

21 March 2023

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

Dear Sir/Madam,

10-12 Whitworth Street West, Manchester: Section 96A (Non-Material Amendment) Application to Planning Permission Reference 135272/JO/2022

Please find enclosed an application submitted by Vision Manchester Ltd for a non-material amendment to Planning Permission ref. 135272/JO/2022 in accordance with Section 96A of the Town and Country Planning Act 1990.

This application is submitted to allow planning condition 1 attached to 135272/JO/2022, relating to the date by which the contract would need to be signed for the construction of the project, to be updated in accordance with revised construction timescales for the project.

Planning Background

The approved residential development at 10-12 Whitworth Street West initially received planning permission on 11 April 2016 with a standard condition requiring commencement within 3 years of that date. The permission was implemented prior to this date but the main works contract was never undertaken beyond demolition and initial groundworks.

The Local Planning Authority subsequently applied a condition to the planning permission via a s.96a mechanism, agreed with the applicant, to require the submission of a building contract to ensure the permission did not remain indefinitely extant. Subsequent s.96a applications have sought to amend the specified timescales for submission of the contract in line with the tender process and development programme.

Following detailed design development, the Applicant was granted approval for Variation of Condition (135272/JO/2022) attached to the original permission (111003/FO/2016/C1 as amended). The application sought design changes including internal reconfiguration including repositioned lift core, ground floor entrance and roof pavilion with associated elevational alterations. The application was granted consent on 4 January 2023.

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The Applicant has now entered into new pre-contract negotiations that will be concluded by September 2023. A further extension for the submission of the contract is required from April 2023 to October 2023, representing an additional 6 months. The revised programme will allow the Applicant to complete the PCSA period and award the contract for construction. There is a clear plan undertaking a start on site and deliver this project without the further need to alleviate time pressures associated with this process.

Proposed Non-Material Amendments

Condition 1, as currently worded under permission ref. 135272/JO/2022, as follows:

*“No development shall be carried out pursuant to this permission if the contract for the construction and completion of the building hereby permitted has not been let by **30 April 2023** (and evidence provided to the reasonable satisfaction of the LPA) and any development activities on the site shall cease and no further development permitted by this planning permission shall be carried out. In this event, no later than **30 May 2023** a scheme shall be submitted to the LPA setting out how the site shall be restored, landscaped and maintained and thereafter the site shall be restored, landscaped and managed in accordance with the scheme that has been approved by the City Council, as Local Planning Authority.”*

Via s96A of the Town and Country Planning Act, it is proposed that Condition 1 be amended to read as follows:

*“No development shall be carried out pursuant to this permission if the contract for the construction and completion of the building hereby permitted has not been let by **31 October 2023** (and evidence provided to the reasonable satisfaction of the LPA) and any development activities on the site shall cease and no further development permitted by this planning permission shall be carried out. In this event, no later than **30 November 2023** a scheme shall be submitted to the LPA setting out how the site shall be restored, landscaped and maintained and thereafter the site shall be restored, landscaped and managed in accordance with the scheme that has been approved by the City Council, as Local Planning Authority.”*

Summary of Application

In addition to this cover letter, the application submission comprises the completed Application Forms and Certificates and a Site Location Plan to identify the Site. The application fee to Manchester City Council for £234 has been provided via the Planning Portal (PP-11999480).

Based on the information submitted, we seek your formal agreement that the proposed amendments to wording of conditions set out in 135272/JO/2022 and summarised in this letter 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 me or my colleague Michael Percival (0161 455 6672 / mipercival@deloitte.co.uk).

Yours sincerely



Deloitte LLP