

Planning and Regeneration
Manchester City Council
Town Hall Extension
Mount Street
Manchester

Our ref EKPS/210902/MG

Submitted via the Planning
Portal PP- 10200974

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11 January 2022

Dear Sir or Madam,

**Application to vary the wording of Condition 12 of Full Planning Permission
114146/FO/2016 at Transmission House, 11 Tib Street, Manchester, M4 1AF to allow
payment through a legal agreement of sum of money for off-site tree planting in lieu
of providing planting of street trees within the pavement of Tib Street, Church Street
and Bridgewater Place**

On behalf of our client, Tibst Limited ("the Applicant") we are pleased to confirm an application under Section 73 of the Town and Country Planning Act (1990) in relation to Planning Approval Ref. 114146/FO/2016 at Transmission House, 11 Tib Street, Manchester M4 1AF ("the Site"), has today been submitted via the Planning Portal (Ref: PP-10200974). The planning application fee of £234 has been paid electronically, via the Planning Portal.

The application comprises the following documents:

- This Covering Letter prepared by EKPS;
- Completed Application Forms and Certificates;

Background

Full Planning Permission was granted by Manchester City Council ("MCC") on 27 October 2016 (ref. 114146/FO/2016) for the following development:

"Redevelopment of the site for a residential building (Class C3) with ground floor commercial uses (Class A1, A2, A3, A4, B1, D2 (Gym and Cinema) varying in height from 7 to 10 storeys to provide 183 apartments (8 x studio, 48 x 1 bed, 125 x 2 bed and 2 x 3 bed) with associated landscaping and other works following demolition of existing structure and artwork at junction of Tib Street and Church Street."

Planning Permission 114146/FO/2016 was subsequently varied by Non-Material Amendment ref. 120315.

Condition 12 of the aforementioned planning approval (ref. 114146/FO/2016) required the Applicant to submit a strategy for the planting of street trees within the pavement of Tib Street, Church Street and Bridgewater Place.

Proposed Condition Variation

Subsequent detailed Ground Investigation works have demonstrated that it is not possible for street trees to be successfully accommodated within the pavements of Tib Street, Church Street or Bridgewater Place and a financial contribution towards the off-site provision of street trees in lieu of on-site provision is to be made to MCC.

As such, it is also necessary to vary the wording Condition 12 of Full Planning Permission ref. 114146/FO/2016 and the proposal is as follows:

“S73 Application to vary condition 12 (attached to application ref no 114146/FO/2016 as amended by 120315) to allow payment through a legal agreement of sum of money for off-site tree planting in lieu of providing planting of street trees within the pavement of Tib Street, Church Street and Bridgewater Place required by that condition and removal parts (b) and (c) of the condition.”

Currently, Condition 12 states:

“Prior to the commencement of development and notwithstanding the details shown in dwg numbers C2814-90-001 Rev C, C2814-90-002 Rev A, C2814-90-003 Rev A, C2814-90-004, C2814-90-005 Rev B, C2814-90-006 Rev A, C2814-90-007 Rev A, C2814-90-008 Rev B, C2814-90-009, C2814-90-010 Rev A, C2814-90-011, C2814-90- 012 programmes for submission of final details of the public realm works as indicated in those dwgs shall be submitted to and approved in writing by the City Council as Local Planning Authority to include an implementation timeframe and details of when the following details will be submitted:

(a) Details of the materials, including natural stone or other high-quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building;

(b) A strategy for the planting of street trees within the pavements on Tib Street, Church Street and Bridgewater Place including details of overall numbers, size, species and planting specification, constraints to further planting and details of ongoing maintenance;

(c) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design; and

(d) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and brick, bird boxes and appropriate planting; and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above. The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. 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.

It is proposed that Condition 12 is amended to remove the Tree Pit Construction Details (Drawing ref. C2814-90-012) and Parts (b) and (c). Therefore, the proposed wording of Condition 12 is as follows:

“Prior to the commencement of development and notwithstanding the details shown in dwg numbers C2814-90-001 Rev C, C2814-90-002 Rev A, C2814-90-003 Rev A, C2814-90-004, C2814-90-005 Rev B, C2814-90-006 Rev A, C2814-90-007 Rev A, C2814-90-008 Rev B, C2814-90-009, C2814-90-010 Rev A, C2814-90-011 programmes for submission of final details of the public realm works as indicated in those dwgs shall be submitted to and approved in writing by the City Council as Local Planning Authority to include an implementation timeframe and details of when the following details will be submitted:

(a) Details of the materials, including natural stone or other high-quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building;

(b) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and brick, bird boxes and appropriate planting; and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above. The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. 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.

Financial Contribution

It is intended that a legal agreement pursuant to the Section 73 application be prepared between Tibst Limited and MCC to allow the payment of a sum of money to be paid for off-site tree planting in lieu of providing planting of the previously proposed street trees.

I trust the submitted information is sufficient and I look forward to receiving confirmation that the application has been registered, however should you have any queries or require any further information, please do not hesitate to contact me by email or telephone (07496 641 812).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Ellie Philcox', with a stylized, cursive script.

Ellie Philcox MRTPI PIEMA

Director

ellie@euankellie.co.uk