

23 May 2023

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

FAO Dave Roscoe

Dear Dave,

20 - 36 High Street – Application for Non-Material Amendments to Planning Permission Ref. 121375/FO/2018

Please find enclosed 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 Ref. 121375/FO/2018.

The Applicant is ES Manchester High Limited ("the Applicant").

This application comprises this Covering Letter, and the following documentation:

- Application Form;
- Phasing Plan – Ground Floor Existing (2097-FCB-XX-00-SK-A-SK1010 Rev. P01);
- Phasing Plan – Ground Floor Proposed (2097-FCB-XX-00-SK-A-SK1011 Rev. P01);
- Existing Roof Proposed Demolition Sketch (2097-FCBS-XX-XX-SK-A-15); and
- The requisite fee of £266.20 (inc. VAT).

1 Background

The Site is located in Manchester City Centre and is bound to the north by Church Street; to the east by Birchin Lane; to the south by Bridgewater Place; and to the west by High Street. The Site measures 0.35 hectares, and encompasses 20-22 High Street, 24-36 High Street, and Church Street Market Stalls.

On 2nd October 2020, Planning Permission Ref. 121375/FO/2018 was granted for the redevelopment of the Site, to deliver a 22-storey building with commercial floorspace at ground floor level and 361 new homes above. The description of development was as follows:

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“Construction of a 22 storey building comprising 361 residential apartments (122 x 1 bed 2 person, 119 x 2 bed 3 person, 94 x 2 bed 4 person, 21 x 3 bed 5 person and 5 x 3 bed 6 person (34% 1 bed, 59% 2 bed and 7% 3 bed) ground floor commercial floorspace (Use Classes A1 (Shop), A3 (Restaurant and Cafe), A4 (Drinking Establishment) and A5 (Hot Food Take-away) associated landscaping, including new public realm and pedestrian route, together with servicing, cycle parking, access and other associated works following demolition of buildings at 20-22 and 24-26 High Street and 5 market stalls to Church Street”.

Following the grant of planning permission, CEG (the original Applicant) transferred the ownership of the Site to ES Manchester High Limited.

ES Manchester High Limited is now seeking to make Non-Material Amendments to Planning Permission Ref. 121375/FO/2018 to enable the development to be brought forward in accordance with their proposed phasing plan, and ultimately to enable the implementation of the planning permission (through the carrying out of “Early Works”).

2 Proposed Amendments

In summary, the Applicant seeks to:

- a) Add a phasing condition, which would enable the development to be carried out under two phases: (1) “Early Works” and (2) “Main Works”.
- b) Amend the trigger points associated with a number of pre-commencement and prior to demolition conditions. This will enable the first stage of minor works (“Early Works”) to commence, without discharging conditions that are only relevant to the main body of works (“Main Works”).

These amendments are discussed in further detail below.

To confirm, the Applicant is not proposing to make any physical changes to the approved development or alter the way in which the approved development would operate. The changes would simply allow the Applicant to bring the development forward in accordance with their phasing plan.

a) Phasing Condition

It is proposed to add a condition that would enable the proposed development (and the construction and demolition associated) to be phased.

The proposed condition wording is as follows:

“Development shall be carried out in accordance with phasing shown within Phasing Plans Nos. 2097-FCB-XX-00-SK-A-SK1010 Rev. P01 and 2097-FCB-XX-00-SK-A-SK1011 Rev. P01), unless otherwise agreed in writing by the Local Planning Authority.”

The “Early Works” phase of development will take place in the area outlined in green on the submitted phasing plans (Drawing Nos. 2097-FCB-XX-00-SK-A-SK1010 Rev. P01 and 2097-FCB-XX-00-SK-A-SK1011 Rev. P01), and the area outlined in red on the submitted demolition sketch (2097-FCBS-XX-XX-SK-A-15). Early Works will comprise:

- The demolition of the red brick nib wall, shutter and brick header infill (between 20-22 & 24-36 buildings on the Birch Lane elevation).
- The digging of a trial pit to the bottom of foundation level, and removal of all waste materials.
- The installation of a primary structure, as approved by Building Control. This will include a section of pile cap, with connections provided to future-proof the extension of the pile cap (as part of the approved “Main Works” substructure design). The above ground primary structure will be installed in accordance with the consented façade layout.
- The demolition of an existing roof structure, as shown on Drawing No. 097-FCBS-XX-XX-SK-A-15v. Once demolition works have been completed, this area on Level 2 will be kept safe and secure, with appropriate edge protection, where required.

The Applicant will appoint a principal contractor to carry out the proposed works. The principal contractor will be responsible for ensuring that works are carried out in a safe manner, and in accordance with the Construction Management Plan (to be agreed by Manchester City Council (MCC)) via the discharge of Condition 9). Details of the site compound, housing staff welfare and waste facilities, that will be located on Birch Lane, will be provided within the Construction Management Plan.

The Applicant will liaise with MCC Highways, in advance of the works taking place, to ensure that there are no adverse impacts in terms of traffic management. The Applicant will also liaise with neighbours to ensure that they are suitably notified of the works prior to commencement.

An asbestos survey will be carried out, and any asbestos found will be removed by a specialist prior to works commencing. All utilities that require decommissioning to facilitate this stage of works, will be decommissioned prior to works commencing.

The “Main Works” will encompass all other development, as approved under Ref. 121375/FO/2018, within the area shown in red on Drawing No. 2097-FCB-XX-00-SK-A-SK1011 Rev. P01.

b) Re-Wording of Conditions

It is proposed to amend the wording of 11no. pre-commencement conditions, and 1no. prior to demolition condition, so that the conditions reflect the Applicant’s phasing plan. A full schedule of proposed condition changes can be found at Appendix A.

In summary:

- **Condition 3 (Samples)** – it is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, as this will not include any external facing materials.
- **Condition 4 (Construction Contract)** – it is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, owing to it comprising very minor construction and demolition works.

- **Condition 5 (TfGM)** – it is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, as it does not include any TfGM equipment.
- **Condition 7 (Public Realm and Highways Works)** – it is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, as this area of land is not intended for any of the approved public realm or highways works.
- **Condition 8 (Contamination)** – it is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, owing to the very minor nature of works proposed.
- **Condition 9 (Construction Management Plan)** – it is proposed to amend the trigger point so that this condition can be discharged separately in relation to each phase of works. In varying this condition, the Applicant would submit a Construction Management Plan in relation to the Early Works stage first, and a further Construction Management Plan in relation to the Main Works phase.
- **Condition 10 (Written Scheme of Investigation)** – it is proposed to amend the condition to reflect that works should be carried out in accordance with the Written Scheme of Investigation already approved under Ref. CND/22/0510 (to part-discharge Condition 10); and to allow post-investigation assessment and dissemination of results to take place prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, owing to the very minor nature of works proposed.
- **Condition 12 (Drainage)** – is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, owing to the very minor nature of works proposed.
- **Condition 16 (Acoustic Insulation and Mechanical Ventilation)** – is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, owing to the very minor nature of works proposed.
- **Condition 20 (Local Benefit Proposal)** – is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, owing to the very minor nature of works proposed, and thus labour required.
- **Condition 31 (Discharge of Surface Water)** – is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main Works. This condition is not relevant to the Early Works phase, owing to the very minor nature of works proposed.
- **Condition 33 (Overhead Line Building Fixings)** – is proposed to amend the trigger point so that this condition only needs to be discharged prior to the commencement of development of the Main

Works. This condition is not relevant to the Early Works phase, as this does not include the provision of overhead lines.

3 Planning Policy Assessment

The proposed amendments have been considered against all relevant Development Plan Documents and other material considerations at the time of this application. This includes the 2012 Manchester Core Strategy, Saved Policies of the 2006 Manchester Unitary Development Plan and the National Planning Policy Framework (2021).

The proposed amendments are considered to be non-material in nature; and simply seek to enable the phased development of the Site. Adding a phasing condition and amending trigger points (as set out above) will ensure that the first stage of (minor) works can commence without the requirement to discharge conditions that are only relevant to the main body of works.

4 Summary

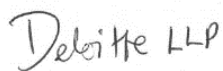
The amendments proposed are non-material in nature, in consideration of the original Planning Permission (Ref. 121375/FO/2018).

The proposed amendments will enable the Applicant to bring forward the development of the Site, in accordance with their phased schedule of works.

The proposed amendments are therefore wholly compliant with the policies of the Development Plan. We therefore respectfully request that this application be supported by the Planning Authority.

We would be grateful if you would notify us of validation of the application. Please do not hesitate to contact Kelly McCann (kmccann@deloitte.co.uk / 0161 455 6671) if you have any queries.

Yours sincerely



Deloitte LLP