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12 May 2026

Planning Portal Reference: PP- 14929453

Dear Jen,

NON-MATERIAL AMENDMENT AND ALTERATION TO LISTED BUILDING CONSENT PURSUANT TO LPA REF. 135028/FO/2022 AND 135029/LO/2022, LAND BOUND BY KING STREET WEST, ST MARYS PARSONAGE, GARDEN LANE AND SMITHY LANE, MANCHESTER, M3 2JP

This application is submitted on behalf of Relentless Investments (RH) Ltd, for a non-material amendment to planning permission 135028/FO/2022 relating to the wording of existing planning conditions to allow the approved development to be delivered in phases. The application also seeks to vary conditions listed under the associated Listed Building Consent 135029/LO/2022 pursuant to Section 19 (S19) of the Planning (Listed Building and Conservation Areas) Act 1990 for the same reason.

The application comprises:

- Completed application forms;
- This cover letter;
- Dwg. No. 107-JMA-XX-ZZ-P-A-001400-A1 – Proposed Phasing Plan
- Dwg. No. 107_B1_02_1111 – Demolition Plan
- Dwg. No. 107_B1_04_1112 – Demolition Elevation, and
- A planning application fee of £309

CONTEXT

Full Planning Permission was approved under ref: 135028/FO/2022, on 8th September 2023 for the following description of development:

'Erection of 14 storey building and the refurbishment of the existing buildings at 3 Smithy Lane and Carriage Works on Garden Lane / St Mary's Parsonage with ground floor extension to form office accommodation (Class E) with front of house and commercial floorspace at ground floor (Class E) with associated landscaping and other works following demolition of existing buildings at 27-29 King Street West and 31-33 King Street West and link bridge from Carriage Works on Garden Lane / St Mary's Parsonage to 3 St Mary's Parsonage'

An associated Listed Building Consent was also granted on 8th September 2023, under ref: 135029/LO/2022, which had the following description:

'Listed Building Consent for the demolition of 31-33 King Street West and the refurbishment of the existing buildings at 3 Smithy Lane and Carriage Works on Garden Lane / St Mary's Parsonage with ground floor extension with associated landscaping and other works following demolition of existing buildings and link bridge from Carriage Works on Garden Lane / St Mary's Parsonage to 3 St Mary's Parsonage in association with the erection of a 14 storey building.'

Both the planning permission and the listed building consent are yet to be implemented. They expire on 8th September 2026.

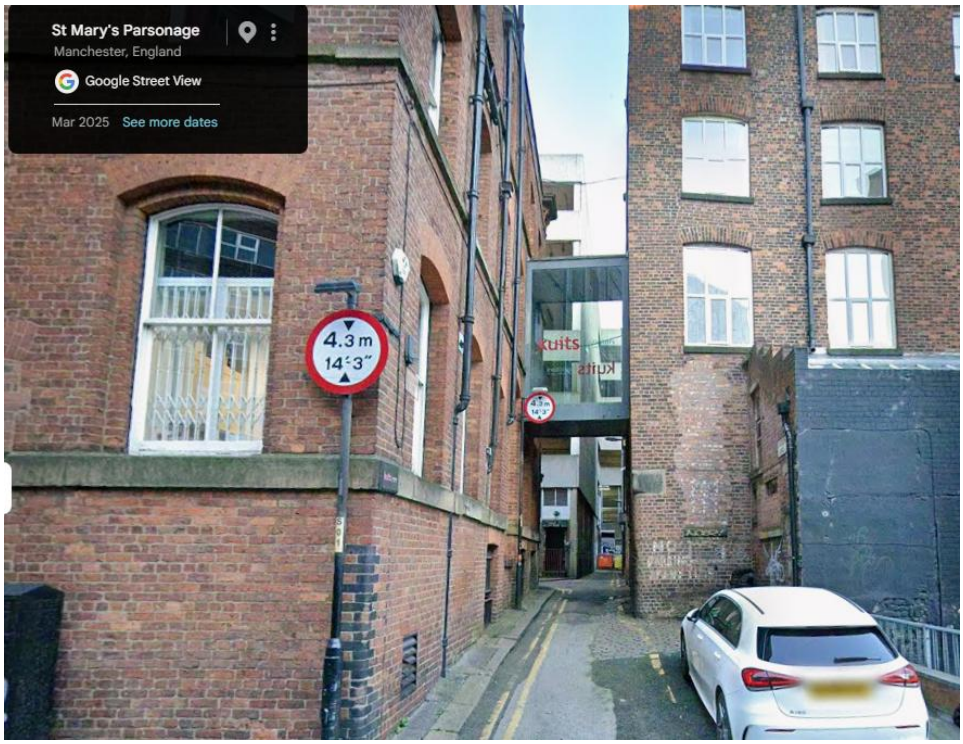
The site has recently been acquired by Relentless Investments (RH) Ltd. Given the importance to the wider St Mary Parsonage area, the applicants proposed investment and delivery in this area, and as a Partner in the area, in order to allow us to see comprehensive redevelopment, protection of these two consents is important.

Having acquired the site recently there isn't time in which to undertake all of the detailed design work required before the permission lapses in September. It is therefore our intention to phase the work – to allow deliver of an initial phase of work to be undertaken prior to the expiry of the consent

To enable this, non-material amendments are required to the extant planning permission relating to the phased delivery of the scheme and associated changes made to the listed building consent which are explained further in this letter.

PROPOSED CHANGES

The initial proposed phase (Phase 1) would comprise demolition of the bridge link that spans Garden Lane, between the Application Site and the adjacent Kuits office building. Visual below:



Details of the proposed works are shown on the demolition plans. The remainder of the development will be brought forward in subsequent phases.

The definition of the phases and an overview of the works within each are shown on the Phasing Plan which has been submitted with this application (107-JMA-XX-ZZ-P-A-001400-A1 – Proposed Phasing Plan). An associated Elevation plan has been submitted which provide details of the works proposed through Phase 1 (Dwg. No. 107_B1_04_1112).

At present the planning permission and listed building consent do not expressly permit the delivery of the development, and critically the discharge of planning conditions, on a phased basis. Non-material amendments are therefore proposed to a limited number of conditions to address this and enable phased delivery in accordance with the Phasing Plan (reference 107-JMA-XX-ZZ-P-A-001400-A1). As part of these applications, it is also proposed that the Phasing Plan be added to the planning permission and listed building consent as an approved plan.

The necessary changes to the conditions are outlined below within Appendix 1. These amendments will enable Phase 1 of the development to be delivered through the discharge of only those conditions which need be addressed in the context of the limited scope of works which comprise Phase 1 of the development as proposed.

Basis of Determination
National Planning Practice Guidance (NPPG) confirms that what constitutes a 'non-material' amendment will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must have regard to the effect of the change and be satisfied that the amendment sought is non-material in order to approve an application under Section 96A of the Town and Country Planning Act 1990.

Section 19 of Planning (Listed Building and Conservation Areas) Act 1990 allows the variation or discharge of conditions attached to LBCs. It is noted that as with NMAs, a Section 19 application does not require statutory consultation, with guidance prepared by the Institute of Historic Building Conservation3 confirming that 'only a new application for LBC would require the statutory consultations'.

Evaluation of the Proposed Changes
The proposed changes will not alter any aspect of the development approved in terms of its physical form; they simply relate to ensuring that the conditions are structured in a way that reflects the intended phased implementation of the project.

The proposed changes do not change the scale, nature or extent of the approved scheme. The mix of uses comprised in the development, its built form and design quality are unaffected. Accordingly, the applications do not engage a reconsideration of the physical form of the scheme or its uses proposed or indeed of its harm to heritage assets.

Whilst the changes would facilitate the delivery of a first phase of development (Phase 1) independently of the rest, the completion of the proposed Phase 1 works in isolation does not give rise to any environmental or related planning or heritage matters and would have no effect on the overall planning balance which fell in favour of the scheme's approval through the determination of the planning application and associated LBC application. Phase 1 can be delivered in isolation in an acceptable manner given the very limited scope of works proposed. The delivery of Phase 1 in the manner does not undermine the delivery of the wider development in due course.

In light of the above, it is evident that the proposed changes comprise non-material amendments to the Full Planning Permission and fall within the scope of the types of amendments to Listed Building Consent's that can be approved via Section 96a of the Town and Country Planning Act 1990 and Section 19 of the Planning (Listed Building and Conservation Areas) Act 1990 respectively.

I trust the enclosed is satisfactory to allow you to register the applications and I look forward to acknowledgement of their receipt. Should you wish to discuss the information provided or have any queries please do not hesitate to contact me.

Yours sincerely,



Nikki Sills
Partner

APPENDIX 1: PROPOSED AMENDMENTS TO CONDITION WORDING

Outlined below are the proposed wording alterations to conditions attached to the Full Planning Permission (FPP), LPA Ref. 135028/FO/2022 (unless stated to also apply to the LBC, Ref. 129252/LO/2021). The revised wording of the below conditions seeks to enable the phased discharge of a number of associated pre-commencement conditions.

Condition 2 of the Full Planning Permission and Condition 2 of the Listed Building Consent to be amended to include the phasing plan (Dwg. No. 107-JMA-XX-ZZ-P-A-001400-A1 – Proposed Phasing Plan) as an approved drawing to the condition**.**

Condition 5 of the FPP
Prior to the commencement of each phase ~~the construction phase~~ of the development a detailed construction and/or demolition management plan outlining working practices during that phase ~~development~~ shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Method Statements and risk assessments for construction and demolition works.
- Display of an emergency contact number to be displayed in a publicly accessible location.
- Details of Wheel Washing.
- Dust and dirt suppression measures.
- Compound locations where relevant.
- Location, removal, and recycling of construction waste.
- Details of the vehicular activity associated with the construction, including a strategy for the outing of construction traffic, and swept path analysis.
- Details of the location and arrangements for all parking of all construction related vehicles and staff.
- Sheeting over of construction vehicles.
- Construction and demolition methods to be used, including the use of cranes.
- The identification of all vehicular access points into the site.
- Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works.
- A highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

Development shall be carried out in accordance with the approved construction management plan.

Condition 6 of the FPP and Condition 4 of the LBC:
No development or demolition with the exception of the initial demolition in Phase 1, shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority.

The WSI shall cover the following:
a) Informed by the updated Northwest Regional Research Framework, a phased programme and methodology of investigation and recording to include:
i. historic building recording to Historic England Level 3 for Reedham House (31-33 King Street West)
ii. historic building recording to Historic England Level 1 to 2 (No.3 Smithy Lane and the Carriage Works at junction of Garden Lane/St Mary's Parsonage)
iii. informed by (i) and (ii), strip-out and/or demolition watching brief(s) to allow recording of previously concealed historic fabric etc
iv. a scheme of targeted post-demolition archaeological evaluation trenching

v. informed by (iv), more detailed targeted excavation (subject of a new WSI)

b) A programme for post investigation assessment to include:
i. analysis of the site investigations records and finds
ii. production of a final report(s) on the investigation results.

c) Deposition of the final report(s) with the Greater Manchester Historic Environment Record.
d) Dissemination of the results commensurate with their significance.
e) Provision for archive deposition of the report and records of the site investigation.
f) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Condition 7 of the FPP and Condition 5 of the LBC:
Notwithstanding the details submitted with the application, prior to the commencement of development with the exception of the initial demolition phase (Phase 1) the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

(a) Samples and specifications of all material to be used on all external elevations and rooves of the development including the alterations to the heritage asset, drawings to illustrate details of full-sized sample panels and mock-ups that will be produced (The panel to be produced shall include jointing and fixing details between all component materials and any component panels), details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames, a programme for the production of the full sized sample panels and a strategy for quality control management.

(b) Submission of a Construction Environmental Management Plan (CEMP) (Materials), to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.

(c) The sample panels and quality control management strategy shall then be submitted to and approved in writing by the City Council as local planning authority. The approved materials shall be used in the construction of the development.

Condition 8 of the FPP:
i) Prior to the commencement of the development (excluding demolition), details of a Local Labour Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted to and approved in writing by the City Council, as Local Planning Authority. In this condition a Local Labour Proposal means a document which includes:
a. the measures proposed to recruit local people including apprenticeships
b. mechanisms for the implementation and delivery of the Local Labour Proposal
c. measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives
The approved document shall be implemented as part of the construction of the development.

(ii) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted and approved in writing by the City Council as Local Planning Authority.

Condition 9 of the FPP and 7 of the LBC:
Full details of the method of support and protection of all historic fabric adjacent to the location of construction work relevant to that phase shall be submitted to and approved in writing by Manchester City Council as Local Planning Authority prior to the commencement of each phase of development within the site. The approved method of support and protection shall be fully implemented prior to development commencing on site.

Condition 10 of the FPP:
Prior to the commencement of development (with the exception of the initial demolition phase (Phase 1), final details of the following shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe:

a) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes, appropriate planting, tree pits and rainwater harvesting; and

b) An assessment of the possibility of providing a green roof, brown roof or blue/green roof and full justification of the results. If this is possible full details of proposals and a management and maintenance strategy for the chosen type of roof.

The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied.

Condition 11 of the FPP and Condition 9 of the LBC:
Notwithstanding the information detailed within Condition 2 of this application, full details of the junction of the new build to the listed building, including the interface between new lift shaft and the courtyard fabric shall be submitted to and approved in writing by the City Council as local planning authority prior to the commencement of any above ground works with the exception of the initial demolition phase (Phase 1)

The works shall be carried out fully and only in accordance with the approved information.

Condition 12 of the FPP:
Prior to the commencement of any phase of works to the retained buildings (identified in the Extended Phase 1 Habitat Survey, Building Inspection For Bats And Bat Activity Surveys by Penny Anderson Associates Limited (dated September 2021) the following information relevant to that phase of works shall be submitted to and approved in writing by the City Council as local planning authority:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorizing the specified activity/development to go ahead; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a license.

Condition 16 of the FPP:
a) Prior to any above ground works with the exception of the initial demolition phase (Phase 1), a scheme shall be submitted to acoustically insulate and limit the breakout of noise from the uses hereby approved in accordance a noise study of the premises and a scheme of acoustic treatment,

including measurements that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall then be implemented in full before the use hereby approved commences.

b) Upon completion of the development and before the use hereby approved becomes operational, a verification report shall be undertaken to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that above criteria is met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. This report shall be submitted to and approved in writing by the City Council as local planning authority before the use becomes operational along with a timescale that confirms when any necessary changes will be implemented.

Condition 18 of the FPP and Condition 13 of the LBC:
a) Notwithstanding the information detailed within Condition 2 of this application, full and final details of the works to each of the existing windows and window openings, shall be submitted to and formally approved in writing by the City Council as Local Planning Authority prior to the commencement of any works with the exception of the initial demolition phase (Phase 1) to the elevations of the retained buildings.

b) Full details of works to retained windows shall include a condition survey and method statement clarifying how the retained windows will be repaired.

c) Full details of replacement windows/reinstated windows shall include detailed scaled drawings, including cross sections showing the replacement windows in comparison to existing original examples of windows at the property or researched examples where such window does not exist.

d) Any removal of historic windows shall require assessment, justification and evidence of disrepair preventing reuse, which shall include a condition survey and method statement for the removal and clarification of how the windows affected will be reused.

e) The works to windows shall be carried out only as agreed in accordance with the approved details and shall be completed prior to first occupation of the development hereby approved.

Condition 28 of the FPP:
a) Prior to the commencement of each phase (with the exception of the initial demolition – Phase 1), of development a detailed phasing plan for the landscaping shown on drawing referenced 2951-PLA-GF-XX-DR-L-0001 Rev P04 (including indicative timescales for implementation of the landscaping of Smithy Lane, Garden Lane and Dunlop Street) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall then be carried out in accordance with the phasing plan and timescales agreed.

b) The approved scheme for King Street West, St Mary's Parsonage, the courtyard and the land beneath all archways and historic door openings shall be implemented prior to first occupation of the development hereby approved. All other areas of landscaping shown on drawing referenced 2951-PLA-GF-XX-DR-L-0001 Rev P04 shall be implemented in accordance with the agreed phasing plan (part a).

c) Notwithstanding the information detailed within Condition 2 of this application and prior to the commencement of any landscaping works full and final details of the landscaping scheme, including

the landscaping of the courtyard and the land beneath all archways and historic door openings shall be submitted for approval in writing by the City Council, as Local Planning Authority. The following information shall be submitted:

i. Samples and specifications of all materials to be used in the landscaping and jointing and fixing details between all component materials.
ii. Details of planting species and soft landscaping design.
iii. Details of the inclusion of age friendly measures.
iv. Submission of a Construction Environmental Management Plan (CEMP)
(Materials) to include details of the strategy for securing more efficient use of nonrenewable material resources and to reducing the lifecycle impact of materials used in the landscaping and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.
v. A strategy for quality control management and maintenance.
d) 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.

Condition 6 of the LBC:
Before each phase of works hereby approved commences a full method statement relevant to that phase of works for all internal and external works shall be submitted to and approved in writing by the City Council as local planning authority. The works shall then be carried out only in accordance with the approved method statement and shall be completed as part of the approved works.

Condition 8 of the LBC:
Prior to the commencement of each phase of above ground works, a methodology and specification for any associated scaffolding and support structure for the listed building relevant to that phase shall be submitted to and approved in writing by the City Council as local planning authority. These documents shall include the locations of the scaffolding, the means of affixing to the building fabric, the location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following the removal of the scaffold. All making good works shall be completed within three months of the removal of the scaffolding.

These works shall be carried out fully and only in accordance with the approved information.

Condition 14 of the LBC:
Notwithstanding the information detailed within Condition 2 of this application, full details of all repair works to internal and external masonry, stonework and woodwork and removal of detritus from the elevations relevant to that phase of works shall be submitted to and approved in writing by the City Council as local planning authority. These works shall be carried out fully and only in accordance with the approved information and shall be completed within three months of the completion of the development.

Condition 20 of the LBC:
Notwithstanding the information detailed within Condition 2 of this application, full details of all works to internal & external historic features and finishes, including doors, staircases, stonework,

cobblestones, brickwork and cast-iron columns shall be submitted to and approved in writing by the City Council as local planning authority prior to any works (excluding demolition) commencing to those elements.

The works shall be carried out fully and only in accordance with the approved information