

16 June 2022

Planning Department
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

FAO James Hughes

Dear James

New Victoria, Manchester – Application for Non-Material Amendments to Planning Permission Ref: 128667/JO/2020 (as amended)

On behalf of our client, Muse Developments Ltd, we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 in order to make Non-Material Amendments (“NMA”) to Planning Permission 128667/JO/2020 (as amended).

Background

Planning permission was granted in September 2016 for two residential buildings containing 520 apartments and one office building comprising 11,647sq.m office accommodation, as well as ground floor commercial space, landscaping, car parking and other associated works (Ref: 111777/FO/2016/C1). This has been subject to a number of non-material amendments applied for under section 96A of the Town and Country Planning Act:

- 123146/NMC/2019 to allow for an amendment to the wording of condition 6 (approved 25 April 2019)
- 124931/NMC/2019: to allow for a revised wording to condition 7 (approved 26 September 2019)
- 126994/NMC/2020: to allow for a revision to some of the approved drawings and documents listed in condition 2 (approved 12 June 2020)

Planning permission ref: Ref: 111777/FO/2016/C1 was subsequently revised by application ref: 128667/JO/2020, approved on 19 March 2021 and applied for via s73 of the Town and Country Planning Act, allowing minor material amendments to the approved plans to introduce a new link bridge between the two residential buildings. The description of development for planning permission 128667/JO/2020 is as follows:

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“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.”

A subsequent non material amendment 131321/NMC/2021 was approved to allow for the installation of a concrete relieving slab underground and immediately above the River Irk culvert (approved 13 August 2021).

A more recent non-material amendment application (Ref: 132551/NMC/2021) was approved on 25 January 2022 to facilitate alterations to the external appearance of the lower ground floor and ground floor elevations of residential towers 1 and 2, and alterations to typical floor plans of towers 1 and 2 relating to purge panels and AOV windows to allow for smoke extract system.

The residential phase of the development is currently under construction.

The Site

The Site is located in the north east corner of Manchester City Centre and is bound by Corporation Street, Cheetham Hill Road Bridge and the recent extension to Victoria Station. The site area is approximately 1.14 hectares and has been previously used for surface level car parking.

Proposed Non-Material Amendments

Amendments are proposed to the wording of one condition on the permission for New Victoria to facilitate a competitive approach, as set out below, to the delivery of Public Artwork on the site.

Update to Public Artwork

Condition 5 on the permission requires details of the proposed public artwork and blue brick parapet and stone coping works to be submitted to MCC before the commencement of any landscaping works.

The project team has recently engaged with Arts and Performance Department from Manchester Metropolitan University (MMU), to propose an initiative whereby a MMU student is competitively selected to deliver the Public Artwork provision. The project team is attending MMU Undergraduate Degree Shows over 11th - 22nd June 2022, whereby a shortlist of students will be invited to submit artwork proposals in response to the Design Brief. The Design Brief has been developed in accordance with the various approved documents, namely the Design and Access Statement, Heritage Assessment and Archaeological Report. However, it has been noted that any artwork proposals will not be available for MCC to review until Q4 2022.

Alongside the above, the project team has also engaged with various local artists. This option will continue to be considered.

Given the programming of the landscaping works, and the timescales for any artwork proposals being available, we request the time trigger of the condition is updated. The updated time trigger will allow for the submission of details prior to the occupation of the first phase of the New Victoria Development. This will enable the landscaping works to commence whilst accommodating the above process and therefore ensuring compliance with the condition. The following condition wording is suggested:

*“5) Notwithstanding the details submitted with the application, **prior to the occupation of the first phase of development (Residential Blocks 1 and 2)** ~~(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.”*

Consultation

The approved scheme was subject to a comprehensive process of pre-application public and stakeholder engagement, including engagement with Historic England, Places Matter!, the Environment Agency, 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 17 May 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.

Planning Policy Framework

The Planning Policy Framework relevant to the proposed development has changed slightly since the approval of the original application for the mixed-use development in September 2016.

The key Development Plan documents remain the 2012 Manchester Core Strategy and Saved Policies of the 2006 Manchester Unitary Development Plan.

The National Planning Policy Framework (NPPF) forms a Material Consideration in the determination of this application. The National Planning Policy Framework (NPPF) was updated on 20 July 2021, but there have been no changes to the Framework which would affect consideration of the application.

Full consideration of the proposed development against the planning policy framework is considered within the original Planning and Tall Building Statement.

Summary

The Site is bound by Corporation Street, Cheetham Hill Road Bridge and the recent extension to Victoria Station. Planning permission was granted on the site on 29 September 2016 (Ref: 111777/FO/2016/C1) as amended by 128667/JO/2020, approved on 19 March 2021 for the erection of two residential buildings and one office building, with ground floor commercial space, lower ground level car parking, access and servicing arrangements, alterations to Corporation Street, new public realm and other associated works.

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 refusal of the application. We therefore respectfully request that this application be supported by the Planning Authority.

Application Submission

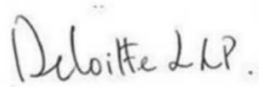
This application comprises this Covering Letter and the following documentation:

- Application Form

Payment of the planning application fee in the sum of £234 has been made to Manchester City Council via Planning Portal, under reference PP-11326657. I would be grateful if you could please confirm receipt of this fee.

We would be grateful if you could notify us of validation of the Application and please do not hesitate to contact my colleagues Rachel Poole (rpoole@deloitte.co.uk / 0161 455 6272) or Jemma Brabrook (jbrabrook@deloitte.co.uk / 0161 455 6903).

Yours sincerely

A handwritten signature in dark ink that reads "Deloitte LLP." The signature is written in a cursive, slightly stylized font.

For and on behalf of Deloitte LLP

Encl.