10 January 2024
Delivered by via Planning Portal

Jennifer Atkinson
Manchester City Council
P O Box 532
Town Hall, Albert Square
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Dear Jennifer

DISCHARGE OF CONDITION 20 PURSUANT TO PLANNING PERMISSION (REF. 129251/FO/2021): FORMER KENDALS BUILDING , 98-116 DEANSGATE AND 35-47 KING STREET, KING STREET WEST, MANCHESTER, M3 2GQ

On behalf of Kendals Regeneration Limited ('the Applicant'), we are pleased to enclose an application to discharge condition 20 (Carriageways Condition Survey) pursuant to planning permission (ref. 129251/FO/2021 as amended by 138315/NMC/2023) at the above site.

The application is submitted via the Planning Portal (ref. PP-12719924) and comprises the covering letter, application forms and electronic copies of the documents listed below. The requisite application fee has been paid online via the Planning Portal.

Background

Full Planning Permission ('FPP') (ref. 129251/FO/2021) for the change of use of the upper floors and the erection of a three-storey rooftop extension to the existing Kendal Milne building to provide office and commercial floorspace and the demolition of an adjacent multi-storey car park and the erection of an office building in its place was granted by Manchester City Council ('MCC') on 4th June 2021 with the following description:

> *Change of use of upper floors and erection of three storey rooftop extension, including plant level, to Kendal Milne building to provide offices on floors 1-9 (Use Class E), together with change of use of ground, lower ground and basement levels of Kendal Milne building to flexible commercial spaces (Use Class E, F2 and /or Change of use of upper floors and erection of three storey rooftop extension, including plant level, to Kendal Milne building to provide offices on floors 1-9 (Use Class E), together with change of use of ground, lower ground and basement levels of Kendal Milne building to flexible commercial spaces (Use Class E, F2 and /or Sui Generis (Drinking Establishments) and associated elevational alterations and works; Demolition of adjacent Fraser Building and link bridges and erection of 14 storey office building (Use Class E), including plant level, together with associated amenity space and ground and basement floor flexible commercial units (Use Class E, F2 and / or Sui Generis (Drinking Establishments)) and basement areas for*

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cycle storage and plant; Highways landscaping and public realm works, engineering and infrastructure works and other associated works.

An accompanying Listed Building Consent ('LBC') (ref. 129252/LO/2021) was also granted by MCC on 4th June 2021 for the internal and external alterations to the existing Kendal Milne building. The description of consent is as follows:

Listed Building Consent for internal and external alterations to Kendal Milne building as part of proposals for change of use and three storey rooftop extension to form 9 floors of offices and commercial uses at ground, lower ground and basement levels.

Applications were made to amend the structure of the conditions on the FPP and the LBC to ensure the conditions are structured in a way that reflects the intended phased implementation of the project. A non-material amendment application was made in relation to the FPP (LPA ref. 138315/NMC/2023) and a S.19[1] application (LPA ref. 138287/JO/2023). These applications was approved on 24th November 2023.

This application seeks to discharge condition 20 of the FPP (as amended via the NMA approval), specifically in relation to an initial phase of development comprises the demolition of existing link bridges between the Kendals building and the multi-storey car park to the rear (shown as Phase 1 on the approved Phasing Plan).

A summary of the submitted information is provided below.

Condition 20

Condition 20 states :

a) *Before each phase of development commences, a full condition survey of the carriageways/footways on construction vehicle routes to be used in the construction of that phase of development shall be undertaken and submitted to the City Council as Local Planning Authority.*
b) *When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the City Council as Local Planning Authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the City Council as Local Planning Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant.*

The enclosed Schedule of Condition, prepared by Integra, inspect the highway and footpath areas at Southgate, St Mary's Street and Back South Parade, Manchester, prior to proposed works to remove two pedestrian link bridges between the King Street West car park and adjacent House of Fraser property.

Conclusion

I trust that you have the relevant information in order to validate this application and discharge condition 20 (Carriageways Condition Survey) pursuant to planning permission (ref. 129251/FO/2021 as amended by 138315/NMC/2023).

However, should you have any queries, please do not hesitate to contact me, or my colleague Lewis Evans (lewis.evans@turley.co.uk).

Yours sincerely

[1] Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990



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