double doors. This design change has evolved in response to feedback received from MCC Officers with the solution proposed considered suitable and agreed was non-material (email dated 5th April 2022).

Spandrel Panel

Finally, the finish to the aluminium spandrel panel has been revised to a perforated finish, concealing the ventilation slots. This change has evolved following discussions with MCC Officers and agreed to be addressed via a non-material amendment (email dated 4th August 2022).

Non-Material Amendment

Section 96a of the Town and Country Planning Act 1990 (as amended) allows local planning authorities to approve non-material amendments (NMAs) to approved developments. Guidance is provided within the National Planning Practice Guidance (NPPG) which deals with 'Flexible Options for Planning Permissions'.

What is deemed to be 'non-material' is a matter of judgment, determined on a matter of "fact and degree" and in the context of the specifics of the proposal (NPPG Paragraph: 002 Reference ID: 17a-002-20140306). It is a judgment that is to be exercised by the local planning authority.

Key Planning Considerations

The following provides a review of the proposed changes against the key planning considerations and demonstrates that the scheme does not materially differ from the extant consent.



In terms of design and appearance, minor changes are proposed to the elevations. The majority of these changes, being reduction to rooftop enclosure; brick pier setting out; opening windows; back painted glass; the green wall height increases; inclusion of fire escape door; and glazed door and louvered panel replacements, are considered to be negligible to the design and appearance of the proposals, particularly when considered in the context of the wider development.

Indeed, some of these amendments are required to ensure consistency with the approved drawings and wind report and can only be considered as non-material.

The remaining modest changes to the elevations, as demonstrated in the accompanying plans, continue to ensure the design established in the extant scheme remains unaffected. The scheme will continue to deliver a high-quality development. The changes are therefore not material in terms of design.

There are no other changes proposed which would affect any other key planning considerations of the Consent.

Summary

It has been demonstrated and agreed through pre-application discussions, that the proposed design amendments are non-material in the context of the consented development.

In combination the amendments do not represent a material alteration to the scheme, and in conclusion:

- the amendments are non-material in the context of the wider development
- the amendments they do not impact or change the principle of development or description of development
- the amendments do not give rise to new material considerations or materially change the conclusions of the key planning considerations
- the proposals continue to accord with relevant policies in the Development Plan, NPPF and other guidance.

An application for non-material amendments under S96a is therefore sought.

I trust that the enclosed is to your satisfaction and look forward to confirmation of receipt and validation of the application at the earliest opportunity. In the meantime, should you have any queries please do not hesitate to contact me.

Yours sincerely



Helen Rodger
Senior Planner

enc.

cc. Richard Cunliffe
Helen Trott

RG Group
Simpson Haugh Architects