

Planning

Growth & Development

Delegated officer report for planning application

Application no. 144498/NMC/2025
Date registered valid: 12 November 2025
Proposal: Non-Material Amendment to planning application referenced 138808/FO/2023 to allow minor repositioning (setback) of the party wall
Address: Car Park At Junction Of Charles Street And York Street, Manchester,
Ward(s): Deansgate Ward

Applicant: Mr Mike Bathurst Jadebricks (Charles Street) Limited
Agent (if any): Lydia Connell Turley
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 27-11-25

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

This 0.041 ha site is bounded by Charles Street, the Manchester South Junction and Altrincham Railway Viaduct, Bracken House and York Street. It was cleared in the 1960 and has been used as a 15 space car park. It is currently used as a compound for works at Bracken House.

There is a nursery in Bracken House that has an external play area between the building and this site. This is used regularly throughout the day. Currently the main entrance to the nursery is via a ramp from Charles Street which sits within the application site. There is an alternative access via stairs also from Charles Street which is shared with the residential accommodation. The upper floors are homes.

There is an MOT garage in the viaduct arches. A 17 storey hotel is on the opposite side of York St. Circle Square contains offices, homes and PBSA and active uses. To the north is a large car park and the River Medlock.

The site is not in a conservation area but is part of a city block which includes Victorian and Edwardian buildings which are part of the Whitworth Street Conservation Area. These include Grade II* listed buildings, such as The Kimpton Hotel, India House, Lancaster House and Asia House. The grade II listed Lass 'O' Gowrie is on Charles Street. The site is in Flood Zone 3 and falls from south to north, with a 1 m level difference and is in a Critical Drainage Area.

Description of area

There are a number of Strategic Regeneration Frameworks (SRF's) areas nearby where significant regeneration has and continues to take place, including Circle Square, ID Manchester, First Street and Mayfield. The site is close to the Universities and a range of amenities including bars and restaurants, shops and offices. The closest homes are in Bracken House, opposite in Circle Square and at Oxford Place at the junction of Charles Street and Oxford Road. Some homes in Bracken House and Vita Living on Circle Square have views onto the site. India House, Asia House and Lancaster House have views onto the site across a car park.

The adjacent Bracken House is currently being reclad to deal with fire safety issues associated with the previous cladding.

Description of development

Consent was granted in July 2024 for the erection of a 15-storeys plus plant level building to provide purpose-built student accommodation (PBSA - Sui Generis) along with site preparation works, works over the public highway and other associated works.

Since then, the proposals have been the subject of detailed design development which has identified a need to amend the detailing of the party wall with the adjacent Bracken House as a consequence of those ongoing fire safety upgrade works. As a result, approval is now sought for non material amendments comprising a minor repositioning (setback) of the party wall along

the eastern elevation, between Levels 00 and 02, to accommodate the abutment with Bracken House.

A flashing would be introduced to the revised elevation to prevent accumulation of debris between the adjoining structures. Final details of this would be provided prior to construction of the flashing and an additional condition to secure that agreement is also requested.

Consultations & Notification Responses

None

Issues

Principle of the Proposed Changes

The proposed amendments would not affect the approved building massing, overall height, or architectural composition of the development. The interface detail between the two buildings will remain consistent with that previously approved, albeit moved slightly due to the revised wall position. The proposed flashing would prevent accumulation of debris between the adjoining structures. A condition would secure the final detailing of this and ensure appropriate quality.

Overall the proposed amendments relate to changes resulting from detailed design development and technical development to capture architectural refinements and functional requirements necessary to coordinate with the façade replacement works currently being undertaken at Bracken House. They include amendments made at the request of the City Council as Local Planning Authority and are considered to be non material in nature.

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:

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 proposed amendments relate to changes resulting from detailed design development and technical development resulting in a minor repositioning (setback) of the party wall along the eastern elevation, between Levels 00 and 02, to accommodate the abutment with Bracken House. This adjustment is necessary to coordinate with the façade replacement works currently being undertaken at Bracken House.

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

(a) Dwgs 10489-SHP-ZZ-A-B5D8-G100-XP-00-002 P01 Existing Site Plan, 10489-SHP-ZZ-A-B5D8-G100-XP-00-001 P01 Site Location Plan all stamped as received on 14-12-23;

(b) Dwg 10489-SHP-ZZ-A-B5D8-JC20-XP-XX-001 P01- Demolition Plan all stamped as received on 14-12-23;

(c) Dwgs 10489-SHP-ZZ-A-B5D8-G200-PL-00-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-01-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-02-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-TY-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-TY-002 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-RF-001 P02 and 10489-SHP-ZZ-A-B5D8-G200-PL-RF-002 P02 all stamped as received on 14-12-23;

(d) Dwgs 10489-SHP-ZZ-A-B5D8-G200-EL-EW-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-ES-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-EN-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-EW-001 P02, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-005 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-004 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-008 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-003 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-006 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-007 P04, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-001 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-002 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-009 P02, 10489-SHP-ZZ-A-B5D8-G200-SE-BB-001 P01 and 10489-SHP-ZZ-A-B5D8-G200-SE-AA-001 P01 all stamped as received on 14-12-23;

(e) 10489-SHP-ZZ-A-B5D8-F900-SC-XX-001 P01 -PLANNING ACCOMMODATION SCHEDULE by Simpsonhaugh stamped as received on 14-12-23

(f) Charles Street Student Accommodation Embodied Carbon and Circular Economy Statement Version: V2.0 Dated: 07/12/2023 by Caldwell stamped as received on 14-12-23

(g) Phase 1 Desk Study and Preliminary Contaminated Land Risk Assessment, Phase II Contaminated Land Risk Assessment Charles Street, Manchester and Ground Gas Risk Assessment, Charles Street, Manchester all by Goeassit Ltd.

(h) Charles Street Logistics Strategy by Domis, Construction Noise and Vibration Assessment 7 December 2023 by Hann Tucker Associates, Charles Street PBSA Development - Manchester Construction Environmental Management Plan 28th February 2024 Revision: 4 by Domis and Dust Management Plan Dated 1st March 2024 Revision 2;

(i) Flood Risk Assessment and Drainage Strategy 1983-CS-DP2-A180-RP-XX-9041 Rev P05, Flood Risk Assessment Addendum Report. 1983-CS-DP2-A180-RP-XX-9043, Revision P03 - Flood displacement and compensatory storage. Project No: 1984. Prepared by DP Squared Ltd. Dated 13th February 2024

(j) Outline Student Management Plan by true Manchester

(k) Environmental Noise Survey and Noise Impact Assessment Report 31020/NIA1 12 December 2023 by Hann Tucker and Approved Document O report, Overheating risk in residential buildings, for Charles Street PBSA Manchester by IES : 01-12-2023 09:

(l) Local Labour Construction: Proposal and Reporting Template stamped as received on 08-01-24;

(n) Charles Street Energy and Sustainability Statement Version: V2.0, Dated: 07/12/2023 by the Caldwell Group and BREEAM Pre-Assessment Report by bpp Energy stamped as received on 14-12-23;

(o) Charles Street Interim Travel Plan by Curtins Revision: P03 Dated: 12 December 2023;

(p) Charles Street, Television and Radio Reception Impact Assessment by GTech stamped as received on 14-12-23 ;

(q)Transport Statement by Curtins Revision: P03, dated: 12 December 2023

(r)Crime Impact Statement Version A 06 12 23 stamped as received on 14-12-23;

(s) Air quality mitigation shall be implemented in accordance with Environmental Statement Volume 2 Appendix 5.1 Construction Dust Assessment and Dust Management Plan dated 1st March 2024 Revision 2.

(t) Section 4 of the Design and Access Statement Prepared by Simpsonhaugh DECEMBER 2023 stamped as received on 14-12-23;

(t) Ventilation Design Strategy: Charles St Student Accommodation Rev C 04-12-2023 by Caldwell stamped as received on 14-12-23

(u) WIND MICROCLIMATE ASSESSMENT REPORT Charles Street, Manchester by GIA stamped as received on 14-12-23;

(v) Preliminary Ecological Appraisal Report, Charles Street, Manchester, Reference:81-566-R1-2 dated December 2023 by e3p stamped as received on 14-12-23;

(w) Socio-economic Regeneration Impact Statement December 2023 (Revised February 2024)

(x) Train Induced Vibration Assessment, Report 31020/VAR1 5 December 2023 by Hann Tucker stamped as received on 14-12-23;

(y) Townscape and Visual Impact Appraisal Charles Street, Manchester by Turley stamped as received on 14-12-23;

(z) Heritage Statement Manchester by Turley stamped as received on 14-12-23;

(aa) Fire Statement - Charles Street by OFR stamped as received on 14-12-23;

(bb) Archaeological Desk Based Assessment by Oxford Archaeology stamped as received on 14-12-23;

(cc) Broadband Connectivity Assessment by Gtech stamped as received on 14-12-23;

(dd) Student Move in / Move Out Strategy (prepared by Curtins),

(ee) ES Volume 1 Main Text:

1. Introduction 2. EIA Methodology and Consideration of Alternatives 3. Site Context 4. Development Specification; 5. Air Quality Screening Evaluation; 7. Daylight, Sunlight and Overshadowing; Daylight, Sunlight and Overshadowing, 6. Human Health, 7. Assessment of Cumulative Effects

(ff) ES Volume 2 List of Appendices

(gg) ES Volume 3 -Non Technical Summary

all stamped as received on 14-12-23

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, H12, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19 and DM1 saved Unitary Development Plan policies DC18.1, DC19.1, DC20 and DC26.1.

44) Prior to occupation of the development final details (including appearance, material and fixtures) in relation to the flashing as shown in dwg 10489-SHP-ZZ-A-B5D8-G251-DE-XX-007 P04 shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To ensure a satisfactory quality of interface with the adjacent building pursuant to Core Strategy Policies SP1 and DM1.

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 3 (high risk) -

Flood Zone Plus Climate Change -

Area Team Boundary - Name: CENTRAL