

Our Ref: 04C100762/EH/LS

Your Ref: PP-12900803

13 June 2024

Jennifer Atkinson
Planning and Regeneration
Manchester City Council
P.O. Box 532
Town Hall
Manchester
M60 2LA

Dear Jennifer,

RED BANK NEIGHBOURHOOD, VICTORIA NORTH – SECTION 96A APPLICATION FOR A NON MATERIAL AMENDMENT TO PLANNING PERMISSION REF: 133143/VO/2022 AS AMENDED BY REF: 137079/JO/2023

INTRODUCTION

We are writing on behalf of our client, Manchester City Council ('the Applicant'), to submit an application under Section 96A of the Town and Country Planning Act 1990 (as amended) proposing non material amendments to vary the timing of various conditions attached to full permission ref: 133143/VO/2022, and amended by minor material amendment ref: 137079/JO/2023. The permission relates to infrastructure works including (among other things) the creation of development platforms and green infrastructure to allow the delivery of future strategic-scale residential-led development at the Red Bank Neighbourhood.

For completeness, the description of development for permission ref: 133143/VO/2022 is set out below:

"City Council Development for the creation of development platforms, including remediation and earthworks, and change in site levels, to allow delivery of future residential-led development at the Red Bank Neighbourhood, together with the construction of a new road and priority junction from Red Bank, new drainage infrastructure, utility and services connections and diversions, preparatory tree and shrub clearance, and demolition of certain existing structures, along with the creation of new and improved green infrastructure and landscaping including the improvements of St Catherine's Wood to form part of a City River Park, and other associated works."

A Section 73 minor material amendment was approved on the 04 August 2023, under application reference 137079/JO/2023. For clarity and administrative purposes, the proposed description of development for this Section 96A application is as follows:

"Non-material amendment to planning permission reference 137079/JO/2023 to allow for phasing of landscaping and public realm works relating to Condition 10, 27 and 28."

PROPOSED CHANGES

The proposed changes relate to amending the wording of Condition 10, 27 and 28, in order to facilitate the phased delivery of the consented City River Park. The first phase of works to the park (Function Park Works) will comprise:

- Vegetation clearance;
- Remediation;
- Invasive species treatment and removal;
- Earthworks (cut and fill);
- Reprofilng of existing slope to river edge;
- Construction of new gabion retaining structures; and
- Construction of new walkways including footpaths and elevated step sections.

The works below are proposed to form a later phase of development (i.e. future Phase 3, Full Park Works), and include the following:

- Woodland management (including selected tree removal and new tree planting);
- Installation of cycling routes;
- Installation of play equipment and seating areas;
- Lighting and security installation; and,
- New tree and landscape planting.

As such, the below changes are required to Condition 10, 27 and 28 attached to 133143/VO/2022, as amended by 137079/JO/2023, to facilitate the proposed phased delivery of the park. The proposed amendments to the condition wording is shown in **bold blue text**, for ease.

Condition 10 (Surface Water Drainage)

10) Notwithstanding the details submitted on the flood risk and drainage chapter of the Environmental Statement stamped as received by the City Council, as Local Planning Authority, on the 8 March 2022,

*(a) the development shall not commence (except for enabling works including tree clearance, vegetation removal earthworks and remediation, **and functional park works**) until a scheme for the drainage of surface water has been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:*

- *Consideration of alternative green SuDS solution (that is either utilising infiltration or attenuation) if practicable;*

- Proposed discharge rates should be accompanied by a breakdown of catchment areas which are comparable to points of outfall.
- 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 100 year rainfall event with the allowance of 40% climate change;
- 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. 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. This should include proposed elevations.
- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.
- Where alterations are proposed to the Main River, any works within or adjacent to the river that would affect it would require consent from the Environment Agency.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- For sites where proposed development would cause unusual pollution risk to surface water, evidence of pollution control measures (preferably through SuDS) is required.
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) The phase shall then be constructed in accordance with the approved details, within an agreed timescale.

Condition 27 (Details of Natural Play Equipment to St Catherine's Wood)

27) Prior to any above ground works (**except for construction of gabion retaining structures and new walkways associated with the Phase 2 functional park works**), details of the natural play equipment to St Catherine's Wood shall be submitted for approval in writing by the City Council. This shall include the siting, scale, appearance and materiality of any equipment. The approved shall be implemented as part of the development and thereafter retained and maintained.

Condition 28 (Details of Accessible Routes, Elevated Decks, Feature Steps, Elevated Boardwalks and Seated Terraces)

28) Prior to any above ground works *within each phase of development*, final details of *any* accessible routes, elevated decks, feature steps, elevated boardwalks and seating terraces, *associated with that phase* shall be submitted for approval in writing by the City Council. This shall include the siting, scale, appearance and materiality of any installations. The approved shall be implemented as part of the development and thereafter retained and maintained.

SUBMISSION

The following documents are submitted in support of the application:

- i. This covering letter;
- ii. application form;
- iii. relevant land ownership certificate (duly signed); and,
- iv. relevant planning application fee.

The application has been submitted electronically to the Planning Portal (reference: PP-12900803). The requisite application fee to the value of £363 (including £70 service charge) will be paid directly to the Planning Portal.

SUMMARY

We trust that this submission will enable the timely validation of the application. Should you have any queries relating to the above, please do not hesitate to contact me.

Yours sincerely



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For and on behalf of Avison Young (UK) Limited