

Our Ref: 04C201431/RM/LS/KW

Your Ref: 136359/FO/2023

23 April 2024

Robert Griffin
Planning
Manchester City Council
PO Box 532
Manchester
M60 2LA

Dear Rob,

SUBMISSION OF A MINOR MATERIAL AMENDMENT SECTION 73 ('S73') PLANNING APPLICATION TO AMEND CONDITIONS 2, 3, 4, 7, 8, 9 AND 11 AND THE REMOVAL OF CONDITION 16 ATTACHED TO APPLICATION REFERENCE 136359/FO/2023, AT LAND ON THE CORNER OF RELIANCE STREET AND OLDHAM ROAD MANCHESTER.

On behalf of our client Iduna Evci Co 1 Limited ('the Applicant'), we enclose with this letter an application to submit a Section 73 ('S73') for minor material amendments to conditions pursuant to application 136359/FO/2023, relating to the Land at the corner of Reliance Street and Oldham Street in Manchester ('the Site'). Full planning permission (ref: 136359/FO/2023) was granted by Manchester City Council on 28 June 2023 for the following description of development:

"Change of use of site and creation of an electric forecourt comprising 16 no. electric vehicle charging points (Sui Generis use), with associated canopy/bio-diverse roof structure, erection of single-storey retail unit (Use Class E), hard and soft landscaping, access arrangement, and other associated infrastructure."

This S73 application is submitted to MCC to amend conditions consented under the full planning application, following the decision to remove the biodiverse canopy from the original plan as well as further design changes as expanded below. The changes have been discussed with MCC and it was confirmed that the correct planning strategy is to secure the minor material changes through a S73 application.

The proposed description for this S73 application is as follows:

"Minor material amendment to planning consent 136359/FO/2023 to vary Conditions 2, 3, 4, 7, 8, 9 and 11 as well as the removal of Condition 16 to allow for minor material scheme re-design including the omission of the biodiverse canopy and replacement with individual canopies, reduction in retail/commercial space, reduction in trees, reduction in cycle parking, increased spacing between car parking spaces, new servicing and loading bay, reduction of green space and inclusion of roof-mounted PV arrays."

This S73 application is accompanied by a full submission schedule, and comprises of the following documents:

- Planning application forms;
- Planting Plan and Schedule prepared by FFLO;
- Landscaping Proposals prepared by FFLO;
- Drainage Sketches prepared by Conisbee;
- Surface Water Drainage Strategy prepared by Conisbee;
- Substation Sketches;
- Biodiversity Net Gain (BNG) Assessment & Metric Calculator prepared by Delta Simons;
- Lighting Details prepared by STEON;
- Transport Addendum prepared by EAS Transport Planning;
- Design and Access Statement, including waste management details prepared by Architect That;
- Drawings prepared by Architect That, as follows:
 - 3.1001 Rev P17 '*Proposed Site Plan*'
 - 3.1002 Rev P8 '*Proposed Roof Plan*'
 - 3.2.002 Rev P7 '*Proposed West Elevation*'
 - 3.2.004 Rev P6 '*Proposed North Elevation*'
 - 3.2.001 Rev P8 '*Proposed East Elevation*'
 - 3.2.003 Rev P6 '*Proposed South Elevation*'
 - 3.3.001 Rev P5 '*Proposed Section A-A*'

Given the nature of the proposed minor material amendment, there will be no material change to the content or conclusions in any of the previously approved, supporting technical documents that accompanied the original full planning application (Ref: 136359/FO/2023).

Site Description

The site is located on the corner of Reliance Street and Oldham Road, Manchester and is entirely within Manchester City Council. The site is within the ward of Miles Platting and Newton Heath and is approximately 4.2km northeast of Manchester City Centre. The site is square in shape and occupies approximately 0.1ha of previously developed land which has been vacant for over 10 years. A site location plan is provided with this application and shown in Figure 1 below.



Figure 1. Site Location Plan (site edged in yellow)

The surrounding area is predominantly comprised of commercial and industrial uses, with some residential use directly west of the site and housing along Oldham Road, Dean Lane and Ivy Graham Close. In terms of sustainable transport links, Newton Heath & Moston Metrolink Tram Station (pink line) is located approximately 400m north of the site which provides links to Manchester City Centre, Oldham, and Rochdale. There are also a variety of bus stops located along Oldham Road, including one directly opposite the junction of Reliance Street and Oldham Road.

Planning History

Since the original planning permission was granted, all pre-commencement conditions have been discharged which has allowed the Applicant to commence with below groundwork construction on site. A summary of the relevant planning applications is provided in Table 1 below.

Table 1. Planning Application History

App Ref	Description	Status
CDN/23/0602	<i>Discharge of condition 4 (ground conditions) attached to planning permission referenced 136359/FO/2023.</i>	Approved 24 January 2024
CDN/23/0645	<i>Discharge of condition 3 (CMP) attached to planning permission referenced 136359/FO/2023.</i>	Approved 19 January 2024
136359/FO/2023	<i>Change of use of site and creation of an electric forecourt comprising 16 no. electric vehicle charging points (Sui Generis use), with associated canopy/bio-diverse roof structure, erection of single-storey retail unit (Use Class</i>	Approved 28 June 2023

	<i>E), hard and soft landscaping, access arrangement, and other associated infrastructure.</i>	
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Proposed Minor Amendments

The proposed minor amendments relate to updating overall design of the approved scheme, to incorporate sufficient spacing across the site to align with The British Standards Institution (2022), PAS 1989:2022. The following changes are therefore sought for consent, following a redesign of the scheme:

- Omission of the biodiverse canopy to be replaced with smaller, individual canopies
- Reduction in retail space (from 175 sqm to 73 sqm)
- Reduction in trees from 6 no. to 4 no.
- Reduction in cycle parking
- Reduction in greenspace from 280 sqm to 250 sqm
- Increase in spacing between car parking spaces to be PAS complaint
- Inclusion of a new servicing and loading bay
- Inclusion of PV arrays to the rooftop of the retail unit

The abovementioned minor amendments to the layout of the scheme, will not change the proposed use for an electric forecourt, comprising of 16 no. of electric vehicle charging points (Sui Generis) or the proposed retail/commercial unit (Use Class E). Access will still be gained off Reliance Street, and updated tracking plans have been prepared by EAS Transport Planning in support of this application.

The decision to remove the biodiverse canopy is to allow for sufficient spacing between the individual car parking spaces, to be compliant with the PAS 1899:2022 Electric Vehicles Accessible Charging Specification document, prepared by The British Standards Institution 2022. The PAS 1899:2022 specifies requirements for the provision of accessible public charge points for electric vehicles to all potential users, including, for example, disabled and older people. In addition to normative requirements for all public charge points to address minimum requirements for accessibility, the PAS includes informative best practice guidance.

The Applicant's mission is to provide a simple, seamless and effortless electric vehicle charging experience for all, irrespective of area or affluence, and to work with local communities, businesses and partners to improve EV charging access.

Therefore, through updating the current design proposals, the Applicant can ensure that the proposal reflects best practices for EVCPs and aligns with their wider mission to increase accessibility for EV users.

Please note, the submission drawings show LED advertisement and a freestanding advertisement totem. Planning permission will be applied for separately through an advertisement consent application.

Proposed Amendments to Condition Wording

1. Design amendments

Listed below is each of the individual design amendments proposed under this application. This covering letter is to be read alongside the Design and Access Statement and drawings prepared by Architect That, submitted as part of this application.

- Item One
 - Omission of the biodiverse canopy to be replaced with smaller, individual canopies
- Item Two
 - Reduction in retail space from 175 sqm to 73 sqm
- Item Three
 - Reduction in trees from 6 no. to 4 no.
- Item Four
 - Reduction in cycle parking
- Item Five
 - Reduction in greenspace from 280 sqm to 250 sqm
- Item Six
 - Increase in distances between car parking spaces to be PAS 1899:2022 complaint
- Item Seven
 - Inclusion of a new servicing and loading bay
- Item Eight
 - Inclusion of PV arrays to the rooftop of the retail unit

As such, Condition 2 (List of Approved Plans), is required to be amended to reflect the updates suite of plans and drawings. The proposed amendments to Condition 2 are set out below:

Condition 2 (List of Approved Plans)

"The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawing references:

3.1001 Rev P4¹⁷ 'Proposed Site Plan

3.1002 Rev P2⁸ 'Proposed Roof Plan'

3.2.004 Rev P1⁶ 'Proposed West Elevation'

3.2.003 Rev P1⁶ 'Proposed North Elevation'

3.2.002 Rev P1 7 'Proposed East Elevation'

3.2.001 Rev P3 8 'Proposed South Elevations'

3.3.001 Rev P5 'Proposed Section'

~~ADH2096100~~

900350-002 Rev 3 Electricity North West

A3 ENW MM 02 GA Envico Engineering Ltd

~~002 'Hard Landscape Layout'~~

~~003 'Planting Plan'~~

Planting Plan Rev B 16.04.2023 FFLO Landscape Architects

Planting Schedule Rev B 16.04.2024 FFLO Landscape Architects

~~Both as received on the 27th of February 2023~~

Local Labour Agreement ref PP-11652074 prepared by Avison Young

~~STEON – RELIANCE STREET CHARGING BAYS LIGHTING LAYOUT rev A~~

STEON – Neon Flex Steon Datasheet - 3

STEON – Harrier LED Steon Datasheet - 8

Noise Impact Assessment prepared by Delta-Simons Project No: 22-1496.03 / 87687.544957
Issued 17th May 2023 (Issue no.4)

Preliminary Geo-Environmental Risk Assessment prepared by Delta-Simons Project No: : 22-1496.01 Issued 27th September 2022 (Issue No.1)

Geo-Environmental Risk Assessment prepared by Delta-Simons Project No: 22- 1496.04 / 87687.546937 Issued 22nd December 2022 (Issue No.1)

Remediation & Verification Strategy prepared by Delta-Simons Project No:87687.557155 Issued 16th March 2023 (Issue No.1)

Biodiversity Net Gain Assessment, Reliance Street, Manchester, Reference 87687.544956, (Issue No. 03)

Surface Water Drainage Strategy 220698-CON-ZZ-XX-RP-C-0001, Rev 2.1

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy."

2. Amendments to the timing of conditions to allow for the EVCP forecourt and charging infrastructure to be occupied before the retail unit is occupied

As discussed previously, the Applicant are seeking flexibility with occupying the electric vehicle forecourt and associated infrastructure, prior to the occupation of the retail unit as an end occupier has not been identified yet. As such, the Applicant are seeking to amend Condition 7, 8,

9 and 11 to only reference the retail unit, as these conditions are not required to be discharged prior to the use of the electric forecourt and associated EVCP.

As such, the following proposed amendments are highlighted in blue text:

Condition 7 (External Ancillary Plant)

"Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Prior to commencement of the use of the retail unit, hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences."

Condition 8 (Plant Verification Report)

"Prior to the operation of any external plant, equipment and servicing acoustic insulation scheme approved under condition 7 of this decision notice, relating to the retail unit, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria."

Condition 9 (Acoustic Verification Report)

"Prior to the first occupation of the retail unit development hereby approved, a verification report shall be submitted to and approved in writing by the City Council as local planning authority. The report shall validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report in respect of the acoustic insulation and treatment of the approved development to limit the break out of noise. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria."

Condition 11 (Refuse Scheme)

"Prior to the first use of the retail unit development hereby approved a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation."

3. Amendments to reflect consented documents (Condition 3 & 4)

As mentioned in the planning history section of this covering letter, Condition 3 and Condition 4 have been discharged.

The conditions will therefore be reworded to refer to the consented documents and become 'compliance only' conditions. The proposed text is highlighted in blue below:

Condition 3 (CMP)

"The development shall be carried out in accordance with the submitted and approved Construction Management Plan (18th September 2023) prepared by Spring & Co, and Site Logistics Plan (17th September 2023).

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy"

Condition 4 (Remediation Strategy)

"The development shall be carried out in accordance with the submitted and approved Remediation and Verification Strategy (March 2023), Geo-Environmental Risk Assessment (December 2022), and Preliminary Geo-Environmental Risk Assessment (September 2022).

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN18 of the Core Strategy."

4. Removal of condition 16 relating to biodiverse canopy

As the biodiverse canopy is being removed from the scheme, Condition 16 will no longer be applicable to the scheme. It is proposed this condition is removed.

It is acknowledged that Condition 14 relates to materials proposed to the external façade of the retail unit and 'associated canopies. Previously, this related to the biodiverse canopy, however, will now relate to the proposed individual canopies.

**Planning Policy
Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise.

The relevant adopted Development Plan Documents for Manchester comprises the Manchester Core Strategy 2012 – 2027 (adopted 2012) and 'Saved' Policies of the Unitary Development plan for the City of Manchester (1995).

Manchester City Council are in early phases of their Local Plan review, with formal consultation carried out in May 2020. The next stage is to draft the Local Plan; however, no update has been provided in recent years on this, therefore this draft plan carries no weight within the determination process. There have consequently been no updates to the Development Plan since the original application was granted planning permission, however the key policy considered

which are relevant to this minor material amendment application are summarised below for completeness.

Manchester Core Strategy 2012

The site does not have a specific allocation for a specific use, and falls entirely within the Manchester City Centre boundary, within the Newton Heath District Centre, East Manchester (EC5, H4), Inner Areas (SP1). There are no heritage assets within or surrounding the site. The key planning policies are discussed in detail below.

Policy DM1 (Development Management) states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document: -

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.

Policy SP1 (Spatial Principles) states several key principles which will guide the strategy development of Manchester to 2027. This includes making a positive contribution to neighbourhoods of choice, including creating well designed places that enhance or create character, as well as minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Policy CC5 (Transport) states The Transport Strategy for Manchester City Centre which will be delivered to ensure that transport is managed in a way which supports the projected growth of the City Centre. Developers should work with public transport providers to ensure that all users can access development by sustainable means, especially taking account of times when developments are likely to be busiest. Proposals will be supported that improve pedestrian safety, improve air quality, and increase the scope for accessible public realm improvements. The Council will seek to ensure that development includes adequate parking provision for cars and bicycles.

Policy CC9 (Design and Heritage) states design of new buildings will need to be of the highest standard in terms of appearance and function. The standards and guidance explained in other LDF policies should be the basis for the approach to design, with particular attention to be given to the City Centre context and character. Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments. The Council will support high-density and mixed-use development in the city centre, but developers must ensure complementarity of function and form. New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.

Policy T1 (Sustainable Transport): states a sustainable, high quality, integrated transport system should be delivered to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon-free modes of transport. This lays out areas in which the Council would like to see in order to support proposals.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development): states that the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through development following the principle of the Energy Hierarchy, a new development designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies, mechanism to help improve energy efficiency, new development make contributions to low or zero carbon energy schemes and/or to incorporate provision to enable future connection decentralised energy schemes, and use low carbon building materials.

Policy EN8 (Adaption to Climate Change): states that all new developments will be expected to be adaptable to climate change in terms of design, layout, siting and function of both buildings and associated external spaces. Developers should have regard to flood risk, urban heat island effect, overheating of buildings and provision of green space. Developers will be permitted to use green infrastructure elements, such as green roofs, green walls and street trees, to contribute to compliance with CO2 mitigation under Policy EN6, subject to sufficient evidence to quantify their contribution to compliance.

Policy EN7 (Energy Infrastructure Opportunities) states that there will be a general presumption in favour of low and zero carbon decentralised energy schemes. In determining proposals for development, consideration will be given to the need to safeguard strategic energy sites and network routes, both proposed or existing, where these have been identified as having strategic significance for the delivery of low or zero carbon energy infrastructure or, would be required in order to achieve the successful regeneration of an area in line with targets for reducing carbon emissions.

Policy EN9 (Green Infrastructure): states new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple functions. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing

element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management. New green infrastructure provision should be an exemplar of best practice and innovation in terms of design and management.

Policy EN16 (Air Quality): states that the council seeks to improve air quality, particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers are expected to take measures to minimise and mitigate the local impact of traffic generated emissions and emissions from the development itself. The Council will consider the cumulative impacts of development, particularly in Air Quality Management Areas.

Other Material Considerations

There are a series of other planning policy guidance documents at local and national levels that are relevant to the determination of this application, including:

- National Planning Policy Framework ('NPPF')(December 2023); and,
- Places for Everyone, Greater Manchester

National Planning Policy Framework 2023 ('NPPF')

The revised National Planning Policy Framework ('NPPF') was published in December 2023. The NPPF sets out the Government's planning policies and guidance and how this is to be applied. The NPPF is a material consideration in the determination of planning applications. The elements of the NPPF which are considered most relevant to the development proposed are outlined below.

Achieving Sustainable Development

Central to the NPPF is the presumption in favour of sustainable development and the need for the planning system to support economic growth. Paragraph 11 of the 2023 Framework sets out the presumption in favour of sustainable development and the application of the policy for decision making states:

"Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, of the policies which are most important for

determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Paragraph 8 of the 2023 Framework emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 defines "sustainable development" and highlights the three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

"a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

Promoting Sustainable Transport

Paragraph 116 of the NPPF states that applications for development should:

- a) *give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.*
- b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport.*
- c) *create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.*
- d) *allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) *be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Making effective use of Land

Paragraph 123 outlines how planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

Paragraph 125 states local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.

Paragraph 127 states local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.

Achieving Well Designed Places

Paragraph 131 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 140 sets out that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area.

Planning for Climate Change

Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.

Building a Strong and Competitive Economy

The NPPF confirms that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 85 states that "significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development". In addition, Paragraph 89 states that previously developed land (PDL) "and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities".

Places for Everyone, Greater Manchester

Adopted on 21 March 2024, the Places for Everyone Joint Development Plan ('PfE JDP') sets out the policy framework and the approach of the nine Greater Manchester authorities (excluding Stockport), to meet the need for new homes, jobs and sets out the protection of the environment up to 2039. It also identifies the infrastructure required to ensure growth in the PfE area is sustainable.

With regards to electric vehicle charging, at *Paragraph 1.53 Infrastructure required to support scale and pattern of growth*, the PfE JDP states that the plan will expand the city-region's electric vehicle charging network.

The PfE JDP sets requirements out for the installation of electric vehicle charge points, for new homes and non-residential buildings, and states that new developments will need to meet the requirements set out in Part S of the Building Regulations, unless superseded by relevant Local Plan policies.

Planning Policy Assessment

Principle of Development

This S73 application seeks to make minor material changes to the approved scheme to ensure the scheme remains deliverable, is fully compliant with updated accessibility standards, and seeks to allow for the separate uses to be occupied at different stages.

The minor material amendments relate to the omission of the biodiverse canopy and replacement with smaller individual canopies, the reduction of the retail unit, landscaping and tree planting to accommodate accessibility requirements of the 16 no. of EVCP parking spaces, and to create a high quality scheme which is deliverable in the short term. The proposed minor material amendments solely relate to amending the site layout to meet accessibility requirements as set out in the PAS 1899: 2022, which is a betterment in terms of providing accessible parking spaces for all. Furthermore, minor changes are proposed, with sustainability at the forefront, including the inclusion of PV arrays on top of the retail unit.

The minor material amendments sought, result in a feasible scheme which is deliverable, achievable and is therefore considered wholly acceptable in terms of the principle of development as an EVCP charging forecourt (Sui Generis) with associated retail unit (Use Class E).

The proposed development is therefore in accordance with Policy DM1 and SP1 of the Manchester Core Strategy.

Design

Policy CC9 of the Manchester Core Strategy states that the design of new buildings will need to be of the highest standard in terms of appearance and function. The retail unit is proposed to be situated towards the rear of the site as opposed to the western portion, which was previously approved as part of the full planning application. The biodiverse canopy has been omitted from

the scheme and new landscaping and layout of the parking spaces is proposed, in addition to individual canopies. The reason for the relocation of the retail unit, removal of the biodiverse canopy, and amendment to the site layout which resulted in a reduction in landscaping, is to provide sufficient spacing between the parking spaces to meet PAS 1899: 2022 requirements. A high quality landscaping package has been prepared by FFLO and is proposed as part of the development. The proposed landscaping offers a positive contribution in terms of design as this will create a natural habitat on site which will contribute positively to future occupiers of the EVCP and retail unit.

The relocation of the retail unit and reduction in floorspace, removal of the biodiverse canopy and enhanced landscaping does not impact negatively on the overall design quality of the approved scheme. The design has been enhanced with the proposed materials, and in addition of individual canopies.

It is therefore considered the minor amendments result in a high quality, well designed scheme, which is in accordance with CC9 of the Manchester Core Strategy.

Accessibility

The Manchester Core Strategy places considerable emphasis on sustainable transport and facilitating modes of transport that reduce carbon emissions. Policy T1 states that the Council will support designs which incorporate electric vehicle charging points, subject to their appropriate design and location and that there will be a general presumption in favour of energy infrastructure opportunities in accordance with Policy ENV7.

This S73 application does not significantly alter the proposed access off Reliance Street. As confirmed in the supporting Transport Note prepared by EAS Transport Planning, the proposed access has shifted circa 575 mm to the south of the site which is a marginal change.

Supporting swept path analysis and access visibility splays have been provided by EAS Transport Planning and submitted in support of this S73 application, which concludes that the scheme is wholly acceptable from a transport and highways perspective.

The proposed minor amendments are therefore in accordance with Policy CC5, T1 and ENV7 of the Core Strategy, and Paragraph 116 of the NPPF.

Drainage

As a result of the proposed design changes, an updated Surface Water Drainage Strategy has been prepared by Conisbee. The Surface Water Drainage Strategy concludes that the site is located in Flood Zone 1, and therefore there is a low risk of flooding from and other sources such as ground water, sewers and overland flows.

The strategy confirms that surface water runoff from the development will be managed through the use of sustainable drainage systems (SuDS) to ensure there is a significant reduction in flows leaving the site. Overall, it is considered that the development will reduce flood risk elsewhere due to the implementation of the SuDS system. This is in accordance with Policy EN18 of the Core Strategy.

Biodiversity Net Gain (BNG)

A revised BNG assessment and metric calculator has been prepared by Delta Simons in support of the application. The assessment concludes a total net unit change of +0.0327 of Area Units and +21.20% total net. Based on the revised scheme, the assessment indicates that the development will achieve a net gain in biodiversity over 10% which is the national requirement. The main contributors to this is the addition of new grassland, and additional tree planting. The proposed minor amendments are therefore in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), in that a minimum requirement of 10% BNG has been met.

Summary

This covering letter has detailed the proposed amendments required through a Section 73, minor material amendment to application 136359/FO/2023, approved by Manchester City Council on the 28 June 2023. The minor material amendments are considered acceptable, with regards to the principle of development, design, access, drainage and demonstrates a net gain in biodiversity, as discussed in detail above. The minor material amendments are in accordance with the relevant policies set out within Manchester's Core Strategy, and the National Planning Policy Framework.

The application documentation has been submitted via Planning Portal (ref. PP-12923507). The submission requirements are in line with what has been agreed during pre-application discussions with the Council and a full submission schedule is attached with this letter. The planning application fee has been calculated at £363 (including planning portal administration fee and VAT) and has been paid by BACS transfer directly to the Planning Portal.

I trust that this is satisfactory for the Council to enable a swift validation of the application. Should you require any further information or wish to discuss the application then please do not hesitate to contact me.

Yours sincerely,



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For and on behalf of Avison Young (UK) Limited

Enc. Submission Schedule

Submission Schedule

Document	Reference / Date (MM/YY)	Responsibility
Forms		
Application Form	April 2024	Avison Young
Application Fee	Paid directly to Planning Portal	Iduna Evci Asset Co 1 Ltd
Covering Letter	April 2024	Avison Young
Plans		
Site Location Plan	596-ZZ-GR-DR-P1-3.0000, Rev P1	Architect That
Proposed Site Plan	612-ZZ-GR-DR-A-3.1001, Rev P17	Architect That
Proposed Roof Plan	612-ZZ-GR-DR-A-3.1002, Rev P8	Architect That
Proposed West Elevation	612-AT-ZZ-XX-DR-A-3.2002, Rev P7	Architect That
Proposed North Elevation	612-AT-ZZ-XX-DR-A-3.2004, Rev P6	Architect That
Proposed East Elevation	612-AT-ZZ-XX-DR-A-3.2001, Rev P8	Architect That
Proposed South Elevation	612-AT-ZZ-XX-DR-A-3.2003, Rev P6	Architect That
Proposed Section A-A	612-AT-ZZ-XX-DR-A-3.3001, Rev P5	Architect That
External Lighting Details	Neon-Flex-Steon Harrier-LED-Steon	Steon Lighting
Planting Plan	Revision B	FFLO Landscape Architects
Planting Schedule	Revision B	FFLO Landscape Architects
Drainage Layout (Page 30 of the Surface Water Drainage Strategy)	220698-CON-XX-00-DR-C-1000, Rev P03	Conisbee
Substation Sketch	900350-002 Rev 3 A3 ENW MM 02 GA	Electricity North West Envico Engineering Ltd
Reports		
Design and Access Statement (DAS)	April 2024, Rev F	Architect That
Waste Management Strategy	April 2024, Rev F	Architect That

(Page 29 of the DAS)		
Biodiversity Net Gain Calculation	87687.544956, Rev 3	Delta-Simons
Landscaping Proposals	Revision E	FFLO
Surface Water Drainage Strategy	220698-CON-ZZ-XX-RP-C-0001, Rev 2.1	Conisbee
Transport Addendum Letter	15 April 2024, Rev C	EAS Transport Planning