

22 April 2024

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

F.A.O Jennifer Atkinson
Dear Jen,

Bendix Street

Application for Non Material Amendments to Planning Permission Ref: 125681/FO/2019 (as amended by 132527/NMC/2021 and 136545/NMC/2023)

Please find enclosed an application for a non-material amendment to Planning Permission ref: 125681/FO/2019 granted 23 April 2021, as amended by 132527/NMC/2021 and 136545/NMC/2023. This in accordance with Section 96(a) of the Town and Country Planning Act 1990 (as amended).

The applicant is Mulbury Homes (Central) Ltd. ('the Applicant').

The Planning Permission relates to the erection of an 8 storey residential building on the Site bound by Thompson Street to the north east, Oldham Road to the south, Bendix Street to the south west and a building occupied by Turning Point to the north west. This application addresses a number of minor changes to the landscaping, in relation to the street trees along Thompson Street.

The proposed description of development is as follows:

Non-Material Amendment to planning permission 125681/FO/2019 to change wording of condition 2 (Approved Drawings) and Condition 11 (Landscaping) to agree minor landscaping changes.

The proposed amended plans are included at Appendix B.

1 Planning History

Planning Permission 125681/FO/2019 was granted on 23 April 2021 for the following:

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Erection of a ground plus 12-storey residential building (Use Class C3) comprising 161 residential units, with ground floor commercial use (Use Class A1, A2, A3, B1, and / or D1 (excluding Places of Worship)) (160sqm) or ancillary residents lounge, disabled car parking, with highways, landscaping and other associated works following demolition of existing buildings.

1.1 Previous Amendment Applications

A previous Section 96a Application was also approved 10 January 2022 (Ref. 132527/NMC/2021) to change wording of condition 9 (Materials) to agree a materials programme.

A subsequent Section 96a Application was also approved 30 March 2023 (Ref. 136545/NMC/2023) to make elevational alterations reflecting reconfiguration of internal layout.

2 Proposed Amendments

The amendments are proposed following detailed design development, review of programme for the separate package of s278 works, and further consultation with Highway and Planning Officers at LPA.

These proposed amendments were initially presented to the Local Planning Authority via a phone call with Jennifer Atkinson on 02 November 2023, followed up by email correspondence on 30 November 2023 setting out the proposed amendments.

As the amendments do not materially alter the scale, quality or proposed use of the Proposed Development, it is considered that they can be progressed via a Section 96a application.

2.1 Soft Landscaping

The original consent includes hard and soft landscaping treatments, as shown on approved drawings 136_LYR_XX_12_DEG_L_1003 Rev 1, 136-LYR-X-XX-DWG-L-1001 Rev 2 and 136-LYR-X-XX-DWG-L-5001 Rev 1, with final details to be agreed via Condition 11 (Landscaping) and 30 (Highways Works).

It has been identified that the four trees along Thompson Street would interfere with underground servicing if planted in the locations indicated on the approved landscaping drawings.

The landscape architect and drainage consultant have carried out some further coordination with regards to these existing constraints. They have proposed an amended layout which will retain the same number of street trees along Thompson Street, but in slightly altered positions relative to those indicated on the approved drawings to avoid clash with underground servicing layouts (as shown in drawing Ref. D480-LAY-EX-GF-DR-L-3001_SOFTWORKS GA_S3).

It is therefore proposed that Condition 2 (Approved Documents), 11 (Landscaping Details) and be amended to reference the updated landscaping drawings.

Condition 2

It is proposed that the list of amended drawings be amended as follows:

Approved Drawing	Amended Drawing
136-LYR-X- XX-DWG-L-1001 Rev 2	D480-LAY-EX-GF-DR-L-3001_SOFTWORKS GA_S3

Condition 11

It is proposed that the wording of Condition 11 be amended in line with the changes shown in green:

- a) *Notwithstanding Drawings 136_LYR_XX_12_DEG_L_1003 Rev 1, **D480-LAY-EX-GF-DR-L-3001_SOFTWORKS GA_S3**; ~~136-LYR-X-XX-DWG-L-1001 Rev 2~~ and 136-LYRX-X-XX-DWG-L-5001 Rev 1 stamped as received by the City Council, as Local Planning Authority, on the 23 December 2019, prior to the first occupation of this development, details of hard and soft landscaping treatments (including street trees and appropriate samples of hard landscaping materials) shall be submitted to and approved in writing by the City Council as local planning authority.*
- b) *The approved scheme shall be implemented prior to the first occupation of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.*

3 Planning Policy Assessment

3.1 National Planning Policy Framework (2023)

Since the original application was submitted, a revised NPPF was adopted in 2023 further to revisions that were made in 2019. The revised NPPF continues to set out the Government's planning policies for England and how these are to be applied within a local setting. It requires

planning policies to meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.

The presumption in favour of sustainable development – the golden thread running through plan-making and decision taking) – remains at the heart of the NPPF. Sustainable development is about positive growth, which supports economic, environmental and social progress for existing and future generations.

The revised scheme remains in full accordance with the key tenets of the NPPF. The approved proposals, as amended by this application, will provide high quality residential accommodation at a highly sustainable site in Manchester, supporting delivery of the widely recognised requirement for housing supply across the city region.

Local Planning Policy – Local Development Plan

The key Development Plan documents remain the 2012 Manchester Core Strategy and Saved Policies of the Manchester Unitary Development Plan (UDP). There has been no change in local planning policy since the Planning Permission was granted.

Overall, it is considered that the nature of the proposed minor material amendments to the approved scheme means that it remains in full accordance with the key spatial principles of the Core Strategy.

Summary

The application comprises this covering letter and the following documentation:

- Completed Application Form;
- Drawing prepared by Layer (Ref. D480-LAY-EX-GF-DR-L-3001_SOFTWARES GA_S3

The Application has the Planning Portal reference: PP-12993765 and the application fee of £293 will be paid online.

On the basis of the information submitted, we seek your agreement that the proposed amendments are acceptable and can be dealt with as a non-material amendment.

I would be grateful for written confirmation of receipt and registration of this application. If there are any points of clarification required, please do not hesitate to contact my colleague Eithne FitzGerald (eithnefitzgerald@deloitte.co.uk / 0161 455 6963) if you have any questions or require any further information.

Yours sincerely

Deloitte.

Deloitte LLP

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