

23 July 2025

Planning Department
Manchester City Council
Town Hall
Albert Square
Manchester
PO Box 532
M602LA
Dear Jennifer

Waterhouse Gardens, Dutton Street, Manchester – Section 96a (Non-Material Amendment) Application to Planning Permission Ref. 138031/JO/2023

Please find enclosed an application for a non-material amendment to Planning Permission ref. 138031/JO/2023 in accordance with Section 96a of the Town and Country Planning Act 1990.

This application relates to Waterhouse Gardens and the applicant is Salboy Ltd.

Background

Planning Permission (ref. 118831/FO/2018) was granted on Site on 19 January 2018, for:

“Erection of two buildings (a part 17, part 12 storey building and a part 26, part 23 storey building) to form 556 residential units (Use Class C3a) together with the creation of 3490 sqm of commercial floor space (Use Classes A1, A2, A3, B1 and D1) with associated landscaping, access and other associated works”

A non-material amendment (Ref. 132287/NMC/2021) was approved in relation to the scheme in November 2021 which allowed the trigger points of eight pre-commencement conditions to be amended.

Following this and the discharge of the necessary pre-commencement conditions in February 2022 (Ref. CDN/21/0931), the planning permission was lawfully implemented on 14 June 2022.

A further non-material amendment (Ref. 137321/NMC/2023) was approved in July 2023, to amend the condition wording for condition 6a to allow early enabling works to commence.

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In addition, a Section 73 application (Ref. 138031/JO/2023) to amend the approved plans for the inclusion of a basement area in Block A, was submitted in September 2023 and approved in March 2024. This represents the operative consent.

Proposed Non-Material Amendments

This application is in relation to an amendment to the time trigger associated with Condition 33 (Secure by Design). Currently, Condition 33 requires the submission of Secure by Design Accreditation for approval by the Local Planning Authority (LPA) prior to the occupation of each phase of the development. However, following discussions with the Secure by Design consultant it is not possible to attain the Secure by Design Accreditation until all building phases have reached practical completion. Given the plan to occupy the building in a phased manner, fulfilling the requirements of this condition prior to the occupation of each phase is therefore not possible. As such, it is proposed the time trigger for Condition 33 to require submission of the Secure by Design Accreditation within three months post-occupation of the development in full.

On 18 July 2025, an email was issued to Manchester City Council outlining the proposed amendment who indicated their agreement in principle via email, contingent upon a three-month post-occupation time trigger.

For clarity, the proposed revised wording for the condition is as follows:

The development of each phase shall be carried out in accordance with the Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 19 January 2018. The development shall only be carried out in accordance with these approved details. ~~The development within each phase hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.~~ Within 3 months of the full completion of 138031/JO/2023 confirmation of the Secure By Design award status shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Summary

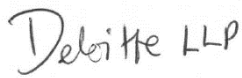
In addition to this covering letter, the application submission also comprises the completed application forms. The application fee to Manchester City Council for £383 has been provided via the Planning Portal (PP-14200298).

On the basis of the information submitted, we seek your formal agreement that the proposed amendment to the wording of these conditions is acceptable and can be dealt

with as a non-material amendment.

If you require any further details, please contact my colleague Josh Wyatt-Smith
(jwyattsmith@deloitte.co.uk / 01614558451)

Kind regards

A handwritten signature in black ink that reads "Deloitte LLP". The signature is written in a cursive, slightly stylized font.

Deloitte LLP