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Dear Lucy

Deansgate Square – Application for Non-Material Amendments to Planning Permission 111719/FO/2016/C1 (Landscaping Amendments)

On behalf of our client, FQ Investments Ltd, we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 in order to make Non-Material Amendments (“NMA”) to Planning Permission 111719/FO/2016/C1 (herewith referred to as the ‘DSQ permission’).

Background

On 4 July 2016 Planning Permission was granted for the Deansgate Square development (ref: 111719/FO/2016/C1), this included the erection of four residential towers, a residential amenity block, ground floor commercial units, and landscaping. The description of development approved under application reference 111719/FO/2016/C1 is as follows:

“Construction of four residential buildings, ancillary amenity building for residents accommodating a tennis court, swimming pool and gym facilities (Use Class C3), ground floor retail units (Use Classes A1, A2, or A3), amenity space for residents within residential buildings, new public realm and landscaping, basement car parking and related highway, access, servicing, engineering and associated works.”

The Planning Permission has been subject to an NMA (reference: 122555/NMC/2019 - approved) which included amendments in relation to Condition 2 ‘Approved Plans’, 31 ‘Flood Risk Assessment’, 44 ‘BREEAM’ and the removal of Condition 46 ‘Owen Street and Pond Street Highways Works’. The NMA (reference: 122555/NMC/2019) was approved on 7 March 2019 and included both building and landscaping changes, including amendments to the elevations, the subdivision of retail units, the ground floor layout of Tower B, addition of aircraft lights to Towers C & D, and the introduction of wind baffles.

A number of ‘drop in’ full planning applications have subsequently been submitted in relation to the Deansgate Square development, in order to facilitate internal layout changes:

- 125513/FO/2019 - Internal alteration to ground floor of Tower C to introduce a residential entrance lobby in lieu of part of a retail unit, resulting in two separate retail units, approved March 2020.

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- 122554/FO/2019 - Internal alteration to the ground floor of Tower B to introduce a retail unit (A1, A2 or A3) to replace the relocated residents' lounge, approved May 2019.

The proposed NMA does not affect either of the above two 'drop-in' planning permissions.

Conditions to be amended

The Local Planning Authority discharged Conditions 38 and 39 on 27 March 2019 (Application Reference: CDN/18/0618). As part of the condition discharge application, landscaping drawings were submitted in respect of landscaping details across the entire development. Since approval of these details, further design development has necessitated changes to the landscaping design.

Within the above context, the proposed non-material amendments relate to the details previously discharged under Conditions 38 and 39 attached to Planning Permission 111719/FO/2016/C1.

For reference the condition wording is stated below:

Condition 38:

"No development shall commence unless and until samples and specifications of all hard landscape materials for external areas, together with a layout plan identifying the location of the materials have been submitted to and approved in writing by the City Council as local planning authority. Thereafter, all materials to be implemented in the external areas of the development shall be fully in accordance with those which have been approved."

Condition 39:

"Before the development hereby approved is completed, a paving and surfacing strategy for the public footpaths, vehicular crossings, and vehicular carriageways around the site shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied."

Proposed Amendments

The proposed amendments relate to hard and soft landscaping, access and trees. These landscaping changes are summarised below. For full details on the landscaping amendments and a supporting justification, where required, please refer to **Appendix A**.

It should be noted that a number of the final Owen Street landscaping works cannot currently be delivered due to the concurrent planning application (Planning Portal Reference: PP-10227102) relating to the adjacent site to the south, herewith referred to as 'Plot F'. As such, the elements of the landscaping design along Owen Street will be delivered as part of the Plot F proposals and are therefore replicated in that planning application.

Trees

- Total number of approved trees to be maintained.
- 26 trees to be relocated to the Plot F site (and tree locations replicated within concurrent Plot F planning application).

- A range of different tree types proposed where considered to be more appropriate to revised locations.

Hard and Soft Landscaping

- Minor layout changes to the concierge drop off area.
- Introduction of additional drainage channel
- Amendments to paving layout, introduction of bollards
- Minor modification to steps / ramps.
- Art wall installation (addressed as part of separate condition discharge application CDN/20/0853)
- Introduction of additional planters

Access

- Amendments to Owen Street, including changes to footway and kerb alignments
- Introduction of vehicle barriers added to Owen Street and Pond Street
- Change to the width of Pond Street
- Temporary asphalt finish installed to Pond Street footway (to be upgraded once Plot F delivered)
- Introduction of a 'move in' day ramp for Tower B.
- Change to the width and alignment of Owen Street carriageway.
- Changes to the alignment of the ramp wall in liaison with Environment Agency.

Table 1.1 below identifies which drawings will be superseded by new drawings, as a result of the landscaping amendments and any new additional drawings. We request that the wording of Condition 2 (Approved Drawings and Documents) be updated to reflect the new drawing references in Table 1.1.

Table 1.1 – Updated and Additional Drawings & New Drawing References

Drawing Name	Approved Drawing	New Drawing Reference	Comments
Landscape Hardworks (1 of 3)	Z1-TPM-G710-PL-XX-2289 102 (Revision P11)	Z1-TPM-G710-PL-XX-2289 102 (Revision P26)	Drawing most recently approved under application ref: CDN/18/0618 on 27 March 2019.
Landscape Hardworks (2 of 3)	Z1-TPM-G710-PL-XX-2289 103 (Revision P6)	Z1-TPM-G710-PL-XX-2289 103 (Revision P26)	Drawing most recently approved under application ref: CDN/18/0618 on 27 March 2019.
Landscape Hardworks (3 of 3)	Z1-TPM-G710-PL-XX-2289 104 (Revision P6)	Z1-TPM-G710-PL-XX-2289 104 (Revision P26)	Drawing most recently approved under application ref: CDN/18/0618 on 27 March 2019.

Drawing Name	Approved Drawing	New Drawing Reference	Comments
Plot F - Deansgate Square Overlay	-	3851 SK4 (Revision P2)	New drawing <i>Drawing highlights Deansgate Square and Plot F sites and includes amendments along Owen Street and Pond Street. Hatched area indicates where the two boundary lines / sites overlap.</i>

Effects of the Proposed Changes

The proposed amendments do not result in any changes to the description of development on Planning Permission Ref: 111719/FO/2016/C1. A number of the approved landscaping plans have been amended to reflect the non-material changes to the landscaping and access, as outlined above. The proposed amendments do not change the materiality, siting, massing or height of the buildings in any way. The number of units and unit mix is also not affected by the proposed changes.

Trees

The DSq permission included 19 trees along Pond Street and 7 trees along Owen Street, which are proposed to be relocated and delivered via the Plot F proposals. The number of relocated trees are in addition to the required number of trees to be delivered by the standalone proposals at Plot F (applying a 3:1 tree replacement ratio). The total number of trees to be delivered as a result of the Deansgate Square planning permission therefore remains unchanged.

A Landscape Management Strategy prepared by TPM Landscape has been submitted, which includes details for the appropriate management and maintenance of the trees. It should be noted that the five trees proposed in planters can not be installed in the ground due to the proximity of the basement car park slab associated with Plot F proposals.

The approved and proposed trees for Deansgate Square are summarised in Table 1.2 below:

Table 1.2: Deansgate Square Approved and Proposed Trees

	Approved	Proposed
Owen Street	7 x inground trees	5 x trees in planters
Pond Street	19 x inground trees	15 x inground trees
Plot F Public Realm*	-	6 x inground trees
TOTAL	26 trees	26 trees

*Plot F Public Realm refers to the landscaped area bound by Great Jackson Street and the intersection of Pond Street and Owen Street.

A further 43 trees are proposed to be delivered as part of the concurrent Plot F proposals, this will result in the delivery of 69 trees across the Deansgate Square and Plot F developments.

Hard Landscaping

In terms of the materials palette this remains mainly unchanged, with the exception being the paving material changes stated below. These amendments to the paving material utilise the existing, approved materials palette and so retain the use of high-quality materials.

- Natural stone granite to granite setts: natural stone granite (S14) paving installed instead of granite setts (S12), due to COVID-19 causing substantial delays to the availability of granite setts (and therefore not being available at the required point) – Tower A.
- Pennant stone to local natural stone: Pennant stone (proposed flags: S4 and tactile paving: S11) and tactile paving (S11) upgraded to local natural stone, in liaison with MCC highways (revised paving design as part of the S278 agreement).

The revised landscaping materials ensure that a high-quality finish is retained. The access amendments do not result in any changes to the principle of the approved access and highways arrangements.

Wind Microclimate

Wind analysis with the proposed landscaping layout has been undertaken by the project's wind consultant, WSP. The wind assessment has been submitted as part of the concurrent Plot F planning application.

Plot F Planning Consent and Fall Back Position

A number of the proposed amendments detailed above (and within Appendix A) will be delivered concurrently with the delivery of the Plot F proposals. Should planning permission not be granted for Plot F, or if Plot F is not implemented within the life of the planning permission, the Applicant will deliver the trees as per the originally approved DSq permission.

Planning Policy Framework

The relevant Development Plan documents comprise the 2012 Manchester Core Strategy and Saved Policies of the 2006 Manchester Unitary Development Plan.

The National Planning Policy Framework forms a Material Considerations in the determination of this application. Notably, the revised National Planning Policy Framework which was published on 24 July 2018 was updated on 20 July 2021. However, there have been no changes to the Framework or online Planning Policy Guidance which would affect consideration of the application. Manchester City Council planning guidance documents remain unchanged.

Full consideration of the proposed development against the planning policy framework is considered within the original Owen Street (Deansgate Square) Planning and Tall Building Statement.

Pre-Application Consultation

This application is submitted following consultation with the Local Planning Authority on 22 July 2021 with Senior Planning Officers. It has been agreed with the LPA that the proposed changes can be progressed as

a NMA to the existing permission and the requirements for supporting information were agreed during the pre-application discussions.

Application Submission

This application comprises this Covering Letter and the following documentation:

- Application Form and Notices, prepared by Deloitte;
- Tree Management Strategy (PR-TPM-G710-RP-GRD-3851 50), prepared by TPM Landscape; and
- Updated Landscape Drawings, prepared by TPM Landscape:
 - Z1-TPM-G710-PL-XX-2289 102: Deansgate Square Hardworks (Revision P26)
 - Z1-TPM-G710-PL-XX-2289 103: Deansgate Square Hardworks (Revision P26)
 - Z1-TPM-G710-PL-XX-2289 104: Deansgate Square Hardworks (Revision P26)
 - 3851 SK4 Plot F – Deansgate Square Overlap (Red Line Boundaries) (Revision P2)
- Previous (Approved) Landscape Drawings, prepared by TPM Landscape
 - Z1-TPM-G710-PL-XX-2289 102 (Revision P11)
 - Z1-TPM-G710-PL-XX-2289 103 (Revision P6)
 - Z1-TPM-G710-PL-XX-2289 104 (Revision P6)

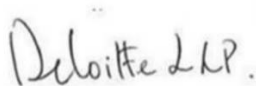
Summary and Conclusion

The amendments have been agreed with the Planning Authority as being non-material to the determination of the original permission (ref: 111719/FO/2016/C1). The proposed amendments will enable a better coordinated landscape strategy between DSq and the pending Plot F proposals, thereby strengthening the strategic green link through this part of the Great Jackson Street Strategic Regeneration Framework area.

The development is 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, and please do not hesitate to contact my colleague Ed Britton (edbritton@deloitte.co.uk / 0161 455 6169).

Yours sincerely



Deloitte LLP

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Appendix A – Owen Street / Deansgate Square Landscaping Amendments

Please note the numbering of the amendments below is consistent with the landscaping amendments identified on the updated landscaping drawings prepared by TPM (Z1-TPM-G710-PL-XX-2289 102, Z1-TPM-G710-PL-XX-2289 103, Z1-TPM-G710-PL-XX-2289 104).

No.	Amendments / Modifications	Relevant Drawing Reference	Additional Comments
Tree Amendments			
1	7 trees to the west of Owen Street not installed as part of the final Owen Street works.	Z1-TPM-G710-PL-XX-2289 102	Trees to be installed as part of Plot F proposals. Update to timescales therefore required. Further landscaping details to be submitted to MCC if Plot F consent not granted (within 2 years of amendment approval) – fall back position will be to deliver as part of Deansgate Square. Please refer to Covering Letter prepared by Deloitte for details.
2	19 trees to Pond Street and hedging not installed as part of the final Owen Street works.	Z1-TPM-G710-PL-XX-2289 102	Trees to be installed as part of Plot F proposals. Update to timescales. Further landscaping details to be submitted to MCC if Plot F consent not granted (within 2 years of amendment approval) – fall back position will be to deliver as part of Deansgate Square. Please refer to Covering Letter prepared by Deloitte for details.
3	Tower B western elevation. Trees proposed in recessed grills (F5) installed in raised planters.	Z1-TPM-G710-PL-XX-2289 102	A concrete slab was cast and didn't allow the tree to be installed in the ground, this was due to tree size and root ball depth requiring raised planters.
4	Trees in raised planters in concierge: Species changed from clear stem pine to feathered to base Picea/Cedar	Z1-TPM-G710-PL-XX-2289 103	

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No.	Amendments / Modifications	Relevant Drawing Reference	Additional Comments
5	Tower D tiered granite planters: additional 5 x feathered pine trees added to the planter to help with wind mitigation. Removal of 2 x deciduous birch.	Z1-TPM-G710-PL-XX-2289 104	In liaison with wind specialist (WSP). The feather pines give year round wind mitigation against the deciduous birch. There have also been issues sourcing good quality birch and the removed 2 were showing signs of dying. Please refer to the tree management strategy submitted with this application which outlines steps to ensure that trees in planters are suitably managed and maintained.
6	Tower D frontage: Fastigate oaks replaced with clear stem Pines.	Z1-TPM-G710-PL-XX-2289 104	In liaison with wind specialist (WSP).
7	Trees in raised planters above retail 5: Species changed from clear stem pine to feathered to base Picea/Cedar	Z1-TPM-G710-PL-XX-2289 104	
Hard and Soft Landscaping			
8	River walkway metal grating area: barriers added to prevent vehicle access. To be changed to bollards as part of the concurrent Plot F proposals.	Z1-TPM-G710-PL-XX-2289 102	Previously raised kerbs where proposed between the paved walkway and the grating walkway to prevent vehicles running over the grating. It was decided to remove the raised kerbs as these were seen as a trip hazard and bollards installed to restrict vehicle in the area. Should maintenance vehicles be required access then they require a banks man for works. The grating is not designed to take vehicle traffic. Barriers are installed as part of the Deansgate Square development with the Plot F proposals seeking to change these to bollards as this next phase is delivered
9	Additional drainage channel added along the Tower B façade.	Z1-TPM-G710-PL-XX-2289 102	
10	Concierge drop off area: paving banding and furniture redistributed to suit canopy changes. Additional circular planters added at the base of the canopy columns	Z1-TPM-G710-PL-XX-2289 103	No impacts on accessibility – clear routes to doorways retained. Planters required as concerns of people being able to walk into the building canopy support legs as they are angled on a rake. The planters don't have trees within and are low level planting only.

No.	Amendments / Modifications	Relevant Drawing Reference	Additional Comments
11	Paving to the west of Owen Street installed from Old Deansgate / Chester Road to the first raised table only.	Z1-TPM-G710-PL-XX-2289 104	Renaker Build Ltd red line sits here at back of kerb. The De-Trafford scheme would require the removal of any further footpath so was discussed not to be installed. The hoarding line is to back of kerb line and therefore the small area of paving between the back of kerb and land ownership boundary haven't been installed.
12	River Walkway. Low seat wall not installed to planter along river walkway. Flush paving bands installed instead	Z1-TPM-G710-PL-XX-2289 104	
13	Hedge to the west of Owen Street proposed as in ground Hedge. Below ground HV cable required the hedge to be raised in a planter.	Z1-TPM-G710-PL-XX-2289 104	The planter change is a result of heavy HV cables and data cables in the foot path..
14	S4 and S11 paving upgraded to local natural stone instead of Pennant in liaison with MCC.	Z1-TPM-G710-PL-XX-2289 104 Z1-TPM-G710-PL-XX-2289 103 Z1-TPM-G710-PL-XX-2289 102	In liaison with MCC. RBL revised paving design as part of the S278 agreement. Section 278 agreement – paving works agreed with highways – amending in line with what agreed.
15	Minor modification to steps / ramps at the entrance to retail 5.	Z1-TPM-G710-PL-XX-2289 104	Slight change to orientation and remove of a small solid plinth at the end.
16	Tower D entrance: Metal planter added to the top of the tiered double height steps.	Z1-TPM-G710-PL-XX-2289 104	In line with request from Building Control.
17	Artwall installation.	Z1-TPM-G710-PL-XX-2289 104	Addressed as part of condition discharge application (app ref: CDN/20/0853). (in conjunction with MCC archaeological consultant/ Salford Archaeology).

No.	Amendments / Modifications	Relevant Drawing Reference	Additional Comments
18	Small planters added to the main steps leading from Old Deansgate to the Plaza.	Z1-TPM-G710-PL-XX-2289 104	
Access			
19	Footway to the west of Owen Street not installed as part of the final Owen Street works.	Z1-TPM-G710-PL-XX-2289 102	Footway to be installed as part of concurrent Plot F proposals. Update to timescales. Seek agreement for details required to be submitted to MCC if Plot F consent not granted (within 2 years of amendment approval) – full back position. Please refer to Covering Letter prepared by Deloitte for details.
20	Proposed vehicle barriers added to Owen Street and Pond Street.	Z1-TPM-G710-PL-XX-2289 102 Z1-TPM-G710-PL-XX-2289 104	These have been installed. To control access on and off of Owen Street (privately owned) and to discourage and prevent illegal parking that was occurring at a high volume prior to the barriers. The installed barriers are temporary. It is proposed that these barriers will be replaced with retractable bollards – this application seeks agreement to install bollards.
21	Pond Street narrowed with a temporary asphalt finish to the footway.	Z1-TPM-G710-PL-XX-2289 102	Pond Street to be delivered as part of concurrent Plot F proposals.
22	Tower B: 'Move in' day ramp provided along the eastern edge of Tower B	Z1-TPM-G710-PL-XX-2289 102	
23	Service layby kerb alignment tweaked to suit revised tracking on the narrowing of Pond Street	Z1-TPM-G710-PL-XX-2289 102	
24	Pond Street junction with River Place levels and kerb alignment refined. Footway narrowed due to existing palisade fence line by Boatman's development.	Z1-TPM-G710-PL-XX-2289 102	Kerb alignment refined in liaison with MCC highways.

No.	Amendments / Modifications	Relevant Drawing Reference	Additional Comments
25	Tower A. S12 paving not installed between the back of planter on Pond Street and Tower A façade. Paving Type S14 installed instead.	Z1-TPM-G710-PL-XX-2289 102	This was due to COVID-19 delaying substantially the S12 from China and so was not available at the required point (in order to not impact on delivery timescales / project programme)
26	Owen Street carriageway width modified to be a constant 5.5m north of Pond Street. Owen Street carriageway south of Pond Street aligned to tie the raised table area to the existing Great Jackson Street kerb alignment.	Z1-TPM-G710-PL-XX-2289 102	
27	Owen Street Road position modified to be a constant 5.5m and to move west to abut / run inline with the land ownership line.	Z1-TPM-G710-PL-XX-2289 102	
28	EA ramp wall. Minor modification to alignment to suit buildability.	Z1-TPM-G710-PL-XX-2289 104	Modification made in liaison with Environment Agency. Renaker initially engaged with the EA on this in July-August 2019 where it was confirmed that the modified ramp design was considered acceptable.