

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134743/NMC/2022

Date registered valid: 19 August 2022

Proposal: Non Material Amendment application to amend wording of Conditions 25 (sustainability strategy) and 78 (lighting) attached to application ref no 132255/JO/2021 to confirm agreed details and amend trigger point for submission of details

Address: Mayfield , Baring Street, Manchester

Ward(s): Piccadilly Ward

Applicant: Mayfield Development (General Partner) Ltd 11 Baring Street , Gatehouse, Manchester, M1 2PY

Agent (if any): Mr Michael Percival Deloitte LLP Hanover Building, Floor 2, Corporation Street, Manchester, M4 3AN

Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 August 2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: N/A

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application lies within an area of 5.41 ha bounded by the Depot, Hoyle Street, the Mancunian Way and Baring Street. The boundary extends to the London Road junction with Baring Street to include road improvements. The sites are identified within the Mayfield SRF as the Park and the Baring Street Campus.

The site is not within a Conservation Area and has no listed buildings but the depot is a non-designated heritage asset. The nearest listed buildings are the Star and Garter Public House and Piccadilly Station (both Grade II) and London Road Fire Station (Grade II*).

Description of area

The former railway arches on Temperance Street are occupied by workshops, storage spaces and meanwhile uses. Much of the rest of the area has low rise warehouse and industrial units, open land and car parking. The River Medlock is culverted in parts with is self-seeded, self-established planting in the River, mostly growing out of river walls and some invasive species such as Japanese knotweed.

To the west is the Macdonald Hotel and purpose built student accommodation and the area forms an important link to the North Campus.

Description of development

The consent has been implemented and the approved Park delivered in full. The Multi Storey Car Park and Office Building are due to start on site next year.

The application is for Non Material Amendment to amend wording of Conditions 25 (sustainability strategy) and 78 (lighting) attached to application ref no 132255/JO/2021 to confirm agreed details and amend trigger point for submission of de

Consultations & Notification Responses

None

Issues

Condition 25, as per permission ref. 132255/JO/2021, is worded follows:

“Prior to first occupation a Sustainability Strategy shall be submitted and agreed in writing by Manchester City Council. This will detail how Mayfield will maximise the social, environmental and economic benefits for the City of Manchester, with reference to the Phase 1 Sustainability

Statement (Application 1) 27 September 2019 as a reference document. This will include a reporting mechanism back to the City Council. The strategy should also consider how Mayfield can:

- ☐ Remove health inequalities and enable more healthy lifestyles;
- ☐ Align with the Play Strategy with Manchester Joint Health & Wellbeing Strategy;and
- ☐ Local Labour or Recruitment Plan which outlines the immediate and future staffing of the approved end use”

Via s96A of the Town and Country Planning Act, it is proposed that Condition 25 be amended to read as follows:

Prior to commencement of either (a) the multi-storey car park (Plot N) or (b) the Office Building (Plot O) identified in Condition 3 (phasing), a Sustainability Strategy shall be submitted and agreed in writing by Manchester City Council. This will detail how Mayfield will maximise the social, environmental and economic benefits for the City of Manchester, with reference to the Phase 1 Sustainability Statement (Application 1) 27 September 2019 as a reference document. This will include a reporting mechanism back to the City Council. The strategy should also consider how Mayfield can:

- ☐ Remove health inequalities and enable more healthy lifestyles;
- ☐ Align with the Play Strategy with Manchester Joint Health & Wellbeing Strategy;and
- ☐ Local Labour or Recruitment Plan which outlines the immediate and future staffing of the approved end use”

Condition 78 – Lighting Details

Condition 78, as per permission ref. 132255/JO/2021, is currently worded follows:

Prior to any Phase H (as detailed in condition 3 above) commencing a lighting design strategy for external lighting shall be submitted to and approved in writing by the LPA. The strategy shall: (a) show how and where street lighting will be installed and through appropriate lighting contour plans demonstrated clearly that any impacts on the River Medlock for bats is negligible; and (b) Specify frequency and duration of use.

All external lighting shall be installed and operated in accordance with agreed specifications and locations set out in the strategy

Via s96A of the Town and Country Planning Act, it is proposed that Condition 78 be amended to read as follows:

“All external lighting shall be installed and operated as part of Phase H in accordance with agreed specifications and locations set out in MAY101-WSL-EXT-FRA-DC-7000-0001, MAY101-WSL-EXT-FRA-DC-7000-0003, MAY101-WSL-EXT-FRA-DC-7060-0001 and MAY101-WSL-EXT-FRA-DC-7060-0002. All external lighting shall be installed and operated in accordance with agreed specifications and locations set out in the approved strategy.”
This ensures that the condition wording for Condition 78 is consistent with the approved details for Phases F, H and I as set out in Conditions 73, 80, and 84, which have confirmed approval of lighting details

The proposed changes would have no material impact upon the previously approved scheme and the works would not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

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: Approve

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

2) Reason 2: The re-wording of conditions 25 and 78 is acceptable for the following reasons:

Condition 25 : The original condition was worded on the basis that the buildings would be delivered simultaneously with the 1st phases of the Park the amendments relate to altering the trigger point for the submission of a sustainability strategy prior to the building plots commencing at which point more details of this will have been finalised.

Condition 78: The decision notice issued for 132255/JO/2021 approves lighting details for conditions 73, 80, and 84 but condition 78 was omitted and approved details should also have been included.

25) Prior to commencement of either (a) the multi-storey car park (Plot N) or (b) the Office Building (Plot O) identified in Condition 3 (phasing), a Sustainability Strategy shall be submitted and agreed in writing by Manchester City Council. This will detail how Mayfield will maximise the social, environmental and economic benefits for the City of Manchester, with reference to the Phase 1 Sustainability Statement (Application 1) 27 September 2019 as a reference document.

This will include a reporting mechanism back to the City Council. The strategy should also consider how Mayfield can:

- *Remove health inequalities and enable more healthy lifestyles;
- * Align with the Play Strategy with Manchester Joint Health & Wellbeing Strategy;and
- * Local Labour or Recruitment Plan which outlines the immediate and future staffing of the approved end use

Reason: Pursuant to Core Strategy Policies SP1, DM1, CC1, CC8, CC10, EN1, EN4, EN6, EN8 and EC1

78) All external lighting shall be installed and operated as part of Phase H in accordance with agreed specifications and locations set out in MAY101-WSL-EXT-FRA-DC-7000-0001, MAY101-WSL-EXT-FRA-DC-7000-0003, MAY101-WSL-EXT-FRA-DC-7060-0001 and MAY101-WSL-EXT-FRA-DC-7060-0002. All external lighting shall be installed and operated in accordance with agreed specifications and locations set out in the approved strategy.

Reason

In the interests of the protection of bat roosts and associated foraging and commuting areas pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1

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

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

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Flood Zones Type 3 (high risk) -

Flood Zones Type 3 (high risk) -

Flood Zones Type 3 (high risk) -

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: CENTRAL

Area Team Boundary - Name: NORTH AREA