

21 May 2024

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

FAO Jennifer Atkinson

Dear Jennifer,

Manchester Metropolitan University Library Transformation Project, Manchester
Application for Non-Material Amendments to Planning Permission Ref: 138424/FO/2023

Please find enclosed an application under Section 96a of the Town and Country Planning Act, for non-material amendments to Planning Permission ref: 138424/FO/2023. The proposals specifically seek to amend the wording of Conditions 3 (material samples), 12 (Drainage), 26 (Windows), 31a (Programme of private and public realm works) and 38 (BREEAM) ('The Application').

The Applicant is Manchester Metropolitan University ('The Applicant').

Background

Planning Permission (Ref: 138424/FO/2023) approved the following description of development on 16 February 2024:

"Full Planning Permission for the part demolition and redevelopment and part reconfiguration and refurbishment of an existing library building, to form a new library (Use Class F1) including a new 13 storey building, external amenity spaces, public realm, access and servicing arrangements and other associated works".

The Applicant now requires a series of amendments to be approved to allow the development to commence.

The proposed amendments set out in this application were provided to the LPA prior to determination of the application; however, it was agreed that they be handled via a Non-Material Amendment application ('NMA') via email correspondence on 29 February 2024.

Further information on the proposed amendments is provided in the following sections, to allow for the formal consideration of the amendments to proceed.

Proposed Description of Development

The proposed Description of Development for this Application is as follows:

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“Non-material amendment to Planning Permission 138424/FO/2023 to vary the wording of Condition 3 (Material Samples), Condition 12 (Drainage), Condition 26 (Windows), Condition 31a (Programme of private and public realm works) and Condition 38 (BREEAM).”

Proposed Non-Material Amendments

Condition 3 (Material Samples)

Condition 3 requires the submission of samples and specifications of all materials to be used on external elevations of the Proposed Development, prior to the commencement of development.

The proposed rewording of this condition, to include a programme of samples prior to above ground works, is proposed to facilitate the timely progress of the development, such as the demolition and below ground works and to prevent delays associated with the timescales of coordinating an accurate full-sized sample panel, whilst also ensuring the timely sign-off of samples with the LPA.

The existing and proposed wording of Condition 3 are detailed within Table 1 below.

Table 1: Existing and Proposed Wording of Condition 3

Existing	Proposed
<i>“Prior to the commencement of development, samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management. The approved materials shall then be implemented as part of the development.”</i>	<i>“Prior to above ground works, a programme for the submission of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include timescales for the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management. The approval of materials shall then be undertaken in accordance with the approved programme and the approved materials shall then be implemented as part of the development.”</i>

Condition 12 (Drainage)

Condition 12 outlines that additional information in relation to surface water attenuation – at least a 50% reduction in runoff rate compared to the existing rates – is required for submission prior to above ground works commencing.

This runoff rate is not achieved by the Proposed Development for site-specific reasons, which have been consulted upon at Pre-Application stage with the Lead Local Flood Authority at a meeting held in August 2023. It is outlined as part of the submitted and approved Drainage Strategy, that an increase in attenuation would not be feasible at the Site, without significant utility diversions. A 20% betterment is proposed, reducing the run off rate from 91 l/s to 73 l/s, with a required attenuation volume of approximately 150 cubed metres. For the avoidance of doubt, following the implementation of the Drainage Strategy, the flood risk to and from the Site, is considered to be low and will ensure on-Site flood risk is managed up to the 1 in 100-year flood event. It is therefore requested that reference to the reduction percentage is removed from the wording of this condition.

Condition 12 also outlines that additional information relating to the integration of green SuDS and the construction details of SuDS elements are required to be submitted prior to above ground works. A number of green SuDS options were considered at the Site; however, due to design and space requirements, these were not deemed appropriate for the Site. The removal of this sentence from the condition is therefore requested as a part of this amendment application.

In addition, Condition 12 requires evidence that the drainage system has been designed so that flooding does not occur during a 1 in 100-year rainfall event, with an allowance for 45% climate change in any part of the building. It is requested that this part of the condition is amended to an allowance for 30% climate change, to ensure consistency with the approved document Drainage Strategy referenced in Condition 2 on the Decision Notice - the submitted and approved information for this Development. This figure is in line with Climate Change Allowances for the Irwell Management Catchment.

The existing and proposed wording of Condition 3 are detailed within Table 2 below.

Table 2: Existing and Proposed Wording of Condition 3

Existing	Proposed
<i>"No above ground works shall take place until surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards have been submitted to and approved in writing by the Local Planning Authority.</i>	<i>"No above ground works shall take place until surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards have been submitted to and approved in writing by the Local Planning Authority.</i>
<i>In order to avoid/discharge the above drainage condition the following additional information has to be provided:</i>	<i>In order to avoid/discharge the above drainage condition the following additional information has to be provided:</i>
<i>o A finalised drainage layout showing all components, outfalls, levels and connectivity;</i>	<i>o A finalised drainage layout showing all components, outfalls, levels and connectivity;</i>
<i>o Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;</i>	<i>~~o Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;~~</i>
<i>o Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates, as the site is located within Conurbation Core Critical Drainage Area;</i>	<i>o Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, and approved document Drainage Strategy (Ref: 1044B-BHE-XX-XX-RP-C-000002; ~~i.e. at least a 50% reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates, as the site is located within Conurbation Core Critical Drainage Area;~~</i>
<i>o An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;</i>	<i>o An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;</i>
<i>o CCTV survey and routing plan of existing drainage system to understand condition, capacity, connectivity to outfall;</i>	<i>o CCTV survey and routing plan of existing drainage system to understand condition, capacity, connectivity to outfall;</i>
<i>o Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable</i>	

Existing	Proposed
<i>practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;</i> <i>o 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 45% climate change in any part of a building;</i> <i>o 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;</i> <i>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;</i> <i>o Hydraulic calculation of the proposed drainage system, including all engineering parameters;</i> <i>o Construction details of flow control and SuDS elements.</i>	<i>o 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;</i> <i>o 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 30% climate change in any part of a building;</i> <i>o 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;</i> <i>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;</i> <i>o Hydraulic calculation of the proposed drainage system, including all engineering parameters;</i> <i>o Construction details of flow control elements.</i>

Condition 26 (Windows)

Condition 26 requires all windows at ground to second floor level, to be retained as clear glazed window openings at all times and views into the premises shall not be screened or obscured in any way, with the exception of that required for building control regulations.

The Applicant wishes to amend the wording of this condition, due to the fact that items for building control (manifestations), solar glare (blinds), and potentially temporary artwork, may need to be introduced over the life of the building. The current wording is not practical, as it may require multiple amendments to the proposals. As such, the suggested wording outlined below, would require a set of parameters or guidelines to be agreed instead, which would strike the right balance between flexibility and control.

The existing and proposed wording of Condition 26 are detailed within Table 4 below.

Table 4: Existing and Proposed Wording of Condition 26

Existing	Proposed
<i>“All windows at ground to second floor level, unless shown otherwise on the approved drawings detailed in condition 2, shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way, with the exception of that required for building control regulations.”</i>	<i>“All windows at ground to second floor level, unless shown otherwise on the approved drawings detailed in condition 2, shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way, with the exception of that required for building control regulations or in accordance with a schedule of parameters to be agreed in writing by the city Council as Local Planning Authority.”</i>

Condition 31(a) (Programme of Private and Public Realm Works)

Condition 31(a) requires a programme for the submission of final details of the public and private realm works to be submitted and approved by the Council, prior to the commencement of the development. The condition currently includes reference to the details of the stopping up the section of footway along Oxford Road.

The Applicant is seeking the removal of the reference to this section of footway (point ‘i’ of the condition), due to the fact that this area of the footway is within the Applicant’s ownership and is therefore not located within the public footway. Title information was previously submitted to the Council, which shows that there is no relevant section of adopted highway within the boundary for development. This information has been resubmitted as a part of this application for information.

The existing and proposed wording of Condition 31(a) are detailed within Table 5 below.

Table 5: Existing and Proposed Wording of Condition 31(a)

Existing	Proposed
<i>“Prior to the commencement of development of, with the exception of site clearance and demolition, a programme for the submission of final details of the public and private realm works shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details: i. Details of the stopping up of the section of footway along Oxford Road. ii. Details of the proposed hard landscape materials; iii. Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements and for the areas between the pavement and the line of the proposed building; iv. Details of the proposed tree and plant species within the public and private realm including proposed size, species and planting specification including tree pits and design;</i>	<i>“Prior to the commencement of development of, with the exception of site clearance and demolition, a programme for the submission of final details of the public and private realm works shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details: ~~i. Details of the stopping up of the section of footway along Oxford Road.~~ i. Details of the proposed hard landscape materials; ii. Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements and for the areas between the pavement and the line of the proposed building; iii. Details of the proposed tree and plant species within the public and private realm including proposed size, species and planting specification including tree pits and design;</i>

Existing	Proposed
v. Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting; vi. Details of boundary treatments, which shall ensure adequate visibility for child pedestrians where adjacent to the adopted highway; vii. Details of the proposed street and terrace furniture including seating, bins and lighting; viii. Details of any external steps and handrails; ix. Full details of roof terrace canopies; x. A strategy providing details of replacement tree planting, including details of overall numbers, size, species and planting specification, constraints to further planting and details of on-going maintenance; xi. A site layout plan showing all pedestrian routes within the site being a minimum width of 1.8m.”	iv. Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting; v. Details of boundary treatments, which shall ensure adequate visibility for child pedestrians where adjacent to the adopted highway; vi. Details of the proposed street and terrace furniture including seating, bins and lighting; vii. Details of any external steps and handrails; viii. Full details of roof terrace canopies; ix. A strategy providing details of replacement tree planting, including details of overall numbers, size, species and planting specification, constraints to further planting and details of on-going maintenance; x. A site layout plan showing all pedestrian routes within the site being a minimum width of 1.8m.”

Condition 38 (BREEAM)

Condition 38 requires a post-construction review certificate to be submitted and approved by the Council within 6 months of the building being occupied.

The Applicant wishes to amend the wording of this condition, as current timescales for a response from BRE on a submission can be up to 12 months, so the condition timings may not be achievable. As such, the amended condition wording proposes that proof of submission is provided to the Council and approved within 12 months of occupation.

The existing and proposed wording of Condition 38 are detailed within Table 6 below.

Table 6: Existing and Proposed Wording of Condition 38

Existing	Proposed
“The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Excellent'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority within 6 months of the building hereby approved being first occupied.”	“The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Excellent'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority within one year of the building hereby approved being first occupied.”

Summary

The proposed amendments in this application for non-material amendments will not materially change the scheme approved under the Planning Permission Ref. 138424/FO/2023, that it is in accordance with the Development Plan, when taken as a whole.

This application for non-material amendments comprises this Covering Letter and the following documentation:

- Application Form, prepared by Deloitte;

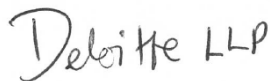
- Approved document, Flood Risk Assessment, prepared by Buro Happold;
- Approved document, Drainage Strategy, prepared by Buro Happold; and
- Ownership / Title Information, sourced from Land Registry.

The Application has been submitted via the Planning Portal under Reference: PP-13006916. The application fee of £363, including VAT and the prerequisite Planning Portal service charge, will be paid online.

On the basis of the information submitted, we seek your agreement that the proposed amendments are acceptable.

We would be grateful if you could notify us of validation of the Application and please do not hesitate to contact Eleanor Scrafton (0161 455 8598 / escrafton@deloitte.co.uk) or Rachel Hopkins (0161 455 6812 / rachelhopkins@deloitte.co.uk).

Yours sincerely

A handwritten signature in black ink that reads "Deloitte LLP". The signature is written in a cursive, slightly stylized font.

Deloitte LLP

Encl.