Turley

24 September 2026

Delivered via Planning Portal

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Planning, Building Control & Licensing
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Dear Lucy,

APPLICATION FOR A NON-MATERIAL AMENDMENT FOLLOWING GRANT OF PLANNING PERMISSION (REF. 130387/FO/202) PURSUANT TO SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 RELATING TO THE FORMER GAMECOCK PUBLIC HOUSE, MANCHESTER, M15 6GE

On behalf of Curlew Alternatives Eighth Property LP ('the Applicant'), we are pleased to enclose an application for the approval of a non-material amendment to the wording of condition 9 attached to the full planning permission reference 130387/FO/2021 which concerns the redevelopment of the Former Gamecock Public House, Boundary Lane ('the Site').

The application is made pursuant to the provisions of Section 96A of the Town and Country Planning Act 1990 (as amended). The application has been made via the planning portal (ref. PP-15242368) and the requisite application fee of £309.00 has also been made online.

BACKGROUND

Planning permission ref. 130387/FO/2021, approved by Manchester City Council ('MCC') on 13th June 2024, relates to the demolition of the former Gamecock Pub and the redevelopment of the site for purpose built student accommodation and community uses. The development is described on the decision notice as follows:

> *"Erection of a part 7, part 9 storey purpose built student accommodation building comprising 146 bed spaces (Sui Generis use class) with ancillary amenity space, a ground floor community hub (proposed for Use Classes F2(b), E(b), E(3), E(f)) and associated landscape works and infrastructure."*

PROPOSED AMENDMENT

Section 96A of the 1990 Act permits a Local Planning Authority ('LPA') to make a change to any planning permission if they are satisfied that the change is non-material. Subsection (3) (a) and (b) of the 1990 Act allows an LPA to impose new conditions and remove or alter existing conditions.

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This application seeks to amend the wording of Condition 9 (Land Contamination) attached to planning permission ref. 130387/FO/2021. The existing wording of this condition is as follows:

> *a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).*
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> *In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.*
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> *The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.*
>
> *b) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.*
>
> *In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.*

The proposed amendment seeks to clarify that demolition of the existing building does not constitute the commencement of the development for the purposes of the contamination requirements in Condition 9. This would allow demolition of the existing building to take place prior to submission and approval of the contamination details required by the condition.

Therefore, it is proposed that the relevant parts of Condition 9 be amended as set out below, with the proposed changes shown in **bold**:

> *a) Before the development hereby approved commences, **excluding demolition**, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).*
>
> *In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence, **excluding demolition**, until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.*

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences, ***excluding demolition****, and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.*

b) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

During discussions with MCC via email in September 2026, officers indicated that the proposed amendment would be capable of being considered through the Non-Material Amendment ('NMA') process under Section 96A of the Town and Country Planning Act 1990, subject to the submission and formal determination of an application.

The amendment would facilitate the demolition of the existing building in advance of discharging the contamination condition whilst retaining all of the condition's substantive requirements. The change would not affect the scale, form, appearance, use or operation of the approved development and would not result in any new or materially different planning impacts.

Importantly, the proposed amendment would not remove the requirement for contamination investigations, remediation measures or verification reporting. It would simply ensure that these requirements are satisfied prior to the commencement of redevelopment works rather than demolition activities. The objectives of the condition, namely the protection of human health, controlled waters and the wider environment, would therefore remain fully secured.

CONCLUSION

Planning Practice Guidance confirms that there is no statutory definition of 'non-material', as this is context dependent. It is for the LPA to determine whether the proposed changes are non-material in the context of the approved scheme, in accordance with Section 96A of the Town and Country Planning Act 1990.

The proposed amendment is limited solely to revising the trigger point within Condition 9 to enable demolition works to be undertaken prior to the submission and approval of contamination details. No changes are proposed to the approved development itself, nor to the substantive requirements of the condition. The Council has indicated through discussions in September 2026, that the proposed change is capable of being dealt with through an NMA.

Overall, the amendments are limited in scope and do not result in any material changes to the approved scheme or its planning impacts. These changes are a result of the need to comply with updated regulations. As such, they are considered to constitute non-material amendments.

We trust sufficient information has been provided in order for the Council to validate the application and progress it to a positive determination. We look forward to receiving formal written notification to this effect in due course.

Yours sincerely



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