EVERSHEDS

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Planning
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Date 5 December 2012
Your ref 088133/FO/2008/C1
Our ref LLOYDR/Deansgate
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BY HAND

Dear Sirs

APPLICATION FOR PLANNING PERMISSION TO REPLACE AN EXTANT PLANNING PERMISSION AND ASSOCIATED LISTED BUILDING CONSENTS
LAND AND BUILDINGS BOUNDED BY BLACKFRIARS STREET/VICTORIA BRIDGE STREET/DEANSGATE AND THE RIVER IRWELL, MANCHESTER M3 2QE

Please find enclosed an application to replace an extant planning permission (reference no. 088133/FO/2008/C1) and associated listed building consents (reference nos. 088132/LO/2008/C1 and 088257/LO/2008/C1) (referred to hereinafter together as "the consents") authorising the development of land and buildings bounded by Blackfriars Street/Victoria Bridge Street/Deansgate and the River Irwell, Manchester M3 2EQ, which, if granted, will enable the time limit for implementation of the consents to be extended.

The extant planning permission was granted on 10 February 2009 and the listed building consents were granted on 15 January 2009. Consent was granted in each case subject to a condition requiring the development and works authorised by the relevant consent to be commenced within 4 years of the date on which the decision to grant permission was taken.

As regards the extant planning permission, the approved description of development is:

"..Demolition of existing buildings and re-development of site to construct four buildings varying in height from: ground plus 10 storeys; to ground plus 35 storeys incorporating 248 residential units (Class C3); a hotel (Class C1); offices (Class B1); retail (Class A1); financial and professional (Class A2); restaurant and cafe (Class A3); drinking establishment (Class A4); hot food take away (Class A5); and 599 basement car parking spaces set within fully accessible public realm including new public open spaces; new pedestrian connections and new riverside walkways and spaces: together with related highways, access and servicing works, landscaping and associated works.."

The consents were applied for in the name of Burdett Properties Limited, which company formerly had a leasehold interest in the application site. This leasehold interest was transferred into the name of Deansgate Cronus Limited on 26 June 2012. Hence, the application is being made in the name of Deansgate Cronus Limited (referred to hereinafter as "the applicant").

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Enclosed with this letter are:

- an original completed application form, plus 3 copies;
- a signed Certificate C Ownership Certificate, plus 3 copies;
- a signed Agricultural Holdings Certificate, plus 3 copies;
- a copy of the extant planning permission dated 10 February 2009 (x4);
- a site location plan in relation to the extant planning permission – reference no. MP-A-G100-XP-00 Rev A (x4);
- a ground floor site plan in relation to the extant planning permission – reference no. MP-A-G200-P-00 Rev A (x4);
- a copy of the listed building consents dated 15 January 2009 (x4); and
- a site location plan in relation to the listed building consents – reference nos. 7077-A-MP-H500-P-00-001 Rev A (x4).

Please note that the application fee (in the sum of £575) is being paid directly into the Council's bank account by way of a BACS transfer.

The extant planning permission provides for the development of a high quality mixed-use regeneration scheme in a highly accessible location within the city centre. Given the current economic climate, it has not been possible to implement the consents within the specified time periods. Nevertheless, the application site remains in an attractive location where the principles established via the consents remain valid. The applicant remains keen to proceed with the development of the site and will do so in due course.

With regard to the determination of the application, Government guidance[1] encourages local planning authorities to take a *"..positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly.."* It states that *"..LPAs should, in making their decisions, focus their attention on development plan policies and other material changes which may have changed significantly since the original grant of permission.."* It reiterates that the default implementation period of 3 years[2] shall apply subject to local planning authorities using their discretion to grant longer or shorter permissions *"..if this is justified on planning grounds.."*

Since the consents were granted, the National Planning Policy Framework ("NPPF") has been published. Amongst the core land-use planning principles referenced at paragraph 17 of the NPPF is a requirement that planning should:

"..proactively drive and support economic sustainable development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.."

The NPPF goes on to state that local planning authorities should work proactively to secure developments that improve the economic, social and environmental conditions of an area (paragraph 187). The proposed development will also further one of the key objectives of the recently adopted Core Strategy, namely to further improve Manchester's economic performance, spreading the benefits of growth across the city.

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[1] "Greater flexibility for planning permissions: Guidance", Communities and Local Government November 2009

[2] See s.91 of the Town and Country Planning Act 1990

The proposed development, which, once completed, will provide a hotel, residential apartments, offices and retail space, is in line with the thrust of prevailing national and local planning policy in so far as it concerns economic and sustainable development and the promotion of growth. There have been no material changes in circumstance which would justify a refusal to extend either the extant planning permission or the listed building consents. Furthermore, there are no sound planning grounds upon which to base a decision to grant permission for the application subject to a condition which specifies a period for implementation which is shorter than the default 3 years.

The application does not give rise to any significant environmental effects over and above those which have already been assessed. The Environmental Statement submitted with the application for the extant planning permission is enclosed (in duplicate) for your ease of reference. Furthermore, the recent closure of Victoria Street was considered in the previously submitted Transport Assessment (see appendices to Environmental Statement). As such, the submission of additional material in this regard is not required.

We hope you will consider our client's application to extend the time limit to implement the extant planning permission and the associated listed building consents favourably and would be grateful if you could confirm receipt of the same. Please do not hesitate to contact our Richard Lloyd or Samantha Grange of this office should you have any queries or wish to discuss any aspect of the application in further detail.

Yours faithfully

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