

19th December 2024

Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

FAO Jennifer Atkinson

Dear Jennifer,

Arundel Street, Manchester – Application for Non-Material Amendments to Planning Permission 123261/FO/2019 (as amended by 134385/NMC/2022, 138299/NMC/2023 and 140790/NMC/2024)

On behalf of our client, Logik Developments (Arundel Street) Limited (the ‘Applicant’), we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 in order to make Non-Material Amendments (‘NMA’) to Planning Permission 123261/FO/2019 (hereby referred to as the ‘Arundel Street permission’).

Background

On the 23rd August 2019, Planning Permission was granted for the Arundel Street development (ref: 123261/FO/2019), this included the construction of a residential development ranging from 8 to 23 stories, refurbishment of the existing DOT building and other associated works. The description of development approved under application reference 123261/FO/2019 is as follows:

“Erection of a part 8 and 9 storey building located on Arundel Street and Worsley Street, a part 11 and 23-storey residential building located on the Mancunian Way and refurbishment and conversion of the existing DOT Building to form 355 residential apartments in total (Use Class C3a) together with commercial uses (Use Classes A1, A2, B1, D1 and D2) along with associated car parking, cycle parking, access, landscaping and other associated work.”

Subsequent to the granting of Planning Permission in 2019, an application for Non-Material Amendments (Ref. 134385/NMC/2022) was submitted on 15th July 2022. The description of development for the NMA application is as follows:

“Non-material amendment to planning permission 123261/FO/2019 to reconfigure the internal layout of the development, including omitting residential from the DOT building and creating commercial floorspace with associated elevational alterations, together with alterations to the internal layout of the

new build element and introduction of an initial phase of development with associated new planning conditions and alteration to the trigger in condition 6 (Ground Conditions) to allow demolition of existing buildings”

The application sought approval for adjustments to the internal configuration of the proposed apartments and social space, and also resulted in consequential non-material changes to the façade. The proposals also amended the layout of the DOT building to reflect a proposed use, entirely comprising commercial space.

The introduction of phasing into the proposed development was also sought – with an initial phase of works comprising enabling works and permanent drainage works (Phase 1) and the completion of the remaining development falling under Phase 2. Phase 1 has been completed to provide a lawful and meaningful start on site.

Subsequently, Logik Developments and Sir Robert McAlpine Capital Ventures (SRMCV), formed a Joint Venture to develop the Proposed Development. The JV entered into a Pre-Construction Services Agreement (PCSA) with contractor John Sisk to commit funding towards progressing the next stages of detailed construction design prior to entering a formal Main Contract into the proposed development.

In order to facilitate the required amount of time to sufficiently coordinate the design amends to accommodate fundamental design changes, the Applicant sought to extend timescales for when the contractor for Phase 2 is appointed from 31 October 2023 to 31 December 2024. This was secured through the approval of a further NMA (Ref. 138299/NMC/2023) on 30th October 2023.

During this period however, the Applicant has been additionally required to undertake a further detailed design review to establish a development that is in line with requirements introduced following the grant of planning permission through the Building Safety Act, as well as current Building Regulations, improving the thermal performance/energy efficiency of the building and in relation to Acoustics, Ventilation and Overheating. In addition, as part of this review process, opportunities have been identified to increase the number of homes within the development from 355 to 366 due to amended proposals for the DOT Building which will support the restoration and reuse of this Non-designated heritage asset.

To secure approval for the minor material design changes arising from this review, the Applicant has prepared and submitted a S73 application (Ref. 140789/JO/2024). In conjunction with this application, another NMA application (Ref. 140790/NMC/2024) has been submitted and was approved on 22nd August 2024 in order to amend the description of development to reference the revised number of homes in line with the S73 application.

The Applicant is working proactively with Manchester City Council, in order to conclude the process of formally determining the S73 application; however, that period has extended beyond the determination period and therefore it is proposed via this application to take the necessary step of extending the timescales for when the contractor for Phase 2 is appointed from 31st December 2024 to 31st May 2026. This latter date is in line with the delivery programme provided in support of that application allowing, for example for Gateway Two and Contractor Procurement timescales.

Proposed Amendments to Condition Wording

Conditions 2, 43, 44, 45, and 46 of Ref. 138299/NMC/2023 relate to the proposed phasing of the Arundel Street development or the timing for entering a contract for completion of the development. As the

Applicant is seeking to agree an extension of timescales from 31st December 2024 to 31st May 2026, it is requested that the below conditions are amended accordingly.

An updated Phasing Plan is submitted with this NMA which is the same as that provided in support of the S73 to align the relevant dates. The proposed amendments to the condition wording of conditions 2, 43, 44, 45, and 46 is set out in the table below, with proposed amends highlighted in bold:

No.	Current Condition Wording (Ref. 138299/NMC/2023)	Proposed Condition Wording
2	<i>The development hereby approved shall be carried out in accordance with the following additional drawings:</i> <i>....Arundel Street - Phasing Plan dated October 2023, prepared by Sisk received by the City Council, as Local Planning Authority, on the 11 October 2023....</i>	<i>The development hereby approved shall be carried out in accordance with the following additional drawings:</i> <i>....Arundel Street - Phasing Plan dated August 2024"</i>
43	<i>The phasing of the development shall be carried out in accordance with the "Arundel Street - Phasing Plan 14 July 2022" stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022 and shall be herein have the following meanings:</i> <i>- Phase 1 - Enabling and permanent drainage and hardstanding works (August 2022); and</i> <i>- Phase 2 - Remaining works to completion of the development (January 2025 to December 2027)</i>	<i>The phasing of the development shall be carried out in accordance with the " Arundel Street - Phasing Plan dated August 2024"</i> <i>- Phase 1 - Enabling and permanent drainage and hardstanding works (August 2022); and</i> <i>- Phase 2 - Remaining works to completion of the development (May 2026 to August 2029)</i>
44	<i>No development associated with Phase 2 shall commence until a contract for the construction and completion of the development has been let and appropriate evidence has been submitted for approval in writing by the City Council, as Local Planning Authority.</i> <i>The contract for construction and completion of the development "Phase 2" must be let no later than the 31 December 2024.</i>	<i>No development associated with Phase 2 shall commence until a contract for the construction and completion of the development has been let and appropriate evidence has been submitted for approval in writing by the City Council, as Local Planning Authority.</i> <i>The contract for construction and completion of the development "Phase 2" must be let no later than the 31 May 2026.</i>
45	<i>Should the contract for construction and completion of the development not be let by 31 December 2024, then all development activities on the site, associated with phase 1, shall cease and no further development shall be permitted by this planning permission.</i>	<i>Should the contract for construction and completion of the development not be let by 31 May 2026, then all development activities on the site, associated with phase 1, shall cease and no further development shall be permitted by this planning permission.</i>
46	<i>In the event that phase 2 development does not commence in line with condition 44, and</i>	<i>In the event that phase 2 development does not commence in line with condition 44, and development</i>

No.	Current Condition Wording (Ref. 138299/NMC/2023)	Proposed Condition Wording
	<i>development activity is required to cease in line with condition 45, prior to the 31 December 2024, a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority, for the restoration, landscaping and maintenance of the land.</i> <i>The scheme shall be implemented within three month of approval and thereafter retained and maintained in accordance with this scheme.</i>	<i>activity is required to cease in line with condition 45, prior to the 31 May 2026, a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority, for the restoration, landscaping and maintenance of the land.</i> <i>The scheme shall be implemented within three month of approval and thereafter retained and maintained in accordance with this scheme.</i>

Planning Policy Framework

The Planning Policy Framework relevant to the proposed development is largely unchanged since the approval of the original application and the proposed adjustments to the condition wording with regard to the period to entering into a main contract do not conflict with policy requirements.

The key Development Plan documents remain the 2012 Manchester Core Strategy and Saved Policies of the 2006 Manchester Unitary Development Plan. Full consideration of the proposed development against the planning policy framework is considered within the original Planning Statement approved under 123261/FO/2019.

Non-Material Amendments to the Approved Development

This application is to facilitate amendments to the condition wording attached to the decision notice. The NMA is for:

“Variation of Condition 2, 43, 44, 45, and 46 attached to Planning Permission 123261/FO/2019 (as amended).”

The amendments proposed in this application will result in a development that is substantively unchanged from the approved development on-site (ref: 123261/FO/2019 (as amended)). The amendments have been agreed with the Local Planning Authority as being non-material to the determination of the original permission.

The development continues to comply with the policies of the Development Plan when taken as a whole and there are no material considerations which would justify refusal of the application. We therefore respectfully request that this application be supported by the Planning Authority.

Application Submission

This application comprises this Covering Letter and the following documentation:

- Application Form and Notice Certificates,
- Site Location Plan; prepared by Simpson Haugh

- Arundel Street - Phasing Plan dated August 2024, prepared by Logik.

The application is submitted through Planning Portal, reference PP-13651804. Payment has been sent via Planning Portal for the sum of £293 for the application fee.

We would be grateful if you could notify us of validation of the Application and please contact my colleague Rachel Brown (rachebrown@deloitte.co.uk / 0161 455 6306).

Yours sincerely

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

Deloitte LLP