

Our Ref: 2020-040
Your Ref: PP-13689641

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28th January 2025

Dear Sue,

Re: Land Opposite 83-87 Vine Street, Manchester, M18 8SR
Non-Material Amendment to planning permission reference: 137751/MO/2023

We write on behalf of our client, Kirkland Developments, with a non-material amendment ('NMA') application, under Section 96A of the Town and Country Planning Act (1990). The non-material amendment seeks to amend the planning permission granted in November 2023 (Ref: 137751/MO/2023) for the following development at the Land Opposite 83-87 Vine Street, Manchester:

'Reserved matters application for consideration of appearance, landscape and scale following outline planning permission referenced 128864/OO/2020 for 25 x 2 storey dwellinghouses (Class C3)'.

The proposed non-material amendment seeks to amend the approved plans set out under Condition 2, 33 and 34 of the decision notice dated 10th November 2023.

This supporting cover letter sets out the scope and justification for the proposed amendment and has been submitted with the completed application forms and supporting plans via the Planning Portal (Ref: PP-13689641).

The requisite fee has been paid online via the Planning Portal.

Proposed Amendments

The proposed amendments seek to update the approved plans under Condition 2 to reflect minor design changes to the turning circle area. During a recent review of the land titles for the site, it was discovered that two small parcels of land, located to the east of the turning head area and shown on the original plans, do not form part of the Applicant's land title.

The scheme has therefore been amended to address the impact of these parcels and facilitate a scheme that is both constructible and meets the requirements for highway adoption, to the satisfaction of Manchester City Council's (MCC) Highways Development Control team.

As shown on the enclosed plans, the changes proposed to mitigate the land ownership constraints include:

- Reduction of footway widths in the eastern portion of the site;
- Construction of a service strip around the turning head;
- Reduction of the length of the turning head, while ensuring it remains appropriately sized

for bin lorry access to the proposed residential properties;

- Land outside of the highway boundary surfaced in bitmac and incorporated into private gardens for maintenance purposes; and
- Minor amendments to landscaping details and boundary treatments as a result of the above changes.

The table below outlines the superseded and revised drawing reference numbers for clarity. Please note that the Michael Stewart drawings relate to the design changes, Biora drawings to landscaping details and Ridge drawings to external works.

For the avoidance of doubt, NMA relates to the Reserved Matters permission, not the outline permission. However, since the layout was approved at outline stage, certain outline plans listed under Condition 2 of the Reserved Matters decision notice have been amended to reflect changes to the turning head for clarity.

Superseded Document / Drawing Reference(s)	Replacement Drawing Reference
Outline Drawings	
Site Plan for Outline 18.13 PL02 Rev G	18.13 PL02H Site Plan Layout
Layout Strategy 18.13 PL05 Rev A (As revised by layout shown on 18.13.PL02 Rev G)	18.13 PL05B Strategy Plan
Reserved Matters	
Layout Strategy Plan PL 02 A	23.01 PL02B Strategy
Site Plan Ground Plan PL06 C	23.01 PL03F Site Plan Ground
Site Plan First Floor Plan PL04 B	23.01 PL04C Site First Floor
Site Roof Plan PL 05A	23.01 PL05B Site Roof Plan
Boundary Plan PL06C	23.01 PL06D Boundary Plan
Boundary Treatment Sheet 1 BDT 01 B	23.01 BDT01C Boundary Details Sheet 1
Landscaping	
Biodiversity Enhancements Plan SE0920-04_D02_GS Rev B	Biodiversity Enhancements Plan SE0920-05_F3_02_GS_Rev D
Landscape proposals Plan SE0920-04_D01_GS Rev C	Landscape Proposals Plan SE0920-05_F3_01_GS_Rev D
External Works	
External Works Layout Plan VSG-RDG-XX-XX-DR-C-0009 P03	VSG-RDG-XX-XX-DR-C-0009_P06 – Proposed External Works Layout

Additional documents and drawings submitted in support of this application include:

- VSG-RDG-XX-XX-DR-C-0050_P11 - Vehicle Tracking (Refuse vehicle 11.220m long).

From a procedural planning perspective, the proposed amendment involves changes to the approved plans. As a result, the wording of certain conditions that reference the superseded plans will need to be amended to ensure clarity and avoid confusion during the implementation phase.

Condition Number	Condition Wording	Condition Type	Revised Wording
33	The location, heights, and type of boundary treatment on plan refs: Site Plan Ground plan ref: PL06 C; Boundary Treatment Sheet 1	Compliance	The location, heights, and type of boundary treatment on plan refs: ~~Site Plan Ground plan ref: PL06 C~~ Site Plan Ground

	Boundary types 1-3 ref: BDT 01 B; and Boundary Treatment Sheet 2 Boundary types 4-7 ref: BDT 02 B received 6 th November 2023 shall be implemented in full before any property is first occupied and retained as such thereafter.		~~23.01 PL03F; Boundary Treatment Sheet 1~~ ~~Boundary types 1-3 ref: BDT 01~~ Boundary Details Sheet 1 ref: B23.01 BDT01C ; and Boundary Treatment Sheet 2 Boundary types 4-7 ref: BDT 02 B received 6 th November 2023 shall be implemented in full before any property is first occupied and retained as such thereafter.
34	The location, heights, and type of acoustic fencing boundary treatment on plan refs: Site Plan Ground plan ref: PL06 C (including annotated reference that the nature of the acoustic boundary treatment measures to be installed are to satisfy the noise and vibration survey assessment); Boundary Treatment Sheet 1 Boundary types 1-3 ref: BDT 01 B; and Boundary Treatment Sheet 2 Boundary types 4-7 ref: BDT 02 B Received 6 th November 2023 shall be implemented in full before any property is first occupied and retained as such thereafter.	Compliance	The location, heights, and type of acoustic fencing boundary treatment on plan refs: ~~Site Plan Ground plan ref: PL06 C~~ Site Plan Ground 23.01 PL03F (including annotated reference that the nature of the acoustic boundary treatment measures to be installed are to satisfy the noise and vibration survey assessment); ~~Boundary Treatment Sheet 1~~ ~~Boundary types 1-3 ref: BDT 01~~ B23.01 Boundary Details Sheet 1 ref: BDT01C ; and Boundary Treatment Sheet 2 Boundary types 4-7 ref: BDT 02 B Received 6 th November 2023 shall be implemented in full before any property is first occupied and retained as such thereafter.

Summary

As set out within Planning Practice Guidance (PPG), there is no statutory definition of 'non-material' as it is context-specific. This means that an amendment deemed non-material in one context may be considered material in another and the Local Planning Authority must be satisfied that the amendment sought is non-material.

In this instance, the proposed changes to the turning head area are in response to land ownership constraints. In the context of the scheme as a whole, these changes do not materially change the consented scheme but instead allow the scheme to be built out and meet the requirements for highway adoption. Furthermore, these changes have already been reviewed and accepted by MCC's Highways Development Control Team and so do not require re-consultation.

Overall, we consider the above changes to qualify as a non-material amendment to the approved scheme. We trust that you have sufficient information to validate this application. If you require anything further, please do not hesitate to contact me.

Yours Sincerely,

A handwritten signature in cursive script that reads "ailsagoudie".

Ailsa Goudie

Planner

On behalf of NJL Consulting