

12 August 2024

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

Dear Jennifer,

Viadux Phase 1, Manchester – Application for Non-Material Amendments to Planning Permission for 133998/JO/2022

On behalf of our client, Salboy Central Limited (“the Applicant”), we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 (as amended) in order to make a Non-Material Amendment (“NMA”) to Planning Permission 133998/JO/2022.

Background

Planning Permission (Ref. 115871/FO/2017 was granted at the Site on 27 July 2017, for:

“Erection of a 40 storey building to form 375 residential apartments (Use Class C3a) and the erection of a 14 storey building for form offices (Use Class B1) (31,756 sqm) together with ground floor commercial space (Use Class A1, A3 or A4) (1010 sqm) with associated enclosed service yard, public realm including staircase and lift to connect with viaduct, car and le parking, landscaping and other associated works”

The Planning Permission has since been amended via the following consents:

Application Reference	Description	Status
126604/NMC/2020	Non Material Amendment to planning permission 115871/FO/2017 to include an additional drawing in respect of drainage to condition 3 and to amend the trigger points and include the drainage drawing to conditions 4, 5a, 6, 7a, 8, 14 and 41a	Approved 27 March 2020
126868/JO/2020	Variation of planning conditions 2, 3, 21, 24, 25, 29, 30, 31, 32, 36 and 38 of planning permission 115871/FO/2017 (amended by 126604/NMC/2020) to allow for a reduction in overall height of the building by 2.5 metres, changes to the number and type of structural interventions into the listed arches, modification and	Approved 20 August 2020

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Application Reference	Description	Status
	alteration to the bridge over Great Bridgewater Street, alterations to the ground floor layout including enlargement of residents lobby together with re-location of the cycle store and reduction in car parking, alterations to the upper floor layout to remove 3 bedroom apartments and elevational alterations to main facade of the residential tower to modify the fin arrangement together with alteration to the podium with the introduction of perforated panels.	
129153/NMC/2021	Alterations to the ground floor including enlargement of amenity area, reducing the size of the commercial floorspace, together with alterations to the cycle store and access, relocation and enlargement of residents' lounge to level 1 together with alterations to boundary treatment and enlargement of gym floor spaces to podium together with associated alterations to public realm and elevational alterations.	Approved 04 March 2021
131326/NMC/2021	Facilitate elevational alterations to stair, planters and lift shaft including modifications to materials.	Approved 26 August 2021
133998/JO/2022	Variation of planning conditions 2, 3, 18, 20, 21, 24, 25, 29, 30, 31, 32 and 36 of planning permission 126868/JO/2020 to facilitate elevational alterations, internal reconfiguration of the commercial floor spaces including creation of a tripe height entrance foyer, encapsulation of tram track, certation of amenity spaces and external terraces, alterations to landscaping and creation of an external seating area and other associated works.	Approved 15 August 2022
139045/NMC/2024	Non material amendment to planning permission 133998/JO/2022 toreconfigure internal floorspace including reduction in number of apartments from 375 to362 and removal of plant from level 19, introduction of decorative louvres and amendment to serve yard gates.	Approved 01 February 2024

Overview of Amendments

Condition 38 – Highways

The wording of Condition 38, as outlined in the decision notice for Planning Permission ref: 133998/JO/2022, is currently:

“Prior to the first use of the residential element of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm in relation to Trafford Street, Great Bridgewater Street, Albion Street shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following: 133998/JO/2022

- servicing bay Great Bridgewater street and associated road markings. –

Improvements to the public realm including details of materials (including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and building line) and tree planting and soft landscaping where appropriate.

- Creation of a car club bay on the surrounding road network.

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ.”

Due to works being undertaken by Manchester City Council (MCC) along Deansgate and associated lane closures along Great Bridgewater Street it is not possible to complete the highways works as referenced within Condition 38 prior to the occupation of the development. Consequently, at the request of the Local Planning Authority, SLR as the Transport Consultant has liaised with MCC Highways who have confirmed that these works cannot take place until Summer 2025. Consultation has also been undertaken with TfGM who indicated that the proposed amendment falls outside of their remit and therefore provided no challenge to amending the wording of the condition. The above consultation informed a response to the Local Planning Authority which was issued via email on 24/07/2024 outlining the need to amend the trigger point for this condition to allow works to be completed within 12 months of first occupation of the development. The Case Officer subsequently confirmed via email on 06/08/2024 that MCC Highways were able to accept this amendment. The proposed amendment to the condition wording is therefore as follows:

“Prior to the first use of the residential element of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm in relation to Trafford Street, Great Bridgewater Street, Albion Street shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following: 133998/JO/2022

- servicing bay Great Bridgewater street and associated road markings. –

Improvements to the public realm including details of materials (including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and building line) and tree planting and soft landscaping where appropriate.

- Creation of a car club bay on the surrounding road network.

The approved scheme shall be implemented and be in place ~~prior to the first occupation~~ within 12 months of occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ.”

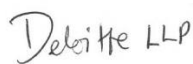
Summary

The amendment proposed in this application will result in a development that is physically unchanged from that approved under ref. 133998/JO/2022 (as amended). The development is therefore wholly compliant with the policies of the Development Plan 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.

The application is submitted through Planning Portal, reference PP-13314990. Payment has been sent via Planning Portal for the sum of £293 in respect of the application fee.

We would be grateful if you could notify us of validation of the Application and please do not hesitate to contact my colleagues Josh Wyatt-Smith (0161 455 8451 / jwyattsmith@deloitte.co.uk) or Niall Alcock (07919 592 710 / nalcock@deloitte.co.uk)

Kind regards



Deloitte LLP