

17 September 2025

Our Ref: 2020.003



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To whom it may concern,

**Re: S.73 APPLICATION FOR VARIATION OF CONDITIONS 2, 18, 20, AND 29 OF
CONSENT REF. 127971/FO/2020 (AS AMENDED) AT 271 OLDHAM ROAD,
MANCHESTER**

This Covering Letter has been submitted on behalf of the applicant, MPH Ancoats Limited, to support the submission of an application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary conditions 2, 18, 20, and 29, of planning permission ref: 127971/FO/2020 (amended by 138646/NMC/2023) which granted consent for:

Erection of a 6 storey building to form 90 residential apartments (Use Class C3a) following demolition of existing structures with associated access, car parking, amenity space, landscaping and other associated works.

The variations are sought to allow amendments to the car parking design and the phased occupation of residents on site.

The requisite planning application fee (£2,000) has been paid online via the planning portal (Ref. PP-14336167).

Condition 2

The application is supported by a suite of architectural drawings alongside a design report and transport note, prepared by Audere BW Architects and Mosodi, respectively. This application is seeking to supersede some previously approved drawings, as summarised in the below table:

Plan	As Approved by 127971/FO/2020	As Approved by 138646/NMC/2023	Submitted as part of this Application
Design Statement	September 2020 – Rev 00	November 2023 – Rev 1	2075-ABWA-XX-XX- DA-A-(17)-0001 Rev. P01
Location and Site Plan	HGA-PL-010 HGA-PL-100	2075-ABWA-Z1-00- DR-A-(10)-0001	2075-ABWA-Z1-00- DR-A-(10)-0001
Ground Floor Plan	HGA-PL-200	2075-ABWA-Z1-GF- DR-A-(20)-0100 Rev. P04	2075-ABWA-Z1-GF- DR-A-(20)-0100 Rev. P05
Roof Plan	HGA-PL-209	N/A	2075-ABWA-Z1-06- DR-A-(20)-0106 Rev. P02
Proposed Front Elevation (South East)	HGA-PL-300	2075-ABWA-ZZ-ZZ- DR-A-(20)-0200 Rev. P03	2075-ABWA-ZZ-ZZ- DR-A-(20)-0200 Rev. P04
Proposed Side Elevations (North East / South West)	HGA-PL-301	2075-ABWA-ZZ-ZZ- DR-A-(20)-0201 Rev. P03	2075-ABWA-ZZ-ZZ- DR-A-(20)-0201 Rev. P04
Rear Elevation (North West)	HGA-PL-302	N/A	2075-ABWA-ZZ-ZZ- DR-A-(20)-0202 Rev. P02
Highways Technical Note – S73	N/A	N/A	20043/Technical Note

The current wording of condition 2 attached to 127971/FO/2020 is:

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

Drawings -L-1001, -L-3001, HGA-PL-201, HGA-PL-202, HGA-PL-209, HGA-PL-300, HGA-PL-301, HGA-PL-302, HGA-PL-400 , L-1000, L-1001 stamped as received by the City Council, as Local Planning Authority, on the 11 September 2020

Drawing GA 02 stamped as received by the City Council, as Local Planning Authority, on the 29 October 2020

Drawings HGA-PL-402 Rev 02, HGA-PL-401 Rev 02, HGA-PL-100 Rev 01 and HGA-PL-200 Rev 01 02 stamped as received by the City Council, as Local Planning Authority, on the 12 November 2020

Supporting information

Design and Access Statement, Air Quality Assessment, Biodiversity Survey, Broadband Capability statement, Coal Mining Risk Assessment, Crime Impact Statement, Daylight and Sunlight report, Environmental Standards Statement, Preliminary Construction Statement, Planning Statement, Social Value Report, TV survey, Written Scheme of Investigation, Noise Impact Assessment, Tree Survey, Flood Risk and Drainage report, Archaeological Assessment, Transport and Travel Plan and Waste Management Strategy stamped as received by the City Council, as Local Planning Authority, on the 11 September 2020

TRICS parking data, stamped as received by the City Council, as Local Planning Authority, on the 29 October 2020

Decision Notice 138646/NMC/2023, which is to be read in conjunction with the main planning permission, states that the following amended condition 2 now also applies:

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

220-LYR-XX-00-DWG-L-3001 Rev 2, 2075-ABWA-Z1-01-DR-A-(20)-0101 P05, 2075-ABWA-Z1-GF-DR-A-(20)-0100 P04 , 2075-ABWA-ZZ-ZZ-DR-A-(20)-0200 P03, 2075-ABWA-ZZ-ZZ-DR-A-(20)-0201 P03, 220-LYR-XX-00-DWG-L-1000 REV 3 and Design and Access Statement received by the City Council, as Local Planning Authority, on the 24 November 2023

Loss of Car Parking Space

The proposed amendments to the approved list of drawings referenced in Condition 2 have resulted primarily to accommodate updated Building Regulations, including the installation of sprinkler systems, which were identified following the commencement of works.

This has necessitated the inclusion of an external water storage tank to serve the development. Due to site layout constraints, the proposed location for the water tank will necessitate the removal of seven car parking spaces from the previously approved layout.

The revised scheme therefore provides 46 car parking spaces for 90 apartments, equating to a parking ratio of 51%, compared with 58% originally approved. To mitigate this reduction, cycle parking provision has been enhanced with the installation of a water tap within the car park, the creation of a dedicated cycle repair area, an increase of 8 cycle parking spaces (128no. total) and the addition of 15no. secure cycle lockers.

The modest reduction in parking provision is considered acceptable and safe for the following reasons:

- It accords with the Greater Manchester Transport Strategy (2021), which aims to reduce car dependency to below 50%.
- The site is in a highly sustainable location, situated on a high-frequency bus corridor and within walking and cycling distance of Manchester city centre.
- Census data indicates local car ownership is low (0.424 per apartment).
- Parking surveys at Victoria Mills identified a maximum demand of 0.485 spaces per apartment (48.5%).
- A recent TRICS assessment of comparable edge of town centre schemes demonstrates average peak car occupancy of only 40% across 7 sites.
- The on-site car club will further reduce demand for private car ownership.
- On-street parking pressure will be managed via a Traffic Regulation Order (TRO).
- An approved Travel Plan (August 2020) is in place, setting out comprehensive measures to promote sustainable transport and reduce reliance on private vehicles.
- The site is approximately 100m from the Oldham Road / Fir Street 'Starling Bank Bike' hire station which further enhances the accessibility and available transport options.

Taken together, the above demonstrates that the amended parking provision remains fully acceptable and compliant on highways and transport grounds, with no resulting adverse impact. The proposals are therefore in line with Places for Everyone (PfE) Policy JP-C8 and Core Strategy Policy T2.

Amendment to Wording of Conditions 18, 20, 29

The following conditions have been provided alongside the proposed wordings as summarised below:

Condition 18 - Landscape

Current Wording:

(a) Notwithstanding drawings L-1000 and L-1001 stamped as received by the City Council, as Local Planning Authority, on the 11 September 2020, prior to the first occupation of this development, details of hard and soft landscaping treatments (including appropriate samples of materials and specification and number and size of trees) shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented prior to the first occupation of the development. 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.

Proposed Wording:

(a) Notwithstanding drawings L-1000 and L-1001 stamped as received by the City Council, as Local Planning Authority, on the 11 September 2020, prior to the first occupation of this development, details of hard and soft landscaping treatments (including appropriate samples of materials and specification and number and size of trees) shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The ground floor landscaping from the approved scheme shall be implemented prior to the first occupation of the development. The first-floor podium (private gardens) from the approved scheme shall be implemented prior to the first occupation of the associated properties. 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.

This amendment is considered to be in reference to policy JP-G8 and JP-P1 of the PfE through the provision of a betterment on the biodiversity offer via critical green space infrastructure. It will allow the phased occupation of homes on site, while still ensuring that the approved landscaping associated with any given unit is implemented prior to said unit being occupied.

Condition 20 – Acoustics

Current Wording:

(a) Notwithstanding the Noise Impact Assessment stamped as received by the City Council, as Local Planning Authority, prior to the first occupation of the residential element of the development a scheme for acoustically insulating the proposed residential accommodation against noise from Oldham Road, the local traffic network and surrounding commercial uses shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the development.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq

Gardens and terraces (daytime) 55 dB L Aeq

(b) Prior to the first use of the residential element of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Proposed Wording:

(a) Notwithstanding the Noise Impact Assessment stamped as received by the City Council, as Local Planning Authority, prior to the first occupation of each floor of the residential element of the development a scheme for acoustically insulating the proposed residential accommodation against noise from Oldham Road, the local traffic network and surrounding commercial uses shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the development.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq

Gardens and terraces (daytime) 55 dB L Aeq

(b) Prior to the first use of each floor of the residential element of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

This amendment is considered to be in reference to policy JP-P1 of the PfE by protecting residents and the natural environment through minimising exposure and contribution to noise pollution. It will again allow the phased occupation of homes on site, while still ensuring that the required acoustic mitigations associated with any given floor of the development are implemented prior to units on said floor being occupied.

Condition 29 – Highways

Current Wording:

Prior to the first use of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm 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:

- Amendments to Helga Street to facilitate the vehicular access (including use of tactile paving where appropriate);*
- Parking restrictions on Helga Street/Hampton Street (including traffic regulation orders and signage);*
- Car club bay and signage (including appropriate traffic regulation order);*
- Footway reinstatement and resurfacing along Oldham Road including reinstatement of redundant vehicular accesses;*
- Installation of Street Trees to the footways.*

The approved scheme shall be implemented and be in place prior to the first occupation of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Proposed Wording:

~~Prior to the first use of the development hereby approved, a~~ *A scheme of highway works and details of footpaths reinstatement/public realm 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 **prior to occupation**:*

- *Amendments to Helga Street to facilitate the vehicular access (including use of tactile paving where appropriate);*
- *Parking restrictions on Helga Street/Hampton Street (including traffic regulation orders and signage);*

*The following **3 months post occupation**:*

- *Car club bay and signage (including appropriate traffic regulation order);*
- *Footway reinstatement and resurfacing along Oldham Road including reinstatement of redundant vehicular accesses;*
- *Installation of Street Trees to the footways.*

*The approved scheme shall be implemented and be in place **in accordance with the timeframe stated above** and thereafter retained and maintained in situ for as long as the development remains in use.*

This amendment is considered to be in reference to policy JP-P1 and JP-C8 of the PfE by minimising exposure and contribution to air pollution through traffic regulation measures, promoting socially inclusive responses through the provision of tactile paving, and the enhancement of public realm through proposed street trees and footpaths which would support the choice for increased walking and cycling.

Rationale

The rationale for the changes is due to the operational requirements of a sectional completion of the building, therefore requiring amendments of conditions to allow for the completion of works to meet this programme.

The variation of condition 18 will enabled phased completion of landscaping works in line with the programme of sectional completion. The request for flexibility is to defer completion of certain landscaped areas until later phases, without preventing occupation of completed elements; and to allow private gardens on the first-floor podium to be completed only in relation to the units directly served by them.

It is proposed to amend condition 20 to allow the submission of acoustic testing results on a floor-by-floor basis. This ensures that incomplete areas, such as ground and first floors, do not delay occupation of completed upper floors, while still ensuring compliance with noise standards across the whole development.

The variation of condition 29 would allow phased occupation prior to the full completion of the off-site highway works. Specifically, occupation would be permitted following delivery of the bellmouth access to Helga Street; with completion of the bus stop relocation and loading bay to follow in later phases. This approach enables the safe and efficient use of the site while avoiding unnecessary delays to occupation.

The amendments are consistent with the Places for Everyone (PfE) Plan following its introduction in 2024, as well as the adopted Local Plan policies that supported the original 2020 consent. The revised conditions ensure the development continues to meet strategic objectives for sustainable transport, design quality, and environmental protection.

Conclusion

In summary, the proposed variations are technical and practical in nature, arising from updated Building Regulations and the operational requirements of sectional completion. The changes do not undermine the principle of the development or its compliance with planning policy. On the contrary, they enhance the scheme's alignment with PfE objectives and ensure delivery of a high-quality, sustainable residential environment.

We believe that the applicant's request to vary the conditions 2, 18, 20, and 29 of the Planning Permission Ref: 127971/FO/2020 (amended by 138646/NMC/2023) falls within the scope of the procedures set down within S.73 of the Town & Country Planning Act 1990, which enables applicants to apply to develop land without compliance with conditions attached to an extant previous planning permission as a result of their amendment or removal.

We trust that you have all the information required to validate the application. Should you have any queries or require any further information, please do not hesitate to contact me.

