

Planning

Growth & Development

Delegated officer report for planning application

Application no. 145115/NMC/2026

Date registered valid: 4 February 2026

Proposal: Non-material amendment to Planning Permission 139987/FO/2024 to allow update of phasing plan, reprofiling of ground near blocks 2 and 3, reconfiguration of basement level to blocks 2, 3 and 4, reduction of floorspace to block 6 commercial unit, loss of 2no. PSBA units and minor elevational changes.

Address: Victoria Point, 44 Hathersage Road, Manchester,

Ward(s): Ardwick Ward

Applicant: Empiric Student Property / Unite Group

Agent (if any): Melissa Lee Turley

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **12th March 2026**

Application details

Type of application: Non-Material Change Application

Development type: Notifications

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: The site does not contain a listed building but the Grade II* Victoria Baths building is located adjacent to the site.

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site

The application site currently comprises of 6 buildings which range in height from 4 to 6 storeys together with car parking both on surface and in the basements of a number of the buildings together with areas of external landscaping and extends to 1.47 hectares in area. Within the 6 buildings there are currently 271 residential units containing 566 bed spaces in a mix of apartments ranging in size from 1 bedroom studios to 4 bed apartments. The site is accessed from Hathersage Road with Bax Road (a private unadopted road) providing access to all of the buildings on site and also provides an access to the rear service area and car parking associated with Victoria Baths which bounds the site. This is the only access into the site for pedestrians, cyclists and vehicles with boundary walls around the remainder of the site. The site is located within the Ardwick ward with Manchester Royal Infirmary to the west; and the northern boundary of Victoria Park conservation area is approximately 120 metres to the south of the Hathersage Road frontage of the site. The southern boundary of the City Centre and Regional Centre, as defined in the adopted Core Strategy, is located approximately 200 metres to the south-west of the Hathersage Road frontage of the site.

The site was originally developed following the granting of outline planning permission in December 2006 and reserved matters approval in September 2007 (see planning history section below). Upon completion of the development in 2009 it was occupied as student accommodation, and this was undertaken as permitted development at that time which was prior to the commencement of the Council's article 4 direction being in place in October 2011 which prevented the change of use from C3 dwellinghouses to C4 Houses in multiple

occupation without the benefit of planning permission. The use of the site as student accommodation was later confirmed through the granting of consent for works to the site in 2017.

To the north of the site are two-storey Victorian red brick terraced properties in residential use on Upper West Grove, with more contemporary post war two storey terraced properties on the site's eastern boundary. The site wraps around the northern and western boundaries of Victoria Baths a Grade II* Listed Building with its main frontage onto Hathersage Road and further substantial Victorian Villa buildings being located immediately to the east of Victoria Baths. Part two/part three storey Victorian red brick residential terraces are located on the southern side of Hathersage Road, with a larger 6 plus basement apartment block located to the south-west of the application site, and a larger office building known as 'Octagon House' being located to the western boundary of the site with large areas of hardstanding to the rear of this building, part of the site is used by the NHS for Renal services including dialysis. Further to the east of the application site and to the rear of Octagon House is a compound containing substantial electrical infrastructure which reflects the historic use of the site for both electricity and water utilities services from the 1920s through to their demolition in the early 2000s.

Description of development

Planning approval reference 139987/FO/2024 was granted on the 7th October 2025 for the redevelopment of the existing student accommodation buildings (6 in total) to include the phased demolition and extension of the existing buildings to a maximum height of 12 storey's to form Purpose Built Student Accommodation (876 bedspaces in total) (Use Class Sui Generis), including associated ancillary internal and external amenity space, ground floor community/commercial (Use Class E, F1 and F2), hard and soft landscaping and associated highway works.

The current application seeks to make a number of amendments to the planning permission through this non-material amendment application. The non-material amendments applied for are:

- update to phasing plan;
- reprofiling of ground within proximity of Blocks 2 and 3 and associated reconfiguration to basements including to Block 4;
- internal layout changes to accommodate redesign of building cores and fire escape routes;
- a reduction in floor area to commercial unit within Block 6;
- a reduction in 2 no. PBSA units; and,
- minor elevational changes to window openings and door positions.

Materiality

Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008) allows a local planning authority in England to make a change to any planning permission relating to land in its area if it is satisfied that the change is not material this includes alterations to conditions of an approval. In deciding whether a change is material, the authority must have regard to the effect of the change, together with any previous non-material changes, on the planning permission as originally granted.

Following an assessment of the amendments proposed it is considered that these are non-material in nature and are not considered to give rise to impacts on residential amenity and visual amenity. More detail on the consideration of the proposed amendments is set out below:

Update to phasing plan – An updated phasing plan has been provided to enable an early stage of enabling activities focused on access roads so this area is a distinguished area from the

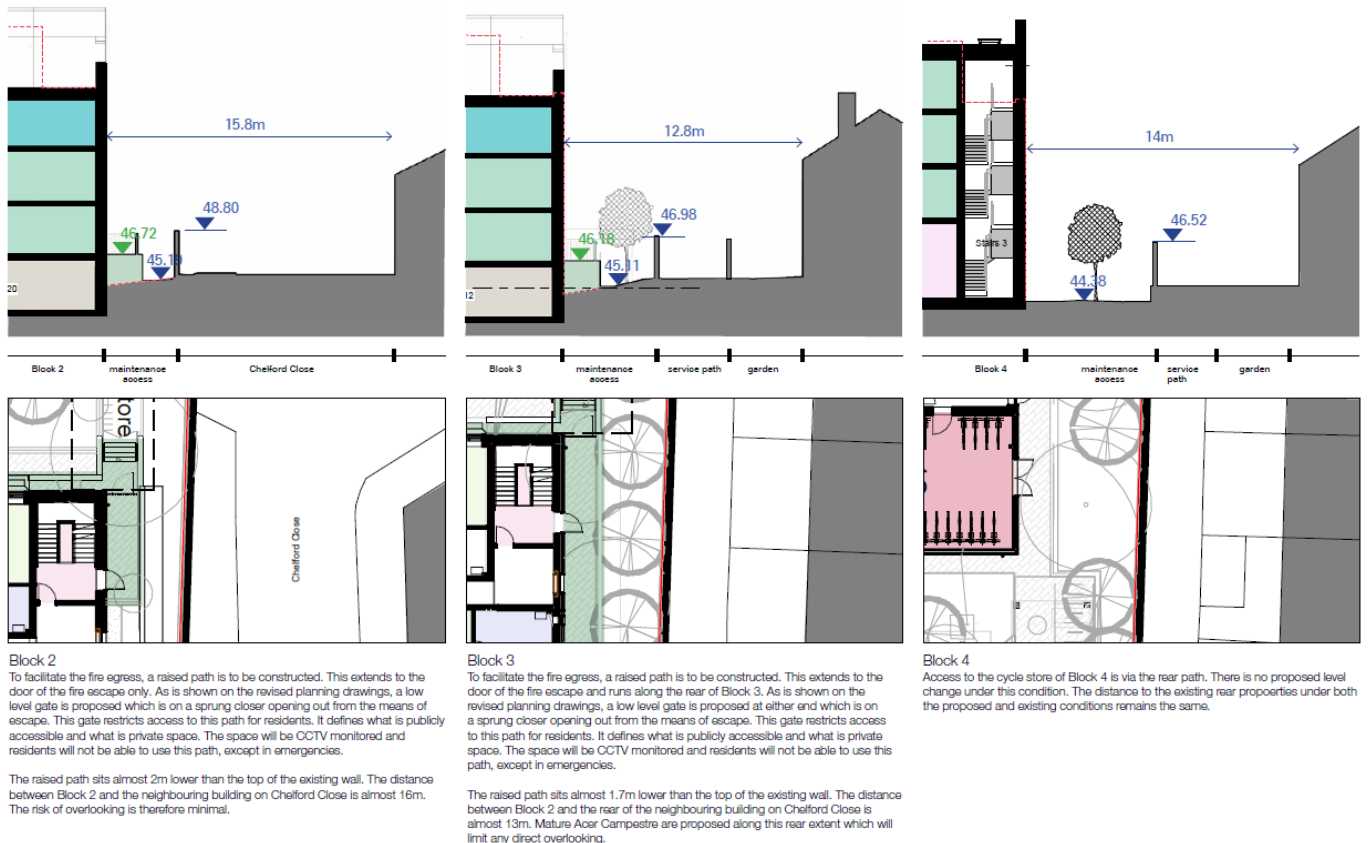
blocks. This is considered to be a non-material amendment in relation to the phasing of works on the site.

Reprofiling of ground within proximity of Blocks 2 and 3 and associated reconfiguration to basements including to Block 4 – These works would level out land around blocks 2 and 3 so semi-basements would become full basements. introduction of basement smoke vents to replace existing ventilation grills would sit flush to the re-levelled ground levels and would be accessible for maintenance only. The submitted information indicates that these works are not considered to give rise to increases in overlooking or loss of privacy to existing residential properties. It is noted that the access to the rear of the blocks would be for emergency access and maintenance only and would be secured via gates and railings from common access by residents. An additional condition is proposed to ensure these paths are only used for emergency or maintenance access purposes.

Below are some existing photos to show the existing condition, and in red the proposed adjustments.



Proposed Changes Rear Condition



Extract from the applicants supporting information

Internal layout changes to accommodate redesign of building cores and fire escape routes, a reduction in floor area to commercial unit within Block 6; a reduction in 2 no. PBSA units – As a result of design work related to complying with Fire Safety standards the internal layout of block 4 has been reconfigured through inclusion of secondary staircases resulting in the loss of 1 no. standard studio. The ground floor in block 5 and 6 has been updated to allow changes to the core again as a result of updates to the Fire Safety Standard resulting in a reduction of the commercial unit. These amendments relate to internal reconfiguration and are considered to be non-material in nature.

Minor elevational changes to window openings and door positions – All windows have been revised to allow the MVHR and purge vent to terminate above the window via a perforated metal grille. This has led to some amendments to the precast banding and soldier course moving upwards by 225mm.

The applicant has clarified that existing north facing windows to Blocks 2 and 3 are to be retained as kitchen windows as per the current arrangement on the blocks. These window openings to be retained as per the size of existing openings.

There are changes to the landscaping scheme approved across the site and following further clarification from the applicants agent these amendments are considered to be non-material in nature and have arisen due to minor changes to the reconfiguration of the courtyards between blocks 2,3 and 4. In addition the following has been confirmed by the applicant:

- Planting densities have been reviewed and standardised so that consistent densities are applied across all planting areas.
- Trees previously missing from the rear of Block 3 have been reinstated. Additional tree planting has also been introduced to the rear of Block 2 to maintain a green aspect along the boundary

with South Grove / Chelford Close, thereby increasing overall tree cover within the development.

-A small reduction (10%) in hedge planting has occurred to the rear of the courtyards between Blocks 3 & 4 and Blocks 2 & 3 due to pathway reconfiguration. Tree planting has been retained to provide enclosure and to frame the entrances to the cycle stores. Additional mixed planting, including ferns, grasses, and herbaceous species, has been incorporated to maintain a strong green character within the courtyards.

-A modest reduction (8.5%) in shrub planting has occurred across the scheme as the planting palette has been diversified to incorporate a greater proportion of bulbs, herbaceous species, ferns, climbers, and grasses. These will provide a greater range of sensory interest.

-The area of native edge mix has been increased to the rear of the site. This will provide enhanced screening to South Grove / Chelford Close.

The reduction in the number of PBSA units by 2 is considered to be non-material in nature given the overall scale of the proposal and level of accommodation provided across the site.

A clarification statement has been prepared by the applicant following the previous negative decision issued on Non-material amendment application reference 144634/NMC/2025 on a number of matters raised at the determination stage of that application consideration.

The proposed amendments have been assessed and in the context of the proposed development are considered to be non-material in nature. The applicant has clarified a number of matters relating to the previous refusal of a similar application and has provided further information following queries raised with the current application. On the basis of the submitted information and clarifications the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed amendments would have no significant material impact upon the appearance of the development within the streetscene or character of the wider area. It is also considered that the proposed amendments would not give rise to impacts on the amenity of any existing residential properties.

In this instance an amendment is proposed to condition 2 (approved plans) to reflect the amendments proposed and an additional condition is appended to the decision to reflect that the paths to the rear of Blocks 2 and 3 would be for emergency or maintenance purposes only.

Other Legislative Requirements Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

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

1) The proposed amendments relate to:
update to phasing plan; reprofiling of ground within proximity of Blocks 2 and 3 and associated reconfiguration to basements including to Block 4; internal layout changes to accommodate redesign of building cores and fire escape routes and reduction in floor area to commercial unit within Block 6 and reduction in 2 no. PBSA units; minor elevational changes to window openings and door positions.

2) Following an assessment of the details submitted, the Council can confirm that the proposed amendments are considered to be non-material in nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will have no significant material impact upon the appearance of the development within the streetscene or character of the wider area. It is also considered that the proposed amendments would not give rise to impacts on the amenity of any existing residential properties.

Amended Condition 2 -

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings:

0814-BPA-ZZ-ZZ-DR-A-0120 Rev P01 Existing_Demolition Plan_Basement
0814-BPA-ZZ-ZZ-DR-A-0121 Rev P01 Existing_Demolition Plan_Ground Floor
0814-BPA-ZZ-ZZ-DR-A-0122 Rev P01 Existing_Demolition Plan_First Floor
0814-BPA-ZZ-ZZ-DR-A-0123 Rev P01 Existing_Demolition Plan_Second Floor
0814-BPA-ZZ-ZZ-DR-A-0124 Rev P01 Existing_Demolition Plan_Third Floor
0814-BPA-ZZ-ZZ-DR-A-0125 Rev P01 Existing_Demolition Plan_Fourth Floor
0814-BPA-ZZ-ZZ-DR-A-0126 Rev P01 Existing_Demolition Plan_Fifth Floor
0814-BPA-ZZ-ZZ-DR-A-0127 Rev P01 Existing_Demolition Plan_Roof

0814-BPA-ZZ-ZZ-DR-A-1001 Rev P05 Proposed_Site Plan Wide
0814-BPA-ZZ-ZZ-DR-A-1002 Rev P06 Proposed_Site Plan
0814-BPA-ZZ-ZZ-DR-A-1099 Rev P03 Proposed_Site Plan_Basement
0814-BPA-ZZ-ZZ-DR-A-1100 Rev P03 Proposed_Site Plan_Ground Floor
0814-BPA-ZZ-ZZ-DR-A-1101 Rev P03 Proposed_Site Plan_First Floor
0814-BPA-ZZ-ZZ-DR-A-1102 Rev P03 Proposed_Site Plan_Second Floor
0814-BPA-ZZ-ZZ-DR-A-1103 Rev P03 Proposed_Site Plan_Third Floor
0814-BPA-ZZ-ZZ-DR-A-1104 Rev P03 Proposed_Site Plan_Fourth Floor
0814-BPA-ZZ-ZZ-DR-A-1105 Rev P03 Proposed_Site Plan_Fifth Floor
0814-BPA-ZZ-ZZ-DR-A-1106 Rev P02 Proposed_Site Plan_Sixth Floor
0814-BPA-ZZ-ZZ-DR-A-1107 Rev P03 Proposed_Site Plan_Seventh Floor

0814-BPA-ZZ-ZZ-DR-A-1108 Rev P03 Proposed_Site Plan_Eighth Floor
0814-BPA-ZZ-ZZ-DR-A-1109 Rev P02 Proposed_Site Plan_Ninth Floor
0814-BPA-ZZ-ZZ-DR-A-1110 Rev P01 Proposed_Site Plan_Tenth Floor
0814-BPA-ZZ-ZZ-DR-A-1111 Rev P01 Proposed_Site Plan_Eleventh Floor
0814-BPA-ZZ-ZZ-DR-A-1112 Rev P01 Proposed_Site Plan_Roof
0814-BPA-ZZ-ZZ-DR-A-1150 Block 1 Rev P01- Proposed Plans_01
0814-BPA-ZZ-ZZ-DR-A-1151 Block 1 Rev P01- Proposed Plans_02
0814-BPA-ZZ-ZZ-DR- A-1152 Rev P04- Block 2 Proposed Plans_01
0814-BPA-ZZ-ZZ-DR-A-1153 Rev P02- Block 2 Proposed Plans_02
0814-BPA-ZZ-ZZ-DR- A-1154 Rev P04- Block 3 Proposed Plans_01
0814-BPA-ZZ-ZZ-DR-A-1155 Rev P02- Block 3 Proposed Plans_02
0814-BPA-ZZ-ZZ-DR-A-1156 Rev P04 - Block 4 - Proposed Plans_01
0814-BPA-ZZ-ZZ-DR-A-1157 Rev P04 - Block 4- Proposed Plans_02
0814-BPA-ZZ-ZZ-DR-A-1158 Rev P04 - Block 4 Proposed Plans_03
0814-BPA-ZZ-ZZ-DR-A-1200 Rev P01 Proposed Elevation A-A
0814-BPA-ZZ-ZZ-DR-A-1201 Rev P01 Proposed Elevation B-B
0814-BPA-ZZ-ZZ-DR-A-1202 Rev P02 Proposed Elevation C-C
0814-BPA-ZZ-ZZ-DR-A-1203 Rev P01 Proposed Elevation D-D
0814-BPA-ZZ-ZZ-DR-A-1204 Rev P012 Proposed Elevation E-E
0814-BPA-ZZ-ZZ-DR-A-1210 Rev P02 Block 1 - Proposed Elevations
0814-BPA-ZZ-ZZ-DR-1211 Rev P04 Block 2 - Proposed Elevations
0814-BPA-ZZ-ZZ-DR-A-1212 Rev P04 Block 3 - Proposed Elevations
0814-BPA-ZZ-ZZ-DR-A-1213 Rev P03 Block 4 - Proposed Elevations
0814-BPA-ZZ-ZZ-RD-A-1300 Rev P03 Proposed Section A-A
0814-BPA-ZZ-ZZ-DR-A-1301 Rev P03 Proposed Section B-B
0814-BPA-ZZ-ZZ-DR-A-1303 Rev P01 Proposed Section C-C
0814-BPA-ZZ-ZZ-DR-A-1310 Rev P02 Block 1 - Proposed Sections
0814-BPA-ZZ-ZZ-DR - A-1311 Rev P04 Block 2 - Proposed Sections
0814-BPA-ZZ-ZZ-DR - A-1312 Rev P04 Block 3 - Proposed Sections
0814-BPA-ZZ-ZZ-DR-A-1313 Rev P04 Block 4 - Proposed Sections
0814-BPA-ZZ-ZZ-DR-A-4301 Rev P01 Block 3 - Bay Study_Entrance
0814-BPA-ZZ-ZZ- DR-A-4302 Rev P03 Block 3 - Bay Study_Typical Window and Parapet

06051-5PA-MP-ZZ-DR-A-002201 Rev P03 Proposed Site Plan-Blocks 5 and 6
06051-5PA-B1-ZZ-DR-A-022101 Rev P03 Demolition Basement and Ground Plan
06051-5PA-B1-ZZ-DR-A-022102 Rev P03 Demolition First and Second Plan
06051-5PA-B1-ZZ-DR-A-022103 Rev P03 Demolition Third and Fourth Plan
06051-5PA-B1-ZZ-DR-A-022104 Rev P03 Demolition Fifth and Roof Plan
VICP – 5PA- B5-ZZ-DR-A-022201 Rev P17 Proposed Basement and Ground Plan
VICP-5PA-B5-ZZ-DR-A-022202 Rev P17 Proposed First and Second Plan
VICP-5PA-B5-ZZ-DR-A-022203 Rev P17 Proposed Third and Fourth Plan
VICP-5PA-B5-ZZ-DR-A-022204 Rev P17 Proposed Fifth and Sixth Plan
VICP- 5PA-B5-ZZ-DR-A-022205 Rev P14 Proposed Seventh and Eighth Plan
VICP-5PA-B5-ZZ-DR-A-022206 Rev P16 Proposed Ninth and Tenth Plan
VICP-5PA-B5-ZZ-DR-A-022207 Rev P14 Proposed Eleventh and Roof Plan

06051-5PA-B1-XX-DR-A-042101 Rev P02 Demolition Elevations
VICP-5PA-B5-XX-DR-A-042201 Rev P06 Proposed Elevation South
VICP-5PA-B5-XX-DR-A-042202 Rev P06 Proposed Elevation East
VICP-5PA-B5-XX-DR-A-042204 Rev P05 Proposed Section AA and South Courtyard Elevation
VICP-5PA-B5-XX-DR-A-042206 Rev P07 Proposed Planning Elevations South and East
VICP-5PA-B5-XX-DR-A-042207 Rev P07 Proposed Planning Elevation North and West
06051-5PA-B1-XX-DR-A-043201 Rev P02 Typical Bay 01
06051-5PA-B1-XX-DR-A-043202 Rev P02 Typical Bay 02

06051-5PA-B1-XX-DR-A-043203 Rev P02 Typical Bay 03
06051-5PA-B1-XX-DR-A-043204 Rev P02 Typical Bay 04
VICP-5PA-B5-ZZ-DR-A-052201 Rev P04 Proposed Sections

06051-5PA-B1-XX-DR-A-025201 Rev P03 Proposed Living Unit Layouts 01
06051-5PA-B1-XX-DR-A-025202 Rev P03 Proposed Living Unit Layouts 02
0814-BPA-ZZ-ZZ-DR-A-4325 Rev P00 Open Cycle Store
0814-BPA-ZZ-ZZ-DR-A-4326 Rev P00 Closed Cycle Store

0814-BPA-ZZ-ZZ-DR-A-1050 Rev 'Version One' Proposed_Site Phasing Plan Version One

Landscape Drawings

12355-LUC-XX-00-DR-L-0100 Rev P15 Landscape GA Plan
12355-LUC-XX-00-DR-L-0200 Rev P08 Hard Landscape Plan - 1 of 5
12355-LUC-XX-00-DR-L-0201 Rev P07 Hard Landscape Plan - 2 of 5
12355-LUC-XX-00-DR-L-0202 Rev P08 Hard Landscape Plan - 3 of 5
12355-LUC-XX-00-DR-L-0203 Rev P09 Hard Landscape Plan - 4 of 5
12355-LUC-XX-00-DR-L-0204 Rev P09 Hard Landscape Plan - 5 of 5
12355-LUC-XX-00-DR-L-0400 Rev P08 Soft Landscape Plan - 1 of 5
12355-LUC-XX-00-DR-L-0401 Rev P06 Soft Landscape Plan - 2 of 5
12355-LUC-XX-00-DR-L-0402 Rev P06 Soft Landscape Plan - 3 of 5
12355-LUC-XX-00-DR-L-0403 Rev P06 Soft Landscape Plan - 4 of 5
12355-LUC-XX-00-DR-L-0404 Rev P06 Soft Landscape Plan - 5 of 5
12355-LUC-XX-00-DR-L-0505 Rev P01 Block 3 – Landscape Section

Documents:

Aboricultural Impact Assessment and Method Statement - Prepared by LUC April 2024
FRA and SuDS Strategy Report ref 3124 Rev 03 - Heyne Tillett Steel
Waste Management Strategy 23 August 2024 Revision 06 prepared by SLR Consulting
Transport Assessment 23 August 2024 Revision 07 prepared by SLR Consulting
Travel Plan August 2024 Revision 07 prepared by SLR Consulting
Air Quality Assessment Revision 03 - 2 May 2024 prepared by Hoare Lea
Crime Impact Statement ref: 2017/0081/CIS/01 Version A
Energy Statement Rev P02 dated 17/4/2024 prepared by Atelier Ten
Environmental Standards Statement Revision P03 dated 16/4/2024 prepared by Atelier Ten
Overheating Assessment Revision P02 April 2024 prepared by Atelier Ten
Hello Student Management Ltd Property Management Plan
Television and Radio Reception Impact Assessment - GTech Surveys Ltd Version 1.0 dated 01/05/2024
Planning Noise Report 023790-R03-B 2 May 2024 prepared by Sandy Brown
Biodiversity Net Gain May 2024 prepared by Greengage
Preliminary Ecological Appraisal May 2024 prepared by Greengage
Statutory BNG Metric Dated May 2024
Phase I Geo-Environmental Assessment Report - OS/C5515/12598 January 2024
Phase II Geo-Environmental Assessment Report - OS/C5515/12691 Rev B February 2024

Reason - To ensure that the development is carried out in accordance with the approved plans.
Pursuant to policies SP1 and DM1 of the Core Strategy

Additional Condition 46

The access paths to the rear (northern elevation) of blocks 2 and 3 and the path to the side (north-eastern elevation) of block 2 as indicated on the approved landscape drawings shall be

used for emergency or maintenance access purposes only measures shall be incorporated into the development to ensure these paths do not provide general access to residents of the development whilst the hereby approved buildings are occupied and in use.

Reason - In the interests of residential amenity pursuant to policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

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) -

Area Team Boundary - Name: NORTH AREA





