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20 November 2020

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

Dear Angela

Eider House, Manchester – Application for Non-Material Amendment (Section 96A) to Planning Permission Ref 115178/FO/2017

Please find enclosed an application under Section 96A of the Town and Country Planning Act 1990 (As amended) for Non-Material Amendments ("NMA") to Planning Permission 115178/FO/2017.

The applicant is Belgravia Living Group Ltd ("the Applicant").

This application seeks to amend the trigger points of the relevant suspensive planning conditions in order to implement the planning permission through the demolition of the former Linda's Pantry. These amendments are detailed further in the following sections.

Planning History

Planning Permission 115178/FO/2017 was granted on 16 January 2018 for the following description of development:

"Erection of 2 linked buildings ranging in height from 8 to 10 storeys (plus roof top plant room) to provide residential accommodation (Use Class C3) comprising 18 x 1 bed, 84 x 2 bed, 15 x 3 bed, 2 x duplex (4 bed) and 9 townhouses (7 x 3 bed, 1 x 2 bed and 1 x 4 bed) (128 units in total) works to create provision for access and servicing, hard and soft landscaping (to include a secure external area and public realm linking Ducie Street to the Rochdale Canal) and associated works following the demolition of existing buildings. Development to include 128 cycle parking spaces."

Background

The Applicant is fully committed to the delivery of Eider House and are actively working towards staring on site in January 2021. GMI, who has successfully delivered Dakota and Burlington House in Piccadilly Basin alongside other developments in the City Centre, will be the demolition contractor. They have undertaken

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initial site analysis and have developed a construction management plan for the demolition phase of the development that will be submitted separately to discharge the relevant planning condition.

GMI has been involved in the project from the beginning. It is the intention that they would be retained for the main build, however, this cannot be confirmed until stage 4 design is reached. GMI are owned by half of the Joint Venture that makes up Belgravia Living Group Ltd and have worked alongside the Applicant on Burlington House. There is an established successful relationship that the team would like to continue to foster on Eider House.

While the Applicant is committed to bringing forward the scheme in line with its intended programme, this has been delayed due to the ongoing pandemic. Although the government has put in place a scheme which grants extensions to the implementation of planning permissions, the Eider House scheme does not fall within the ambit of this and the Planning Permission will expire on 16 January 2021. In order to preserve the planning permission, it will be necessary for lawful implementation to take place ahead of this date.

The scheme which has permission will support the regeneration of this part of the city centre in line with the wider ambition set out in the Piccadilly Basin Strategic Regeneration Framework (2016). To preserve the consent and facilitate this regeneration, we intend to lawfully implement the planning permission and so are proposing to make some adjustments to the permission that will allow the consent to be lawfully implemented alongside seeking to discharge the relevant suspensive planning conditions, prior to undertaking a material operation (as defined under the Town and Country Planning Act (1990)). In this case, the proposed material operation will relate to the demolition of the former Linda's Pantry. This is currently programmed to commence on 4 January 2021.

The Applicant has advised that the optimum window for delivering Eider House is considered to be Spring 2024 and the programme, as submitted with this application, has been designed around this. Whilst the residential market is still buoyant, particularly in Manchester City Centre, the Applicant has found that the current pandemic has had an impact with demand reducing from younger occupants in particular following a contraction in the economy. In addition, the pandemic is making people think differently about the way they live and work. This combined with the high level of supply currently being delivered in the City has meant that the Applicant is reviewing the specification of Eider House to fit the current circumstances and lessons learnt through Burlington House, which has been a great success and is proving to be resilient. On this basis, the programme illustrates that a contract will need to be in place for the main works by June 2022 to allow delivery in Spring 2024.

Pre-application Consultation

The approved development was subject to a comprehensive process of public and stakeholder engagement, including engagement with Historic England, Places Matter!, the Environment Agency, Greater Manchester Police, local businesses, residents, and local Ward Councillors.

In respect of this application, officers were supportive of the principle of the changes proposed and it was agreed that they should be progressed as a NMA to the planning permission.

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Proposed Amendments to Conditions

There are currently 8 pre-commencement conditions attached to the planning permission that need to be discharged prior to material operations taking place. In this case, we believe that there is a case for amending the trigger point for discharge in relation to 7 of those 8 conditions on the basis that they are not directly connected to the proposed demolition phase.

The following table outlines the pre-commencement conditions and suggested amendments to the trigger:

No.	Wording	Action: S96A or Submission of details
3	(a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted submitted for approval in writing by the City Council, as Local Planning Authority: A programme for the issue of samples and specifications of all material to be used on all external elevations of the development. The programme shall included timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining and details of the glazing and a strategy for quality control management; and (b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.	S96A to ammend trigger (a) Notwithstanding the details submitted with the application, prior to the commencement, development, other than enabling works comprising, demolition, piling and construction of the sub structure, the following shall be submitted for approval in writing by the City Council, as Local Planning Authority: [...]
4	(a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination). (b) In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and	S96A to ammend trigger (a) Other than demolition, before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination). (b) In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development, other than

	approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority. c) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. d) In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.	demolition, shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.
5	Prior to the commencement of development a programmes for submission of final details of the public realm works as shown in dwg numbered RF16-383-L03 Rev PO1 shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted: (a) Details of the proposed hard landscaping materials; (b)Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on Ducie Street and abutting the Canal; (c) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design; (d) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat	S96A to ammend trigger Prior to the commencement of development, other than enabling works comprising, demolition, piling and construction of the sub structure, a programme~~s~~ for submission of final details of the public realm works as shown in dwg numbered RF16-383-L03 Rev PO1 shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted: [...]

	boxes and brick, bird boxes and appropriate planting; (e) Details of the proposed street furniture including seating, bins and lighting; (f) Details of external steps and handrails; and (h)Details of a signage strategy in relation to way finding within the development and associated public realm; and (i) A strategy for the planting of street trees within the pavements on Ducie Street and Peak Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance; and shall then be submitted and approved in writing by the City Council (in consultation with the Canal and Rivers Trust in relation to items a,b,e and f) as local planning authority in accordance with the programme as agreed above The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,	
6	Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include; *Display of an emergency contact number; *Details of Wheel Washing; *Dust suppression measures; *Compound locations where relevant; *Location, removal and recycling of waste; *Routing strategy and swept path analysis; *Parking of construction vehicles and staff; *Sheeting over of construction vehicles; *A method statement to protect the Rochdale and Ashton Canals from accidental spillages, dust and debris in relation to site clearance, earth moving shall take place or material or machinery brought on site Development shall be carried out in accordance with the approved construction management plan.	S96A to ammend trigger ~~Prior to the commencement~~ For each phase of the development, comprising a demolition phase and construction phase, a detailed demolition or construction management plan outlining working practices, as relevant to each phase, shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include; [...]

8	No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority. In order to discharge the above drainage condition the following additional information has to be provided: (a)Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlets. The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads. A layout with overland flow routes needs to be presented. (b) Hydraulic calculation of the proposed drainage system; (c) Construction details of flow control and SuDS attenuation elements; (d) evidence of agreement by the Canal and Rivers Trust , United Utilities and Environment Agency that they accept the proposal and connections.	S96A to ammend trigger No development other than enabling works comprising, demolition, piling and construction of the sub structure, shall take place until details of the surface water drainage works have been ~~implemented~~ agreed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority. [….] Development shall be carried out in accordance with the approved details
12	Before the development commences a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads shall be submitted to and approved in writing by the City Council as local planning authority The approved noise insulation scheme shall be completed before any of the dwelling units are occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation.	S96A to ammend trigger Before the development commences, other than enabling works comprising, demolition, piling and construction of the sub structure, a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads shall be submitted to and approved in writing by the City Council as local planning authority
17	Prior to development commencing a local labour agreement relating to the construction phase of development , shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place	S96A to ammend trigger Other than demolition, prior to development commencing, a local labour agreement relating to the construction phase of development , shall be submitted to and agreed in writing with the City

	prior to the commencement of the development, and shall be kept in place thereafter.	Council as local planning authority. The approved scheme shall be in place prior to the commencement of the development, and shall be kept in place thereafter.
20	No development shall commence unless and until Archaeological site investigations have been carried out in accordance with the Written Scheme of Investigation by the University of Salford, dated 06-06-2017. This allows for: 1. A phased programme and methodology of investigation and recording that includes: - evaluation trenching - dependent on the above, more detailed archaeological excavation 2. A programme for post investigation assessment to include: - analysis of the site investigation records and finds - production of a final report on the significance of the archaeological and historical interest represented. 3. Dissemination of the results commensurate with their significance. 4. Provision for archive deposition of the report and records of the site investigation. and have the findings of the investigation have been signed off by GMAAS	Other than demolition, no development shall commence unless and until Archaeological site investigations have been carried out in accordance with the Written Scheme of Investigation by the University of Salford, dated 06-06-2017.

On the basis that the Council agree to this non-material amendment application, there will be one pre-commencement condition that will need discharging prior to implementing the planning permission. This relates to the issue of a Construction Management Plan for the demolition phase (Condition 6).

In addition, in order to provide the Council with additional certainty that works will continue we propose the following condition be added to any S96A approval.

'Notwithstanding Condition 1, and following any implementation of this planning permission via demolition, a contract for the carrying out of further development works for the redevelopment must be made, and evidence of that contract supplied to the City Council, as local planning authority on or before 16 June 2022'

Supporting Information

This application is supported by Works Programme dated 20 November 2020 Revision A.

Application Fee

Payment of the planning application fee in the sum of £234 has been made via the Planning Portal. I would be grateful if you could please confirm receipt of this fee.

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

Yours sincerely



John Cooper
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