

15 September 2022

Delivered via Planning Portal

Jennifer Atkinson
Manchester City Council
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Town Hall, Albert Square
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M60 2LA

Dear Jennifer

**NMA APPLICATION PURSUANT TO PLANNING PERMISSION 124472/FO/2019, KINCARDINE COURT,
KINCARDINE ROAD, MANCHESTER, M13 9JA**

On behalf of our client, Unite Students ("the applicant"), I am pleased to enclose an application for a non-material amendment¹ to planning permission 124472/FO/2019 for proposed limited changes to the layout and elevations at Kincardine Court, Manchester.

The application has been submitted via the Planning Portal (ref. PP-11393445) and comprises electronic copies of the following information:

- This Covering Letter
- Completed Application Forms
- Updated Architectural Plans, prepared by Hadfield Cawkwell Davidson, as listed at **Appendix 1** of this letter
- Ventilation Louvres Design Note, prepared by Hadfield Cawkwell Davidson
- Site Location Plan (dwg. ref 2017-044-HCD-ZZ-ZZ-DR-A-PL-000 Rev P02), prepared by Hadfield Cawkwell Davidson

The requisite application fee of £234.00 has been paid via the Planning Portal.

Background

Full planning permission was granted by Manchester City Council ('MCC') on 06 December 2019 for the redevelopment of Kincardine Court (LPA ref. 124472/FO/2019) ("Kincardine Court Planning Permission"). The full wording of the approved development is as follows:

¹ Made under Section 96a of the Town and Country Planning Act 1990 (as amended)

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Erection of a part 4, part 5, part 6 storey extension to existing student accommodation building to form 25 additional student flats (comprising 100 bedrooms) (Use Class Sui Generis) to form 86 student flats in total (329 bedrooms) following removal, modification and reconfiguration of existing car parking, landscaping and boundary treatment together with the erection of a single storey water tank

Since the permission was granted, the proposed development has been subject to a Non-Material Amendment application (LPA ref. 130919/NMC/2021), which altered the internal layout to include a reduction in the number of bedrooms from 100 to 92. This application was approved in July 2021. Following this, a number of Conditions have been discharged via three Discharge of Conditions applications (LPA ref. CDN/21/0513) (LPA ref. CDN/21/0976) (LPA ref. CDN/22/0561).

At present, there are two live Discharge of Condition applications (LPA ref. CDN/22/0422) (LPA ref. CDN/22/0526). These applications are proposing to discharge conditions 9, 10, 15, 18a, 19, 23, 24, 27 and 28, and 5b, 11, 12(a) and 21(a), respectively.

Proposed Changes

Since planning permission was granted in December 2019 and subsequently amended July 2021, the scheme has undergone a detailed design process. The general principles of the development, such as footprint and height, remain as approved. Most notably, the amendments allow the development to be managed efficiently, facilitate effective use of the ventilation system and enhance the overall design quality of the scheme. Many of the proposed changes to the scheme are internal and as such do not require planning consent. The amendments to the scheme that do require planning consent relate to changes to the layout on a number of a floors and elevational changes across the development. Following conversation these changes are discussed further below.

Changes to the Layout

- Ground Floor: revised courtyard landscape proposal, revised common area, revised position of water tank building, revised door position and handling of storeroom and smoke shaft.
- Level 1 – Level 3: revised door position and handling of storeroom and smoke shaft.
- Level 4: Addition of 3 roof access doors, revised door position and handling of storeroom and smoke shaft.
- Level 5: Addition of 2 louvre banks to the walls of the external plant well, revised position of roof access ladder, revised door position and handling of storeroom and smoke shaft.
- Level 6: Revised position of roof access ladder and hatch, revised position of both corridor and stair smoke vents.

Elevational Changes

- Revised finish to all ground floor external doors.
- Feature cladding panel between projecting oriel windows omitted.
- Brickwork revised to cladding on 3x high level walls above the roof of the existing building.
- Addition of 3 roof access doors to flat roofs.
- Addition of 2 louvre banks to the walls of the external plant well.
- Rooftop smoke vents now shown on elevation.

Basis of Determination

National Planning Practice Guidance (NPPG) confirms that what constitutes a ‘non-material’ amendment will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another.

The Local Planning Authority must have regard to the effect of the change and be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

It is considered that the changes proposed are capable of being dealt with by way of a non-material amendment application – in that they do not change the scale, nature or extent of the approved scheme.

Evaluation of the Proposed Changes

Planning Policy Context and Appraisal

The following section seeks to outline the relevant adopted and emerging policy relevant to this non-material amendment application, which mainly relates to design and residential amenity. The relevant policy documents upon which these proposals will be assessed consists of:

- The Manchester Core Strategy
- Guide to Development in Manchester SPD (April 2017)
- National Planning Policy Framework (July 2021) (‘NPPF’)

Core Strategy Policy DM1 outlines key development management matters, to which all developments should demonstrate consideration as part of any planning application. The relevant matters include layout, scale, materials and appearance of the proposed development and effects on amenity.

Reference is made to the Guide to Development in Manchester SPD (April 2017) which recognises the importance of design in delivering sustainable development across the City and provides developers more detailed design related guidance. The NPPF recognises the importance of design and confirms that development should be visually attractive, sympathetic to local character, establish a strong sense of place and optimise the potential of the site, whilst creating places that are safe, inclusive, and accessible, and which promote health and well-being.

As demonstrated above and in the revised plans, the proposed development remains to be of an appropriate scale and height, with the proposed changes enhancing the overall design quality of Kincardine Court previously approved. These changes are required to enhance the efficiency and functioning of the building.

As such, it is considered that the proposed amendments accord with the Core Strategy Policy DM1, the Guide to Development in Manchester SPD and the relevant provisions of the NPPF.

Conclusion

The proposed amendment, as detailed above, does not change the scale nature and extent of the approved development nor does it alter the overall design quality of the scheme. The proposed amendments constitute non-material amendments to the approved scheme and are in accordance with relevant local and national policy.

I trust that you have sufficient information to register this application and look forward to receiving confirmation of receipt as soon as possible. However, if you have any queries or require any additional information, please do not hesitate to get in touch.

Yours sincerely

A handwritten signature in black ink, appearing to read 'W. Hannah'.

Will Hannah
Assistant Planner

will.hannah@turley.co.uk

Appendix 1: Submitted Architectural Plans

Approved Drawing / Document	Revised Drawing / Document
A-04-000 Rev P05	A-04-000 Rev P06
A-04-001 Rev P04	A-04-001 Rev P05
A-04-002 Rev P04	A-04-002 Rev P05
A-04-003 Rev P04	A-04-003 Rev P05
A-04-004 Rev P04	A-04-004 Rev P05
A-04-005 Rev P04	A-04-005 Rev P05
A-04-006 Rev P03	A-04-006 Rev P05
A-05-001 Rev P03	A-05-001 Rev P07
A-05-002 Rev P03	A-05-002 Rev P07