

29 April 2021

Delivered via Planning Portal

Angela Leckie
Manchester City Council
Town Hall
PO Box 488
Manchester
M60 2JT

Ref: PACM3000

Dear Angela

NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 127317/FO/2020: NO. 2 HEYROD STREET, MANCHESTER UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990

On behalf our client, Packaged Living (Freof V Heyrod) LLP ('the applicant'), I am pleased to enclose an application under Section 96A of the Town and Country Planning Act (TCPA) 1990 pursuant to planning permission ref. 127317/FO/2020 at No. 2 Heyrod Street, Manchester via the Planning Portal (ref. PP-09789562). This application seeks to amend the wording of condition 35 to align the submission and approval of the scheme of highway works with the construction programme.

This application comprises the following information:

- Completed application forms; and
- This covering letter.

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

Background

Full planning permission was granted by Manchester City Council (MCC) for the redevelopment of land at Heyrod Street, including the demolition of the existing building and the construction of residential apartments with ground floor commercial space on 9 February 2021 (ref. 127317/FO/2020) ("The Castings"). The full wording of the approved development is as follows:

Erection of a part 25 part 21, part 14, part 7 storey building for 352 apartments comprising 39 Studios, 77x 1 bed, 227 x 2 bed and 9 x 3 bed (Use Class C3) with ground floor commercial space within 4 units (494m²) for Class A1 (Shop), A2 (Financial and Professional Services) A3 (Café and Restaurant), A4 (Drinking Establishment), A5 (Hot Food Take Away), B1 (Office) and D1-D2 uses, ancillary indoor and outdoor amenity space (including 1st and 21st floor external areas) carparking for 20 vehicles, cycle parking and associated hard and soft landscaping works, following demolition of existing buildings.

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This permission relates to the redevelopment of land at No. 2 Heyrod Street, which comprises Plot D of the Portugal Street East Strategic Regeneration Framework ('PSE SRF') area located within Manchester City Centre. The development aims to offer a high-specification residential led 'build-to-rent' scheme, complemented by ground floor commercial space and internal and external amenity space, as well as a significant component of a bespoke joint public realm scheme with other developments within the PSE SRF area.

The permission is subject to a number of planning conditions, which require the submission and approval of certain information from MCC prior to the demolition of existing buildings on site and prior to the construction of the development.

An application to discharge conditions 4 (demolition method statement), 8(a) (preliminary risk assessment), 9 (archaeological works programme), 11 (public realm programme), and 22(a) (local benefit proposal) (ref. CDN/21/0242) was submitted to MCC on 1 April 2021 and is expected to be determined by 19 May 2021.

Condition 35: Highways

Condition 35 of the approved permission (ref. 127317/FO/2020), which relates to highways, states:

Notwithstanding the details contained within condition 2 above, prior to the commencement of development a scheme of highway works and details of footpaths reinstatement shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

(a) Final details of associated highway work (as appropriate to Plot D and adjacent public realm within this application) as detailed within Dwg 058-190002 011-000 and 001-002; and

(b) Detailed designs in relation to the above to including materials, layout, junction protection, carriageway widths, kerb heights, street lighting, entry treatments, signing, lining and traffic management including installing dropped kerbs with tactile pavers across any vehicle access to the site and at adjacent junction crossing points, reinstatement of any redundant vehicle crossing points, installation of some guard railing to ensure pedestrians cross at the safest and most appropriate locations.

(c) A review of the TROs in the vicinity of the site and final details of the loading bay. The approved scheme shall be implemented and be in place prior to the first occupation.

Due to the phasing of the construction period, the detailed highway works will not be available prior to the construction of the development. An amendment is therefore sought to the condition to allow the information required by condition 35 to be submitted prior to these works commencing. This would also enable the condition to align with the s278 Highways process, which otherwise would not be achievable. The condition wording is also amended to make clear that the scheme of highway works and details of footpath reinstatement must be approved by MCC before highway works can commence.

The wording of condition 35 is therefore proposed to be amended as follows (additions shown in **bold** and text to be removed shown with a ~~strike through~~):

*Notwithstanding the details contained within condition 2 above, prior to the commencement of ~~development~~ **the highway works (as appropriate to Plot D and adjacent public realm within this application) detailed on Dwg 058-190002 011-000 and 001-002**, a scheme of highway works and details of footpaths reinstatement shall be submitted ~~for approval~~ **and approved** in writing by the City Council, as Local Planning Authority.*

For the avoidance of doubt this shall include the following:

(a) Final details of associated highway work (as appropriate to Plot D and adjacent public realm within this application) as detailed within Dwg 058-190002 011-000 and 001-002; and

(b) Detailed designs in relation to the above to including materials, layout, junction protection, carriageway widths, kerb heights, street lighting, entry treatments, signing, lining and traffic management including installing dropped kerbs with tactile pavers across any vehicle access to the site and at adjacent junction crossing points, reinstatement of any redundant vehicle crossing points, installation of some guard railing to ensure pedestrians cross at the safest and most appropriate locations.

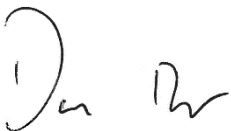
(c) A review of the TROs in the vicinity of the site and final details of the loading bay. The approved scheme shall be implemented and be in place prior to the first occupation.

This proposed amendment would not prejudice the implementation of the highway works, but would provide greater clarity for all parties on the timescales for the submission and would allow for any highways scheme to be fully ratified by MCC Highways prior to submission.

The proposed amendment is considered to be 'non-material', and can therefore be dealt with via a 'non-material amendment application' pursuant to Section 96A of the TCPA 1990. This approach and condition wording has been agreed in principle between Peter Rowe (Packaged Living) and the Case Officer, Angela Leckie, via email (15 April 2021) prior to the submission of this application.

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 with my colleague Amy Longmore (amy.longmore@turley.co.uk) or me.

Yours sincerely



Daniel Ramsay
Assistant Planner

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