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Planning Department
Manchester City Council
PO Box 532
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Manchester
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20 June 2025

FAO: Jennifer Atkinson

Dear Jennifer

APPLICATION FOR NON-MATERIAL AMENDMENT RELATING TO APPLICATION REF: 140389/JO/2024 AT 35 FOUNTAIN STREET, MANCHESTER, M2 2AN

On behalf of our client, 35 Fountain Street Limited, we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 (as amended) to make a Non-Material Amendment ('NMA') to Condition 2 (Approved Plans) of Planning Permission reference 140389/JO/2024.

BACKGROUND

On 16 October 2023 Planning Permission was granted for alterations to the elevations and the erection of a two storey rooftop extension at 35 Fountain Street, Manchester. The description of development under application reference 136013/FO/2023 is as follows:

"Elevation alterations and erection of two storey rooftop extension including rooftop terrace."

This application subsequently went through further stages of design development, rationalised via the submission and approval of a number of amendments to the original scheme.

Permission was granted to amend the scheme, under Section 73, reference 140389/JO/2024 on 26 September 2024. This included changes to the façade design, cycle store basement layout and waste management strategy. A subsequent Section 96(a) non-material amendment to the scheme was granted on 22 November 2024 under reference 141527/NMC/2024 which amended the design to remove and relocate columns and changes to lift core design.

PRE-APPLICATION CONSULTATION

This application is submitted following consultation with the Local Planning Authority in May and June 2025 with the case officer Jennifer Atkinson. It was confirmed via email on 11 June 2025 that the proposed changes, as outlined in this covering letter, can be progressed via an Section 96(a) NMA to the extant permission (refence 140389/JO/2024).

PROPOSED AMENDMENTS

The Applicant's vision for the 35 Fountain Street is to deliver a modern, high-quality office building within Manchester, with a focus on sustainability and the use of mass timber framework for the extension of the

building. The Applicant aims to enhance the development to deliver ambitious sustainability targets, revolving around a well-considered approach to achieving environmental accreditations.

This non-material amendment seeks the approval for the following changes that further enhance the scheme, reduce upfront carbon and improve buildability:

- Replacement of Flemish brickwork with stretcher bond brickwork to the top of the core only.
- Reduction to the depth of the pre-cast concrete string course window detail.
- Inclusion of a shadow gap connection with concealed fixings to the aluminum panels on the rooftop extension levels.
- Minor internal layout amendments to basement and ground floor.
- Removal of terraced canopy at rooftop level.

The amendments seek to substitute the approved plans listed in Condition 2.

LEGISLATIVE CONTEXT

Section 96(a) of the Town and Country Planning Act 1990 (as amended) provides for 'non-material amendments' to be made to planning permissions. There is no statutory definition of 'non-material' with the Planning Practice Guidance advising that 'an amendment that is non-material in one context may be material in another.'

In determining whether a change is non-material, the Local Planning Authority must take in to account the effect of the change and whether it materially alters the development. However, the merit of the change does not fall to be considered, nor should it be assessed against adopted or emerging planning policy.

APPLICATION DOCUMENTATION

The following has been submitted in support of this submission:

Plans			**Prepared By**
1	Site Location Plan	2308-BAA-10-L00-DP-A-0 P01	Bennetts Associates
2	*Drawing Schedule – please refer to Appendix A for plans which are superseded by this S96a application*		
Other			
2	Completed S96A Application Form		CBRE
3	Explanatory Covering Letter (this document)		CBRE

The application has been submitted electronically via the Planning Portal (ref: PP-14093161). The requisite application fee has been paid directly to Planning Portal.

I trust that the information submitted with this application is appropriate and that the application can now be registered and validated. Please do not hesitate to get in touch with me if you have any queries.

Yours sincerely



Ollie Eyre
Senior Planner
CBRE National Planning & Development

Appendix A – Drawing Schedule

APPROVED DRAWINGS			PROPOSED DRAWINGS SUBMITTED UNDER S96A		
Drawing Reference	**Drawing Title**	**Revision**	**Drawing Reference**	**Drawing Title**	**Revision**
2308-BAA-20-B01-DP-A-0	Planning Proposed - Basement floor plan	P04	2308-BAA-20-B01-DP-A-0	Planning Proposed - Basement floor plan	P05
2308-BAA-20-L00-DP-A-0	Planning Proposed - Ground floor plan	P05	2308-BAA-20-L00-DP-A-0	Planning Proposed - Ground floor plan	P06
2308-BAA-20-L09-DP-A-0	Planning Proposed - Level 09 Plan	P04	2308-BAA-20-L09-DP-A-0	Planning Proposed - Level 09 Plan	P05
2308-BAA-20-SN2-DP-A-0	Planning Proposed - Roof plan	P03	2308-BAA-20-R01-DP-A-0	Planning Proposed - Roof plan	P05
2308-BAA-20-EW-DP-A-0	Planning Proposed - West elevation	P06	2308-BAA-20-EW-DP-A-0	Planning Proposed - West elevation	P07
2308-BAA-20-EN-DP-A-0	Planning Proposed - North elevation	P06	2308-BAA-20-EN-DP-A-0	Planning Proposed - North elevation	P07
2308-BAA-20-EE-DP-A-0	Planning Proposed - East elevation	P05	2308-BAA-20-EE-DP-A-0	Planning Proposed - East elevation	P07
2308-BAA-20-ES-DP-A-0	Planning Proposed - South elevation	P06	2308-BAA-20-ES-DP-A-0	Planning Proposed - South elevation	P07
2308-BAA-20-EW1-DP-A-0	Planning Proposed - West elevation (context)	P04	2308-BAA-20-EW1-DP-A-0	Planning Proposed - West elevation (context)	P05
2308-BAA-20-EN1-DP-A-0	Planning Proposed - North elevation (context)	P05	2308-BAA-20-EN1-DP-A-0	Planning Proposed - North elevation (context)	P06
2308-BAA-20-EE1-DP-A-0	Planning Proposed - East elevation (context)	P05	2308-BAA-20-EE1-DP-A-0	Planning Proposed - East elevation (context)	P06
2308-BAA-20-ES1-DP-A-0	Planning Proposed - South elevation (context)	P04	2308-BAA-20-ES1-DP-A-0	Planning Proposed - South elevation (context)	P05
2308-BAA-20-SN1-DP-A-0	Planning Proposed - Section 01	P03	2308-BAA-20-SN1-DP-A-0	Planning Proposed - Section 01	P04
2308-BAA-20-SN2-DP-A-0	Planning Proposed - Section 02	P03	2308-BAA-20-SN2-DP-A-0	Planning Proposed - Section 02	P04
2308-BAA-21-B01-DP-A-0	Planning Proposed - Façade bay study 1	P03	2308-BAA-21-B01-DP-A-0	Planning Proposed - Façade bay study 1	P04
2308-BAA-21-B05-DP-A-0	Planning Proposed - Façade bay study 5	P03	2308-BAA-21-B05-DP-A-0	Planning Proposed - Façade bay study 5	P04

2308-BAA-21-B02-DP-A-0	Planning Proposed - Façade bay study 2	P04	2308-BAA-21-B02-DP-A-0	Planning Proposed - Façade bay study 2	P06
2308-BAA-21-B03-DP-A-0	Planning Proposed - Façade bay study 3	P03	2308-BAA-21-B03-DP-A-0	Planning Proposed - Façade bay study 3	P05
2308-BAA-21-B04-DP-A-0	Planning Proposed - Façade bay study 4	P04	2308-BAA-21-B04-DP-A-0	Planning Proposed - Façade bay study 4	P06
2308-BAA-21-B06-DP-A-0	Planning Proposed – Façade bay study 6	P01	2308-BAA-21-B06-DP-A-0	Planning Proposed – Façade bay study 6	P02
2308-BAA-20-SW1-DP-A-0	Planning Proposed - Roof Sections	P03	2308-BAA-20-SW1-DP-A-0	Planning Proposed - Roof Sections	P04