09 September 2024
Delivered via Planning Portal

Angela Leckie
Manchester City Council
Town Hall
PO Box 488
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Dear Angela

APPLICATION UNDER SECTION 96A OF TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 127317/FO/2020, LAND AT NO.2 HEYROD STREET, MANCHESTER, M1 2WW

On behalf our client, CDL HBT Investments (I) Property Limited ('the applicant'), an application for the approval of a non-material amendment pursuant to the above planning permission at No. 2 Heyrod Street, Manchester (also known as "The Castings") has been submitted via the Planning Portal (ref: PP-13369102).

The application comprises the following information:

- Completed Application Forms
- This Covering Letter
- Consented Plan - General Arrangement Ground Floor Plan (dwg ref. CAS-AXIS-BU1-GF-DR-A-03-0200 C09), prepared by Axis Architects
- Proposed Plan - General Arrangement Ground Floor Plan (dwg ref. CAS-AXIS-BU1-GF-DR-A-03-0200 C13), prepared by Axis Architects
- Site Location Plan (dwg ref. 001-001), prepared by Callison-RTKL

The requisite fee of £293.00 has been paid via the Planning Portal.

Background
As Manchester City Council is aware, planning permission was granted for the redevelopment of the land at Heyrod Street within the Portugal Street East ("PSE") Strategic Regeneration Framework ("SRF") area, including the demolition of the existing building and the construction of residential apartments with

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ground floor commercial space (LPA ref. 127317/FO/2020). The full wording of the approved development is as follows:

> *"Erection of a part 25 part 21, part 14, part 7 storey building for 352 apartments comprising 39 Studios, 77x 1 bed, 227 x 2 bed and 9 x 3 bed (Use Class C3) with ground floor commercial space within 4 units (494m2) for Class A1 (Shop), A2 (Financial and Professional Services) A3 (Café and Restaurant), A4 (Drinking Establishment), A5 (Hot Food Take Away), B1 (Office) and D1-D2 uses, ancillary indoor and outdoor amenity space (including 1st and 21st floor external areas) car 2 parking for 20 vehicles, cycle parking and associated hard and soft landscaping works, following demolition of existing buildings."*

The development will offer a high-specification residential led 'build-to-rent' scheme, complemented by ground floor commercial space and internal and external amenity space.

The development has been constructed in accordance with the planning permission, including the details approved pursuant to relevant planning conditions[1].

Several non-material amendments have been previously approved by MCC which are summarised in Table 1 below.

Table 1: Summary of the Consented Non-Material Amendments Applications

Application Reference	Brief Description of Amendments	Date of Decision Notice
130258/NMC/2021	• Amendments to the wording of Conditions 35 to allow the information required by this condition to be submitted prior to commencement of highway works and footpaths reinstatement	24 May 2021
133355/NMC/2022	• Amendments to the design of the scheme, including: ○ Amendments to handrails (Levels 07, 14 and 25) ○ Changes to glazing at level 01 and 21 to introduce smaller residential units ○ Replacement of full height glazing at level 21 with curtain walling ○ Changes to ground floor entrances (bin store, car park entrance) including additional and relocated doors to commercial units.	22 April 2022
134803/NMC/2022	• Amendments to the design of the scheme, including changing the double doors to a single opening door with a side panel for the Juliette doors at the entrance of the building	22 September 2022
136521/NMC/2023	• Amendments to the design of the scheme, including: ○ Increased width of the raingardens on Longacre	17 April 2023

[1] The following conditions have been discharged: 3a, 3b, 3c, 4, 5, 6, 8a, 8b, 9, 10, 11, 11a-h, 12, 13, 14, 15a, 16, 16a, 17, 21, 22a, 22b, 24, 35, 36, 38a and 38b

Application Reference	Brief Description of Amendments	Date of Decision Notice
	Street ○ Changes to the soffits to connect to a discrete airbrick in the colour "farmstead" in the brick façade Changes to some ground floor doors to meet the Building Regulations ○ Amendments to the wording of condition 17 on the maximum environment noise	
138627/NMC/2023	• Amendments to the design of the scheme, including: ○ Changes to the finish of artificial turf on Level 01 ○ Omission of the "fins" from the Heyrod Street elevation ○ Installation of Building Mounted Obstruction Lighting System ○ Installation of externally mounted plant at Level 22	15 December 2023

Proposed Amendments

The planning permission consented the provision of four retail units within The Casting's scheme. During previous design development this was amended to three retail units as shown on the latest approved layout plan (dwg ref. CAS-AXIS-BU1-GF-DR-A-03-0200 C09).

Following further detailed design considerations, the fourth retail unit is proposed to be reintroduced back into the scheme through the erection of an internal wall (as shown on proposed plan ref. CAS AXIS BU1 GF DR A 03-0200 Rev C09). There will be no changes to the overall floor space or uses granted permission, and there will be no amendments to the elevations.

Consideration of the Application

In accordance with the Planning Practice Guidance, there is no statutory definition of 'non-material'[2]. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under Section 96A of the Town and Country Planning Act 1990.

The proposed amendments do not alter the overall principle of the development, and indeed, the principle of a fourth retail unit has been previously established. As such, it is deemed this proposal is capable of being dealt with via a non-material amendment pursuant to Section 96A of the Town and Country Planning Act 1990. This approach has been agreed in principle with MCC via email on 22 August 2024.

Conclusion

We trust that this submission satisfies the Council's application validation requirements and will allow for the determination of the application. We look forward to receiving formal written notification to this

effect in due course, however, should you have any queries or require any further information, please contact myself or my colleague Amy Gaskell (amy.gaskell@turley.co.uk).

Yours sincerely



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Assistant Planner

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Appendix 1: Superseded Plans

Drawing Title	Approved Drawing	Author	Updated Drawing
Site Location Plan	001-001	Callison-RTKL	-
Site Plan	001-002	Callison-RTKL	-
Demolition Plan	010-001	Callison-RTKL	-
Ground Floor Plan – Non-Material Amendments	CAS AXIS BU1 L00 DR A 00-2100 Rev P01	Axis Architects	-
General Arrangement – Ground Floor Plan	CAS-AXIS-BU1-GF-DR-A-03-0200 C09	Axis Architects	CAS-AXIS-BU1-GF-DR-A-03-0200 C13
Mezzanine Plan	011-001	Callison-RTKL	-
Level 01	011-002	Callison-RTKL	-
Level 02 to 06	011-003	Callison-RTKL	-
Level 07	011-004	Callison-RTKL	-
Level 08 to 09	011-005	Callison-RTKL	-
Level 10 to 13	011-006	Callison-RTKL	-
Level 14	011-007	Callison-RTKL	-
Level 15 to 20	011-008	Callison-RTKL	-
Level 21 to 24	011-009	Callison-RTKL	-
Plan Layout – Lv 01	012-001	Callison-RTKL	-
Plan Layout – Lv 02 to 06	012-002	Callison-RTKL	-
First Floor Plan – Non-Material Amendments	CAS AXIS BU1 L01 DR A 00-2101 Rev P00	Axis Architects	-
Plan Layout – Lv 08 to 09	012-004	Callison-RTKL	-
Plan Layout – Lv 10 to 13	012-005	Callison-RTKL	-
Plan Layout – Lv 14	012-006	Callison-RTKL	-
Plan Layout – Lv 15 to 20	012-007	Callison-RTKL	-
Plan Layout – Lv 21 to 24	012 – 008 CAS-AXIS-BU1-L21-DR-A-00-2102 Rev P00 (*(in relation to Level 21 only)*	Callison-RTKL Axis Architects	-
Heyrod St – Context Elevation	020-001	Callison-RTKL	-
Longacre St – Context Elevation	020-002	Callison-RTKL	-
Heyrod St Elevation	CAS-AXIS-BU1-XX-DR-A-SK-014 P00	Axis Architects	-

Longacre St Elevation	CAS-AXIS-BU1-DR-A-SK-013	Axis Architects	-
South Elevation	CAS-AXIS-BU1-XX-DR-A-00-2503 Rev P02	Axis Architects	-
North Elevation	CAS-AXIS-BU1-XX-DR-A-00-2504 Rev P02	Axis Architects	-
Section A-A	030-001	Callison-RTKL	-
Section B-B	030-002	Callison-RTKL	-
Illustrative Sections – Ground Floor	0799-RFM-XX-00-DR-L-0009 PL01	Re-Form	-
Landscape General Arrangement – Ground Floor Interim Scheme	0799-RFM-XX-00-DR-L-0012 PL01	Re-Form	-
Landscape Planting Strategy	0799-RFM-XX-00-DR-L-0013 PL01	Re-Form	-
Illustrative Roof Terrace Sections – Level 01	0799-RFM-XX-00-DR-L-0014 PL01	Re-Form	-
Landscape General Arrangement – Roof Terraces Level 01 and 21	0799-RFM-XX-00-DR-L-0015 PL01	Re-Form	-
Planting Details	0799-RFM-XX-00-DR-L-8001 PL01	Re-Form	-
BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION)	190002 - CRL- ZZ- 00- DR-A- 21-004	Calliston-RTKL	-
BAY STUDY - LV 11 TO 14 (LONGACRE ELEVATION)	190002 - CRL- ZZ- ZZ- DR-A- 21-002	Calliston-RTKL	-
BAY STUDY - LV 19 TO 22 (HEYROD ELEVATION)	190002 - CRL- ZZ- ZZ- DR-A- 21-003	Calliston-RTKL	-
BAY STUDY - LV 00 TO 03 (LONGACRE ELEVATION)	190002 - CRL- ZZ- 00- DR-A- 21-004	Calliston-RTKL	-