

10 December 2021

Planning Department
Manchester City Council
Town Hall
Albert Square
Manchester
PO Box 532
M60 2LA

FAO Jennifer Atkinson

Dear Jennifer

Old Brewery Gardens, New Bridge Street, Manchester: Application for discharge of Conditions 3, 4, 5, 6, 7, 8, 11 and 13 attached to Planning Permission Reference 118831/FO/2018, as amended by 132287/NMC/2021

Please find enclosed an application submitted by Deansgate Securities LLP for the discharge of pre-commencement conditions to Planning Permission ref. 118831/FO/2018. Information submitted relates the first phase of development for Old Brewery Gardens, which was granted planning permission on 28 April 2019 following the signing of a s.106 Agreement. The description of development as shown on the decision notice is as follows:

“Erection of two buildings (a part 17, part 12 storey building and a part 26, part 23 storey building) to form 556 residential units (Use Class C3a) together with the creation of 3490 sqm of commercial floor space (Use Classes A1, A2, A3, B1 and D1) with associated landscaping, access and other associated works.”

This application is submitted in order to allow a discrete area of public realm, known as the ‘Top Platform’, to come forward as an initial phase. This is both necessary to commence development of Old Brewery Gardens and support the opening and full operation of the adjacent Manchester College. Further background and the context of this application is provided in the next section of this letter.

Planning Background

The proposed residential development at Old Brewery Gardens, Planning Permission ref. 118831/FO/2018, provides 556 new homes within a key part of the City Centre and growing regeneration area in Manchester.

Importantly, the Manchester College project (LPA Ref. 124995/FO/2019), relies on the Old Brewery Gardens proposals delivering the above-mentioned Top Platform. However, the Old Brewery Gardens applicant, Prosperity Capital Partners, have since gone into administration and therefore the landowners,

Deansgate Securities LLP, are currently exploring opportunities to secure a new development partner to bring forward the Planning Permission, as approved.

This will delay the commencement of Old Brewery Gardens and therefore, in order to facilitate the successful completion of the new educational facility before its opening next year, Deansgate Securities has agreed to deliver the Top Platform as a discrete phase of work.

Proactive and collaborative discussions have taken place between The Manchester College and Realty Estates to ensure that the delivery of the new area of public realm can be delivered efficiently, work with both schemes, and provided to the high-quality standard expected by both parties. Whilst this physical work is on-going to facilitate the new entrance for the college, development partners for Old Brewery Gardens will subsequently be appointed by Deansgate Securities to bring forward the approved scheme.

Proposed amendments have been agreed (132287/NMC/2021), which will help to clarify the phasing of the project and facilitate the lawful implementation of Planning Permission ref. 118831/FO/2018, which in turn will help secure delivery of much needed new homes for the city centre.

Following the submission and forthcoming determination of this non-material amendment, it is necessary to identify this discrete phase of development (i.e. the Top Platform) with the Local Planning Authority through information submitted to discharge Condition 2 attached to 118831/FO/2018 and submit information as relevant to that phase of work in line with the requirements of other pre-commencement conditions.

For simplicity, Willmott Dixon will be contractually responsible for delivering the Top Platform works and much of the same information used to discharge conditions against the College Planning Permission is replicated in this application. The information submitted against each condition is set out below.

Condition Discharge

Conditions 3, 4, 5, 6, 7, 8, 11 and 13 attached to Planning Permission 118831/FO/2018 have been formally amended by 132287/NMC/2021. This allows information to be submitted as relevant to delivery of the Top Platform phase, rather than the development as a whole. The revised wording of pre-commencement planning conditions is referenced in each condition below.

The information submitted by this application focusses on details that are strictly relevant to the implementation of the Top Platform (Phase 1 – defined in Condition 2) rather than the development as a whole. Subject to discharge of condition, this focussed information supports the timely delivery of this important component part of the Manchester College's operational estate and the first phase of the Old Brewery Gardens Planning Permission.

1.1 Condition 2 – Phasing

Condition 2 requests the details of phasing to be submitted in line with the wording below:

“Prior to the commencement of development, a detailed phasing plan (including timescales for implementation) for the development (including delivery of public realm and highways works) 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.”

A detailed phasing plan has been prepared and is submitted with this application in order to confirm the delivery of new public realm associated with Phase 1. All other elements beyond this phase comprise Phase 2, which will see the delivery of the residential and commercial elements of the proposals and further areas of public realm.

With regard to timescales for implementation, the residential and commercial elements of the proposals will likely commence construction Q4 2022 once a new development partner and delivery contractor has been brought on board, with the remaining areas of public realm likely to start work in Q4 2024 toward the end of completing the commercial and residential elements.

1.2 Condition 4 – Local Labour Agreement (Construction Phase, Phase 1)

The amended wording of condition 4 is set out below:

Prior to the commencement of each relevant phase of development as detailed in Condition 2, a local labour agreement, in order to demonstrate commitment to recruit local labour for both the construction and operations element of each relevant phase of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction and occupation phases of a relevant phase of the development. (b) Within six months of the first occupation of each relevant phase of the development, details of the results of the scheme shall be submitted for consideration.

In order to allow information relating to local labour to come forward as relevant to Phase 1, the current contractor delivering the Manchester College, Willmott Dixon, have provided approved details of their labour agreement for the project that was approved as part of the College planning permission.

This will, in turn, allow Willmott Dixon to continue their social value initiatives in the further construction activity and deliver the area of public realm needed for the opening of the educational facility in 2022 and commencement of the Old Brewery Gardens Planning Permission. On this basis, the condition should warrant discharge in relation to Phase 1 works.

1.3 Condition 5 – Archaeological Written Scheme of Investigation

The amended wording of condition 5 is set out below:

“No development shall take place of each relevant phase of development as detailed in Condition 2 until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works to be undertaken in relation to each relevant phase in accordance with a Written Scheme of Investigation (WSI), prepared by the appointed archaeological contractor.”

Information has been provided by Orion, the archaeological advisors on the College development, and the approved Written Scheme of Investigation has been submitted as part of this application for discharge of planning conditions as it contains information pertinent to the Top Platform. Trenching was undertaken that provided extensive and detailed records of the row of terraced workers housing and their basement areas formerly situated along New Bridge Street.

This row of housing continues to extend under the area marked for development as part of the Top Platform phase (Phase 1). As the Top Platform area is located at the same height as New Bridge Street, below ground archaeological remains will not be uncovered or disturbed during the works. Therefore, no

further investigatory work and recording of below ground remains is proposed for the delivery of this initial phase of development.

Future phases of Old Brewery Gardens will provide a detailed Written Scheme of Investigation for the wider site to ensure that below-ground remains can as that comes forward. Discussions have taken place with the Greater Manchester Archaeological Advisory Service to confirm this approach is acceptable prior to a submission being made.

On this basis, the information submitted comprising correspondence with GMAAS and previously prepared site information should warrant the discharge of condition in relation to Phase 1 works.

1.4 Condition 6 – Surface Water Drainage

The amended wording of condition 6 is as follows:

“Notwithstanding the water resources section of the ES stamped as received by the City Council, as Local Planning Authority on the 19 January 2018, (a) Prior to the commencement of each relevant phase of development as detailed in Condition 2, a scheme for the drainage of surface water from the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. For the avoidance of doubt this shall include:

- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;*
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building;*
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements).*
- Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures.*
- The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads.*
- A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site. Hydraulic calculation of the proposed drainage system.*
- Construction details of flow control and SuDS elements of each relevant phase of development shall then be constructed in accordance with the approved details, within a previously agreed timescale.*

(b) Prior to the first occupation of each relevant phase of development a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.”

It is proposed that the Top Platform phase of development, as defined in condition 2, connect the surface water drainage scheme into the surface water drainage infrastructure installed as part of the Manchester College.

To allow the Planning Authority to discharge the planning condition in relation to the Phase 1 works, the surface water drainage strategy and calculations for the College have been submitted. To supplement this information, a surface water drainage plan has been prepared for the Top Platform that will connect into this approved drainage scheme.

On this basis, condition 6 relating to surface water discharge for Phase 1 merits discharge from the Local Planning Authority. A full detailed surface water strategy will be prepared and submitted for discharge in relation to Phase 2 prior to those areas being commenced.

1.5 Condition 7 (a) – Ground Conditions and UXO

The proposed revised wording of condition 7a) is set out below:

“Notwithstanding the phase 1 desk based ground conditions report prepared by Wardell Armstrong stamped as received by the City Council, as Local Planning Authority, on the 19 January 2018, (a) before each relevant phase of development as detailed in Condition 2 hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority: Submission of detailed site investigation proposals; Submission of details of liaison with a UXO specialist to complete a detailed threat assessment of the risk of UXO prior to any intrusive site investigation works and site development; Submission of an updated site investigation and risk assessment report; Asbestos management report; Submission of a remediation strategy. The development of that phase shall then be carried out in accordance with the approved details.”

In order to discharge part a) of Planning Condition 7 in relation to Phase 1 only, information approved as part of the College site has been resubmitted as it provides important background and site investigation information relating to the ground conditions near to the Top Platform.

Whilst the works to the Top Platform area would generally sit at existing ground levels or above, which typically reduces risk associated with UXO, the information approved as part of the College works demonstrates that the UXO risk is low on this part of the site.

Similarly, all instances of risk severity and probability associated with ground contamination is both minor/mild and of a low likelihood, and the ground conditions of this part of the Site will therefore present a very low risk to end users or groundwater resources. The 1m borehole shows that the site is made up of made ground comprising gravelly sand. There are also no sources of asbestos contamination that are present in this part of the site based on the made ground results.

This information is considered sufficient to discharge Condition 7a against Phase 1 only. Further information will be developed and submitted to provide details of the areas for development associated with Phase 2, including a full intrusive survey and associated Remediation Strategy.

1.6 Condition 8 – Construction Management Plan

The proposed revised wording of condition 8 is set out below:

“Prior to the commencement of each relevant phase of development as detailed in Condition 2, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include; -Display of an emergency contact number; - Details of Wheel Washing; - Dust suppression measures; - Compound locations where relevant; - Location, removal and recycling of waste; - Routing strategy and swept path analysis; - Parking of construction vehicles and staff; and - Sheeting over of construction vehicles. That phase of development shall be carried out in accordance with the approved construction management plan”

The contractor delivering The Manchester College (Willmott Dixon), will extend their area of work to deliver the new area of public realm. This will allow for a consistent delivery between the two projects and allows for the measures, set out in their approved CMP, to be adopted for this additional area of work.

A Construction Management Plan and Noise Management Plan, approved against the College planning permission, has been submitted as part of this condition discharge application to discharge information against Phase 1 only.

Further information will be submitted by the contractor appointed to deliver Phase 2 of the Old Brewery Gardens Planning Permission, including a Construction Management Plan.

1.7 Condition 13 – Japanese Knotweed

The proposed revised wording of condition 13 is set out below:

“Prior to the commencement of each relevant phase of development (including vegetation clearance) as detailed in Condition 2 a methodology for the control of invasive species shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented in full for that phase of the development.” P

A portion of the site, located adjacent to the Green Strip at the existing ground level car park, was surveyed in 2017 and was showing growth of the invasive species Japanese knotweed.

However, it is not anticipated that this area will be disturbed during the Top Platform phase of works (phase 1), as this part of the site will be hoarded off as part of the proposed works. The Preliminary Ecological Appraisal prepared by Wardell Armstrong, identifying the area occupied by Japanese Knotweed, has been resubmitted for completeness.

This information submitted merits the discharge of condition discharge for Phase 1 by the Local Planning Authority. When Phase 2 comes forward, further surveys will be required, and an appropriate mitigation strategy will be needed in order to confirm that the risk associated with the invasive species is resolved.

Summary of Application

In addition to this cover letter, the application submission comprises the completed Application Forms and Certificates and supporting information that is necessary to discharge conditions in relation to Phase 1, namely:

- Phasing Plan for Old Brewery Gardens (Ref.: 273-LYR-XX-ZZ-DWG-L-1003);
- Social Value Plan prepared by Willmott Dixon – the Manchester College;
- Archaeological Trench Location Plan prepared by Orion– the Manchester College;
- Archaeological Written Scheme of Investigation prepared by Orion – the Manchester College;
- Site Drainage General Arrangement and Drainage Calculations prepared by AECOM - the Manchester College;
- Drainage General Arrangement Plan prepared by Aecom - Top Platform;
- UXO Report prepared by 1st Line Defence – the Manchester College;
- Factual Ground Conditions Report prepared by Brownfield Solutions Limited – the Manchester College;
- Phase 1 Ground Investigation Report prepared by Aecom – the Manchester College;
- Remediation Strategy prepared by LK Group – the Manchester College;
- Verification Report prepared by prepared by LK Group – the Manchester College;
- Construction Management Plan with covering note for Phase 1 prepared by Willmott Dixon;
- Construction Noise Assessment prepared by Hoare Lea; and
- Preliminary Ecological Appraisal including Japanese Knotweed prepared by Wardell Armstrong – Top Platform.

The application fee to Manchester City Council for £234 has been provided via the Planning Portal (PP-10415946).

On the basis of the information submitted, we seek your formal agreement that the information submitted against conditions for Phase 1 applied to 118831/FO/2018, as amended by 132287/NMC/2021, is acceptable and can be discharged in line with your statutory timescales.

I would be grateful for written confirmation of receipt and registration of this application. If there are any points of clarification required, please do not hesitate to contact me or my colleague Michael Percival (0161 455 6672 / mipercival@deloitte.co.uk).

Yours faithfully

Deloitte LLP.

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