

4 March 2026

David Lawless
Planning Officer
Development Management South
Manchester City Council
Planning Department
PO Box 532
M60 2LA

Lambert Smith Hampton
Windmill Green
24 Mount Street
Manchester
M2 3NN

Dear David,

Section 73 (Minor Material Amendment) of the Town and Country Planning Act 1990

Application to Vary Condition 3 of Planning Permission Reference 142287/VO/2025 (as amended) of former Co-operative Department Store and above vacant office units, Wythenshawe Civic Centre, The Birtles, M22 5RF

Planning Portal Reference: PP-14751316

Lambert Smith Hampton (LSH) writes on behalf of our client, Manchester City Council's Development & Investment Estate Service to submit an application under Section 73 of the Town and Country Act 1990 which seeks to Vary Condition 3 of application reference: 142287/VO/2025 (as amended¹) which granted planning permission on 13th June 2025 for the following:

'Change of use of first and second floor to from Use Class E (Commercial, Business and Service) to F1 (Community Hub) together with associated elevational alterations'.

The purpose of this Section 73 application is to change the wording of Condition 3 to regularise the submission and to enable partial discharge of the condition.

A fee of £2,000 has been paid internally to Manchester City Council.

Variation of Condition 3

The existing wording of Condition 3 is shown below:

No development that is hereby approved, apart from soft strip-out or associated demolition work, shall commence unless and until samples and/or specifications of all materials (including window

¹ Note: The parent planning consent was amended via Section 73 (Ref. 144260/JO/2025) on the 9th December 2025.

frames) to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

This application seeks to change the wording of the condition to as follows:

Prior to the installation of the relevant external element outlined below, sample details and/or specifications of the relevant materials to be used for that individual item on the external elevation must be submitted to and approved in writing by the City Council as local planning authority:

- 1. Window frames;*
- 2. Doors;*
- 3. External walls/cladding;*
- 4. Any other elements on external elevation which is considered necessary to include*

As mentioned previously, the purpose of this amendment is to enable partial discharges of the condition and to enable building works to commence.

Consideration of Minor Material Amendment (MMA)

Guidance from the Ministry of Housing, Communities and Local Government states that Section 73 applications (MMA) 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, but the change must only relate to conditions and not to the operative part of the permission².

In the context of the overall scheme, it is considered that the proposed changes constitute a minor material amendment for the following reasons:

1. Changes proposed relate to a condition;
2. The changes proposed will not extend the time limit within which a development must be started or an application for approval of reserved matters must be made; and
3. The changes proposed will not change the description of the development.

² <https://www.gov.uk/guidance/flexible-options-for-planning-permissions>

Application Submission

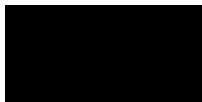
The application was submitted via the Planning Portal [Ref: **PP-14751316**] and is accompanied by the following:

1. Completed application form; and
2. Covering letter.

Conclusion

We trust that the information provided in support of the application is sufficient for the Council to validate and consider the respective Section 73 and applications. In the meantime, should you require any clarification or additional information, please do not hesitate to contact me.

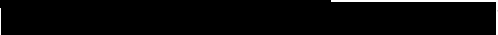
Yours sincerely,



Melanie Chan

**Graduate Town Planner
Planning Regeneration & Infrastructure**



[Cc:](#) Katherine Dybeck ( Kier Construction
Persephone Galanis () Manchester City Council