

Application Number/s: 134166/NMC/2022

Applicant: Muse Developments Ltd

Agent: Deloitte LLP

Location: New Victoria at Corporation Street, Manchester

Proposal: Non-Material Amendment

Ward: Deansgate

Description of Head Application

The application relates to development consented under planning permission 128667/JO/2020 - Variation of condition 2 (specified plans) attached to previously approved planning application 111777/FO/2016/C1 to allow for changes to the approved plans to include formation of a new enclosed amenity use bridge link between the two approved residential buildings at upper ground floor level only, together with roof top amenity space/terrace on top of new bridge link

Description of Non-Material Amendment

The application seeks to change the wording of Condition 5 (Public Art and Stone Coping) attached to the consent granted under 128667/JO/2020 from:

Notwithstanding the details submitted with the application, prior to the commencement of any landscaping works, details of the proposed public artwork and blue brick parapet and stone coping, as referred to in the Landscape Masterplan - Ground Floor and the Design and Access Statement, shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before the first phase of development (Residential Blocks 1 and 2) hereby approved is first occupied."

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to the Guide to Development and policy DM1 of the Core Strategy.

To:

Notwithstanding the details submitted with the application, prior to the occupation of the first phase of development (Residential Blocks 1 and 2), details of the proposed public artwork and blue brick parapet and stone coping, as referred to in the Landscape Masterplan - Ground Floor and the Design and Access Statement, shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before the first phase of development (Residential Blocks 1 and 2) hereby approved is first occupied

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to the Guide to Development and policy DM1 of the Core Strategy.

The Planning Submission

The application is supported by the following information:

- Application Form
- Location Plan
- Covering Letter

Publicity

None required

Consultations

None required

Policy

Town and Country Planning Act 1990

Section 96a of the Town and Country Planning Act allow for the power to make non-material changes to planning permission. An LPA may make a change to any planning permission following an application to the authority, relating to land in their area if they are satisfied that the change is not material.

In deciding whether a change is material, an LPA must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

The power includes removing or altering existing conditions.

Assessment

This application for a non-material amendment seeks to amend Condition 5, so that the trigger for submission of details pursuant to Condition 5 'Art Work and Stone Coping' is changed from when landscaping works commence to prior to occupation of Residential Blocks 1 and 2.

The LPA has considered this request and have found that the proposed alteration to the condition would not result in a material change or impact to the development proposed. The alteration would lead to the same outcome of development and still requires the applicant to provide the same level of detail, only at a different stage of the overall development timetable.

Conclusion

The requested alteration to Planning Condition 5 (Art Work and Stone Coping) is non-material in nature.