

25 July 2023

**FAO Jennifer Atkinson**  
Planning Department  
Manchester City Council  
Town Hall  
Albert Square  
Manchester  
PO Box 532  
M60 2LA

Dear Jennifer

**Pollard Street, Manchester: Application for non-material amendment (S.96a) for Conditions 6, 8, 9, 10, 11, 12, 14 and 17 - Planning Permission Reference: 128191/FO/2020 as amended by 133841/JO/2022.**

Please find enclosed an application submitted by AG GP Manchester Pollard B.V (the Applicant) for a non-material amendment to Planning Permission ref. 133841/JO/2022 in accordance with Section 96A of the Town and Country Planning Act 1990. It relates to the project commonly referred to as Electric Park, which was granted planning permission on 14 December 2020 on land bounded by Pollard Street, Great Ancoats Street, the Ashton Canal and Munday Street.

This application is submitted to identify trigger points for certain pre-commencement planning conditions, which will allow foul drainage works to be undertaken in relation to Phase A and for further ground investigations to take place. Further background and context are provided in the next section of this letter.

## Planning Background

The original Planning Permission (LPA Ref.: 128191/FO/2020) relates to proposals for an office-led development and permission was amended following approval of 133841/JO/2022 on 27 July 2022, which agreed design changes and alterations to the general arrangement of buildings A, B and C.

Currently, pre-commencement conditions are worded to exclude “enabling works, comprising remediation or piling”, save for conditions 2, 5, 7, and 15. We are seeking to extend this definition of enabling works to include “foul drainage works”, which would allow necessary foul drainage works to take place as an early phase of work alongside remediation of the Site.

It has been discussed and agreed with the Local Planning Authority that the amended trigger points can be formalised through a S.96a mechanism. For the remaining pre-commencement conditions, where the wording amendment does not apply, the Applicant has submitted information concurrently via condition discharge.

Once the necessary conditions have been discharged, physical works will then take place on Site, initially to install foul drainage works and undertake further site investigations to determine the surface water drainage strategy for the proposals.

## Proposed Non-Material Amendments

It is proposed that conditions 6, 8, 9, 10, 12, 14 and 17 attached to Planning Permission 133841/JO/2022 be formally amended, as set out in this application, to allow condition discharge applications to be submitted in relation to enabling works, rather than the whole development. The description of the amendments as set out on the Application Form is as follows:

*“Application for non-material amendments to planning conditions 6, 8, 9, 10, 12, 14 and 17 attached to Planning Permission 133841/JO/2022 to allow for information to be submitted in line with the specified timescales.”*

These amendments support the timely delivery of this element of the permission through a critical enabling works package. The proposed wording of planning conditions, as amended, is set out under the respective headings below and additional wording is highlighted in **bold**.

### 1.1 Condition 6 – Construction Management Plan

The revised wording of condition 6 is set out below, with changes marked in bold:

*“Prior to the commencement of development of a phase of development, other than enabling works comprising site investigations, **foul drainage works** and remediation, a detailed construction management plan (CMP) outlining working practices for the proposed development construction shall be submitted for approval in writing by the Local Planning Authority. For the avoidance of doubt the construction management plan shall include:*

- *Display of an emergency contact number;*
- *Measures to protect the Ashton Canal from spillages, dust and debris and to control the emissions of dust and dirt during construction;*
- *Communication strategy with residents;*
- *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.*

*Further measures shall also be included relating to the works adjacent to the Metrolink Hazard Zone. For the avoidance of doubt this shall include:*

- *The retention of 24 hour unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational;*
- *Traffic management proposals to ensure safe operation of the tram Crossing on Munday Street;*
- *The erection and dismantling of scaffolding;*
- *Loading and unloading of plant and materials;*
- *Storage of plant and materials used in constructing the development;*
- *Construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);*
- *The erection and maintenance of security hoarding at a minimum distance of 1.5m from the kerb which demarcates the tramway path;*
- *Details of a hoarding next to the tramway; and*
- *Details of wheel washing facilities and measures to ensure that the track crossing on Munday Street remains free from the deposition of detritus from the site and that detritus does not get carried into the rail grooves.”*

## **1.2 Condition 8 (part a) and b)) – Local Labour**

On this basis, the revised wording of condition 8 is set out below, with changes marked in bold:

*“a) Prior to the commencement of each phase of development, other than enabling works comprising site investigations, **foul drainage works** and remediation, details of a Local Benefit Proposal in line with Page 12 of the Economic Impact Report, stamped as received by the City Council, as Local Planning Authority, on the 5 October 2020, in order to demonstrate commitment to recruit local labour for the duration of the construction 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 of the development.*

*In this condition a Local Benefit Proposal means a document which includes:*

- i) the measures proposed to recruit local people including apprenticeships*
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal*
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives.*

*(b) Within one month prior to construction work being completed for each phase of development, a detailed report which takes into account the information and outcomes about local labour*

*recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority."*

### 1.3 Condition 9 – Piling and foundation design

Condition 9 is proposed to be worded as follows, with the changes highlighted in bold:

*A phase of the development, other than enabling works comprising site investigations, **foul drainage works** and remediation, shall not commence until details of the method for piling, or any other foundation design using penetrative methods, for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.*

*Should any excavation or piling works be required to be carried out greater than 1m deep within 1m of the Metrolink operational boundary, the piling strategy shall also include details to minimise the impact on the tram lines.*

*The approved details shall then be implemented during the construction of the development.*

### 1.4 Condition 10 – Great Ancoats Street underpass monitoring

Condition 10 is proposed to be worded as follows, with the changes highlighted in bold:

*"Prior to the commencement of a phase of the development, other than enabling works comprising site investigations, **foul drainage works** and remediation, detailed design for the works (including structural surveys and details of the proposed tunnel monitoring regime) which are required to take place in close proximity to the Great Ancoats Street Underpass shall be submitted for approval in writing by the City Council, as Local Planning Authority.*

*The approved details shall then be implemented for the duration of that phase of the development."*

### 1.5 Condition 11 – electromagnetic interference

Condition 11 is proposed to be worded as follows, with the changes highlighted in bold:

*"Prior to the commencement of a phase of the development, other than enabling works comprising site investigations, **foul drainage works** and remediation, details shall be submitted for approval in writing by the City Council, as Local Planning Authority, confirming that there are no electromagnetic compatibility impacts from the proposed development.*

*Should any electromagnetic compatibility protection measures be required as a result of the development, these details shall be agreed prior to the commencement of each phase of the development and be in place prior to each phase of the development becoming operational."*

### 1.6 Condition 12 – Tram crossing details

It is proposed to amend the wording of condition 12 to ensure that the details can be submitted as relevant to each area of works as follows:

*"Prior to the commencement of each phase of the development, **excluding Phase 1 (Building A)**, detailed design for facilitating the use of the tram crossing by motorised vehicles, cycles and*

*pedestrians shall be submitted for approval in writing for approval in writing by the City Council, as Local Planning Authority.*

*The approved details shall then be implemented for the duration of each phase of the development.”*

## 1.7 Condition 14 – Surface Water Drainage

Condition 14 is proposed to be worded as follows, with the changes highlighted in bold:

*“Notwithstanding the details submitted within the Flood Risk Assessment and Drainage Strategy and Pollard ST Statutory Response stamped as received by the City Council, as Local Planning Authority, on the 29 October 2020 and 20 November 2020 respectively flood risk and drainage assessment stamped as received by the City Council, as Local Planning Authority, on the 1 May 2019,*

- a) a phase of the development, other than enabling works comprising site investigations, **foul drainage works**, and remediation, 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:*
  - I. Use of appropriate SuDS solutions demonstrated in the drainage layout;*
  - II. No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details;*
  - o Ground investigation should be undertaken to determine if the site is affected by contamination. If the results demonstrate that infiltration is feasible, BRE365 infiltration testing should then be undertaken. If infiltration demonstrated as not feasible, evidence of alternative surface water disposal routes (as follows) is required:*
    - I. Where surface water is connected to the canal, any works within or adjacent to the canal that would affect it would require consent from Canal and River Trust.*
    - II. Where surface water is connected to the public sewer, agreement in principle from United Utilities is required to confirm there is adequate spare capacity in the existing system taking future development requirements into account;*
    - III. Discharge to the public sewer should be minimised due to the potential for canal discharge and green SuDS on site.*
  - 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. This should depict how the*

*proposed exceedance features (dry basins and swales) will operate effectively. Finished floor levels for all buildings need to be a minimum of 150mm above cover levels.*

- *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 climate change in any part of a building. Provide details of how any modelled flood volumes will be managed to ensure no flooding in any part of a building on site or on 3rd party land.*
  - *Construction details of flow control and SuDS elements.*
- b) A phase of the development shall then be constructed in accordance with the approved details, within an agreed timescale.”*

## 1.8 Condition 17 – External Materials

Condition 17 is proposed to be worded as follows, with the changes highlighted in bold:

*“Prior to the commencement of each phase of development, other than enabling works comprising site investigations, **foul drainage works**, and remediation, 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 preparation of a sample panel(s)) and specifications of all materials to be used on all external elevations of the development, in line with drawing in line with drawings PLS-HBA-B-ZZ-DR-A-08-0410, PLS-HBA-A-ZZ-DR-A-08-0400, PLS-HBA-C-ZZ-DR-A-08-0420, PLS-HBA-SW-ZZ-DR-A-08-0500, and the Design and Access Statement Addendum (May 2022) stamped as received by the City Council, as Local Planning Authority, on the 23 May 2022, along with jointing and fixing details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management. The approved materials shall then be implemented as part of each phase of the development.”*

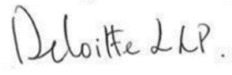
## Summary of Application

In addition to this cover letter, the application submission comprises the completed Application Forms and Certificates and a Site Location Plan to identify the Site. The application fee to Manchester City Council for £234 has been provided via the Planning Portal (PP-12337123).

Based on the information submitted, we seek your formal agreement that the proposed amendments to wording of conditions applied to 133841/JO/2022, are acceptable and can be dealt with as a non-material amendment.

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

A handwritten signature in black ink that reads "Deloitte LLP." The signature is written in a cursive, flowing style.

Deloitte LLP