Deloitte.

Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Phone: +44 (0)161 832 3555
Fax: +44 (0)161 829 3800
www.deloitte.co.uk

Direct phone: +44 161 455 6512
johcooper@deloitte.co.uk

28 November 2023

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

FAO Jennifer Atkinson

Dear Jennifer,

Angel Square Public Realm, NOMA, Manchester – Application for Non-Material Amendments to Planning Permission Reference 135551/FO/2022

On behalf of our client, NOMA (GP) Limited (the "Applicant"), we hereby submit an application under Section 96a of the Town and Country Planning Act 1990 (as amended) to make a Non-Material Amendment ("NMA") to Planning Permission 135551/FO/2022 (this "Application").

The proposals seek to make adjustments the wording of Conditions 2 (Approved Plans and Documents), 5 (Works to Trees), 6 (Surface Water Drainage), 12 (Hard and Soft Landscaping), 14 (Site Lighting Scheme), 21 (Tree Relocation Feasibility Study), and 22 (Community Use Structure).

The application site is circa 0.49 hectares and is located on the northern edge of Manchester City Centre and within the NOMA Regeneration Framework area. It is located north of Miller Street, south of the 1 Angel Square Co-operative Headquarters building, and east of 4 Angel Square. The site of the 2 and 3 Angel Square Planning Permission (Ref. 134307/FO/2022), borders Angel Square immediately to the east.

Planning History

The description of development as stated on the Decision Notice for Planning Permission Ref. 135551/FO/2022, issued on 26 January 2023, (the "Planning Permission") is as follows:

> *"Improvements to Angel Square public realm, works to include: replacement of existing hard and soft landscaping; erection of structure for community use (Use Class F2); installation of new drainage scheme; installation of services, installation of lighting columns, wayfinding signage and other street furniture; provision of cycle parking; and, associated works."*

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Proposed Amendments

The application is submitted following pre-application consultation with the Local Planning Authority, including a meeting on 24 May 2023, where the amendments were agreed in principle and the Applicant was advised that these amendments could be progressed as an NMA.

The amendments are a consequence of further detailed design development that has been undertaken since planning permission was granted and can be summarised as follows:

- Adjustments to the layout of the planting beds to improve connections and the interface to the adjacent public realm at 2 and 3 Angel Square, for which a separate Non-Material Amendment application to Planning Permission Ref.134307/FO/2022 is submitted concurrently.
- The location of the NOMA tree and the water feature are proposed to switch positions.
- Plant equipment for the water feature has been incorporated into the scheme adjacent to the space for the community structure. An additional tree is proposed for screening. This brings the total number of new trees on-site to 37.
- Slight adjustments are proposed to the terrace layouts to better work around the existing service cover levels.

Proposed Condition Wording Updates

Condition 2 attached to the Planning Permission states that the development shall be carried out in accordance with the approved plans listed. To facilitate the proposed amendments summarised above the relevant approved plans have been updated and submitted as part of this application to reflect the changes. It is therefore requested that the wording of Condition 2 be updated to account for the new drawing references detailed in Table 1.1 below.

Table 1.1 Plan and Document References

Drawing Name	Approved Drawing Reference	New Drawing Reference
Furniture and Lighting	2962-PLA-XX-XX-DR-L-4000 P04	2962-PLA-XX-XX-DR-L-4000 P08
Landscape Masterplan	2962-PLA-XX-XX-DR-L-0002 P05	2962-PLA-XX-XX-DR-L-0002 P11
Tree Removal and Retention Plan	2962-PLA-XX-XX-DR-L-0003 P03	2962-PLA-XX-XX-DR-L-0003 P05
Hardworks	2962-PLA-XX-XX-DR-L-1000 P03	2962-PLA-XX-XX-DR-L-1000 P06
Softworks	2962-PLA-XX-XX-DR-L-2000 P03	2962-PLA-XX-XX-DR-L-2000 P08
Levels	2962-PLA-XX-XX-DR-L-3000 P04	2962-PLA-XX-XX-DR-L-3000 P09
Illustrative Site Sections:	2962-PLA-XX-XX-DR-L-3001 P04	2962-PLA-XX-XX-DR-L-3001 P05

Drawing Name	Approved Drawing Reference	New Drawing Reference
Drainage Strategy	0052681-BHE-XX-XX-RP-C-0001, prepared by Buro Happold and dated 15 November 2022	0052681-BHE-XX-XX-RP-C-0001, prepared by Buro Happold and dated 22 September 2023

An annotated plan is also submitted in support of the application to enable easy comparison of the proposed amendments against the approved scheme.

The proposed wording of Conditions 5 (Works to Trees), 6 (Surface Water Drainage), 12 (Hard and Soft Landscaping), 14 (Site Lighting Scheme), 21 (Tree Relocation Feasibility Study), and 22 (Community Use Structure) have been outlined in the following table against the original wording:

Table 1.2: Proposed Revised Condition Wording.

No.	Existing condition wording	Proposed condition wording
5	Trees Retention *"In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plan 2962-PLA-XX-XX-DR-L-0003 P03 received by the City Council, as Local Planning Authority, on the 21 November 2022; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use. […]"*	*"In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plan 2962-PLA-XX-XX-DR-L-0003 P05 received by the City Council, as Local Planning Authority, on the 28th November 2023; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use. […]"*
6	Surface Water Drainage *"Notwithstanding the Drainage Strategy (0052681-BHE-XX-XX-RP-C-0001 P02) stamped as received by the City Council, as Local Planning Authority, on the 21 November 2022, (a) the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include…"*	*"Notwithstanding the Drainage Strategy (0052681-BHE-XX-XX-RP-C-0001 P03) stamped as received by the City Council, as Local Planning Authority, on the 28th November 2023, (a) the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include…"*
12	Hard and Soft Landscaping *"Notwithstanding drawings 2962-PLA-XX-XX-DR-L-2000 P04 and 2962-PLA-XX-XXDR-L-4000 P04 received by the City Council, as Local Planning Authority, on the 9 January 2023 and 2962-PLA-XX-XX-DR-L-0002 P05, 2962-PLA-XX-XX-DR-L-1000 P03, 2962-PLA-XX-XX-DR-L-3000 P04 and 2962-PLA-XX-XX-DR-L-3001 P03 received by the City Council, as Local*	*"Notwithstanding drawings 2962-PLA-XX-XX-DR-L-2000 P08, 2962-PLA-XX-XX-DR-L-4000 P08, 2962-PLA-XX-XX-DR-L-0002 P11, 2962-PLA-XX-XX-DR-L-1000 P06, 2962-PLA-XX-XX-DR-L-3000 P09, and 2962-PLA-XX-XX-DR-L-3001 P05 received by the City Council, as Local Planning Authority, on the 28th November 2023, (a) prior to any above ground works commencing, details of a hard and*

No.	Existing condition wording	Proposed condition wording
	Planning Authority, on the 21 November 2022, (a) prior to any above ground works commencing, details of a hard and soft landscaping scheme (including appropriate materials, specifications) shall be submitted for approval in writing by the City Council, as Local Planning Authority. *(b) The approved scheme shall be implemented prior to the first use of the development. 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."*	*soft landscaping scheme (including appropriate materials, specifications) shall be submitted for approval in writing by the City Council, as Local Planning Authority.* *(b) The approved scheme shall be implemented prior to the first use of the development. 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."*
14	Lighting *"Notwithstanding drawing 2962-PLA-XX-XX-DR-L-4000 P04 received by the City Council, as Local Planning Authority, on the 9 January 2023, the development hereby approved shall include a site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first use of the development, full details of such a scheme for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied."*	*"Notwithstanding drawing 2962-PLA-XX-XX-DR-L-4000 P08 received by the City Council, as Local Planning Authority, on the 28th November 2023, the development hereby approved shall include a site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first use of the development, full details of such a scheme for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied."*
21	Tree Feasibility Study *"Prior to the removal of the existing trees identified for removal on the approved plan 2962-PLA-XX-XX-DR-L-0003-P03, a Feasibility Study should be undertaken and submitted for approval by the City Council, as Local Planning to explores the suitability of re-using and relocating the existing trees within the NOMA Framework area. The approved details shall be implemented within an agreed timescale."*	*"Prior to the removal of the existing trees identified for removal on the approved plan 2962-PLA-XX-XX-DR-L-0003 P05, a Feasibility Study should be undertaken and submitted for approval by the City Council, as Local Planning to explores the suitability of re-using and relocating the existing trees within the NOMA Framework area. The approved details shall be implemented within an agreed timescale."*
22	Community Use Structures *"Notwithstanding drawing 2962-PLA-XX-XX-DR-L-4000 P04 received by the City Council, as Local Planning Authority, on the 9 January 2023, prior to the installation of the community use structure,*	*"Notwithstanding drawing 2962-PLA-XX-XX-DR-L-4000 P08 received by the City Council, as Local Planning Authority, on the 28th November 2023, prior to the installation of the community use structure, details of the*

No.	Existing condition wording	Proposed condition wording
	details of the siting, scale, appearance and materiality of the proposed structure together with details how the proposed area would be managed in terms of potential noise disturbance (including hours of use), litter and storage of furniture at night; *The approved details shall be implemented upon first use of the structure and thereafter retained."*	*siting, scale, appearance and materiality of the proposed structure together with details how the proposed area would be managed in terms of potential noise disturbance (including hours of use), litter and storage of furniture at night;* *The approved details shall be implemented upon first use of the structure and thereafter retained."*

Planning Policy and Guidance

The Planning Policy Framework relevant to this Application has remained largely unchanged since the approval of the Planning Permission (Ref: 135551/FO/2022) for Angel Square public realm in January 2023.

The key Development Plan Documents remain the 2012 Manchester Core Strategy and Saved Policies of the 2006 Manchester Unitary Development Plan.

The National Planning Policy Framework (NPPF) forms a Material Consideration in the determination of this Application. The National Planning Policy Framework (NPPF) was updated in September 2023, but there have been no changes to the Framework which would affect consideration of this Application.

Full consideration of Angel Square Public Realm against the planning policy framework is considered within the original Planning Statement prepared by Deloitte, approved by Planning Permission Ref: 135551/FO/2022.

Summary

It should be noted that the proposed amendments above are the result of detailed design development, and the changes to the overall design of the consented scheme are non-material in nature, as agreed during pre-application consultation with the Local Planning Authority.

The proposed amendments to the Planning Permission will have no material effect on the Planning Permission 135551/FO/2022. In addition, the proposed amendments are in keeping with the original vision and objectives established by Planning Permission 135551/FO/2022 for the Angel Square public realm.

The amended scheme will continue to accord with the Development Plan when taken as a whole and there are no material considerations which would justify refusal of the Application. We therefore respectfully request that this Application be supported by the Local Planning Authority.

Application Submission

This Application comprises this Covering Letter and the following documentation:

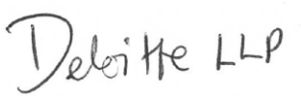
- Application Form and Notices prepared by Deloitte;

- Public Realm Design Planning Update Report prepared by Planit-it (dated 16 May 2023); and,
- Application Drawings and Documents (detailed in Table 1.1).

Payment of the planning application fee in the sum of £234 has been made directly to Manchester City Council under Planning Portal Reference PP-12444193. I would be grateful if you could please confirm receipt of this fee.

We would be grateful if you could notify us of validation of the Application and please do not hesitate to contact my colleagues Jennifer Chatfield (jchatfield@deloitte.co.uk / 0161 455 8084) or Matthew Lam (mlam@deloitte.co.uk / 0161 455 8448).

Yours sincerely



For Deloitte LLP

Encl.