

Our Ref: 04C300625/LS/KW

Your Ref: 139146/JO/2024

25 July 2024

Lucy Harrison
Planning
Manchester City Council
PO Box 532
Manchester
M60 2LA

Dear Lucy,

**APPLICATION FOR A NON-MATERIAL AMENDMENT (UNDER SECTION 96A OF THE TCPA 1990)
TO AMEND WORDING OF CONDITION 6 ATTACHED TO PLANNING APPLICATION
139146/JO/2024**

Avison Young have been instructed by Cubic Works on behalf of Quartz Project Services ('the Applicant'), to submit a Non-Material Amendment ('NMA'), under Section 96A of the Town and Country Planning Act 1990 (as amended), to vary the wording of Condition 6 attached to full permission ref: 135123/FO/2022 as amended by minor material amendment ref: 139146/JO/2024. For completeness, the description of development for permission ref: 135123/FO/2022, which was approved by Manchester City Council ('MCC') on the 24 January 2023, is set out below:

"Development comprising extension to the sixth floor; creation a new rooftop terrace; internal refurbishment to the existing ground floor, mezzanine, first, second, third, fourth and fifth floor to facilitate new amenities; creation of plant area; enhancements to features on the external building; replacement of louvres; erection of PV systems and associated works."

A section 73 minor material amendment was approved on the 27 March 2024 under application reference 139146/JO/2024.

For clarity and administrative purposes, the proposed description of development for this Section 96A application is as follows:

"Non-material amendment to Condition 6 to allow for occupation of the development prior to the development of the rooftop terrace, attached to application ref no: 139146/JO/2024"

PROPOSED CHANGES

The proposed changes relate to the amending the wording of Condition 6. It is expected that there will be a delay in the development of the rooftop terrace. Therefore, the applicant wishes to amend this condition to allow for the development to be occupied prior to the development of the rooftop.

As such, the below changes are required to Condition 6 attached to 135123/FO/2022 and amended by 139146/JO/2024, to facilitate the delivery of the development. The proposed amendments to the condition wording are shown in **bold blue text**, for ease.

Condition 6 (Rooftop Management Plan)

*"6) The external areas within the application site shall only be used in accordance with a Management Plan that shall be submitted to and approved in writing by the City Council as local planning authority before the **rooftop terrace of the** development is first occupied and shall include:*

- a schedule of days and hours of operation;*
- number of occupiers (capacity); and*
- statement of intended use.*

No amplified sound or any music shall be produced or played in any part of the site outside the building.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy."

PRE-APPLICATION DISCUSSIONS

Avison Young previously engaged with Planning Officers at MCC regarding the proposed changes to the timing of the condition. It was agreed on the 16 July 2024, that the proposed amendment to the timing of the condition would be acceptable subject to the submission of a Section 96A planning application.

SUBMISSION

The following documents are submitted in support of the application:

- i. This covering letter;
- ii. Application forms;
- iii. Relevant land ownership certificate (duly signed); and,
- iv. Relevant planning application fee.

SUMMARY

The application documentation has been submitted via Planning Portal (ref. PP-13271619). The planning application fee has been calculated at £363 (including planning portal administration fee of £70 and VAT) and has been paid by BACS transfer directly to the Planning Portal.

I trust that this is satisfactory for the Council to enable a swift validation of the application. Should you require any further information or wish to discuss the application, then please do not hesitate to contact me.



Yours sincerely,

A handwritten signature in black ink that reads 'K Wilson'.

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For and on behalf of Avison Young (UK) Limited