

Sue Wills
Planning
Manchester City Council
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4th April 2024

Submitted via Planning Portal (ref: PP-12947367)

Dear Sue

Application for the Approval of a Minor-Material Amendment to 135848/FO/2022: Full Planning Permission for a Residential Development at the Former Victoria Park Probation Centre

On behalf of our client, Britannia Victoria Limited ('the Applicant'), please find enclosed an application made under Section 73 of the Town and Country Planning Act 1990 to make minor-material amendments to Conditions 2 and 12 of planning permission 135848/FO/2022 at the site of the Former Victoria Park Probation Centre, Laindon Road, Manchester ('the Site'), which list the approved plans and documents and the servicing details respectively. The permission was granted on 31st October 2023 for the following description of development:

'Erection of a residential development (Use Class C3), comprising 72 units, along with associated hard and soft infrastructure, access and associated works following demolition of existing buildings.'

The Proposed Amendments

An application for non-material amendments to the scheme under Section 96A of the Town and Country Planning Act 1990 (MCC ref: 138616/NMC/2023) was approved on 9th January 2024. This originally included amendments in relation to House Type 6A, however it was agreed that these should be considered as a minor material change under a Section 73 of the Town and Country Planning Act 1990.

This application has therefore been submitted to amend House Type 6a (Plot 63), specifically to extend the rear of the property further into the rear garden, to allow for a revised internal layout. Enclosed with this submission is a set of revised plans to supercede those previously approved as set out in the below table.

Previously Approved Plan	Revised Plan
Site Plan ref: A662-P-100 Rev X (through NMA)	Site Plan ref: A 662-P-100 Rev Y
Block Plan ref: A662-P-002 Rev K (through NMA)	Block Plan ref: A 662-P-002 Rev L
Servicing Plan ref: A662-P-101 Rev D	Servicing Plan ref: A662-P-101 Rev E
Access Plan ref: A662-P-102 Rev B	Access Plan ref: A662-P-102 Rev C
House Type 6A Plan ref: A662-P-156 Rev C	House Type 6A Plan ref: A662-P-156 Rev E
House Type 6A Elevation ref: A662-P-168 Rev A	House Type 6A Elevation ref: A662-P-168 Rev B
House Type 6A Section ref: A662-P-175	House Type 6A Section ref: A662-P-175 Rev A

It is our view that the proposed amendment would not affect, or necessitate an update, to the conclusions of any of the other supporting documents that were considered and approved under the current planning permission.

Assessment

Since the granting of planning permission for the development earlier this year the Applicant has continued to work up the detailed design of the proposals, secure the necessary non-planning approvals, and intends to start works on site imminently. It is as part of this next level of design work that the need to make some minor amendments to the consented scheme.

Planning Practice Guidance¹ is clear that an application made under section 73 of the Town and Country Planning Act 1990 can be used to make a material amendment by varying or removing conditions associated with a planning permission. There is no statutory limit on the degree of change permissible to conditions under Section 73, but the change must only relate to conditions and not to the operative part of the permission.

The amendments will not impact on any other part of the approved development aside from House Type 6A which is present on Plot 63 and we expect any consultation would be limited to this aspect. For the avoidance of doubt, the number of bedrooms does not change and therefore the mix of dwellings in the scheme is unaffected.

It is our view that the proposed amendments would not affect, or necessitate an update, to the conclusions of any of the other supporting documents that were considered and approved under the current planning permission. In addition, there are no changes to the Development Plan or material planning circumstances since the grant of that consent that are relevant to the determination of this application.

Summary

In summary, the "effect of the change" of the proposed amendments are of a minor material nature. The amendments to the approved plans are required to enable the development site to come forward and contribute to MCC's supply of residential accommodation in the quickest timescale.

I trust that the enclosed information will enable you to validate the submission as soon as possible. If you have any queries or require any further details, please do not hesitate to contact me.

¹ Paragraph: 013 Reference ID: 17a-013-20230726, Revision date: 26 07 2023

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fielden'.

Louisa Fielden
Associate Director

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AshtonHale Ltd