

26th January 2023

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

Dear Jennifer,

**SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR VARIATION OF CONDITIONS ATTACHED TO APPLICATION REF 130394/FO/2021
BRUNSWICK PLACE, BRADFORD ROAD, MANCHESTER M40 7EZ
PLANNING PORTAL REF PP- 11884352**

This application is submitted on behalf of Arrowsmith Brunswick Square Ltd. The application seeks the variation of conditions to enable the consented scheme to be delivered on a phased basis.

Consented scheme

Planning and listed building consents were granted for the redevelopment of the existing site in April 2022, as follows:

Refurbishment, removal/demolition, repair and reconfiguration of Brunswick Mill to create work spaces, retail and community uses (Use Class E and Use Class F2) (2034 sqm) at the ground floor and creation of 153 residential apartments (Use Class C3a) with the upper floors following demolition works together with the erection of a part 6, part 8 storey building to form 100 residential apartments (Use Class C3a) and a 5 storey buildings to form 24 residential apartments (Use Class C3a) (277 apartments in total across the 3 buildings) with associated car parking, roof top amenity space, access and servicing, landscaping, pedestrian access to the Ashton Canal and other associated works (ref 130394/FO/2021); and

Listed Building Consent for refurbishment, removal/demolition, repair and reconfiguration of Brunswick Mill including deconstruction of the small vestiges of perimeter walls of the former cotton mill immediately west of Brunswick Mill (known as Pooley's Mill) to create work spaces, retail and community uses (Use Class E and Use Class F2) (2034 sqm) at the ground floor and creation of 153 residential apartments (Use Class C3a) with the upper floors following demolition works together with the erection of a part 6, part 8 storey building to form 100 residential apartments (Use Class C3a) and a 5 storey buildings to form 24 residential apartments (Use Class C3a) (277 apartments in total across the 3 buildings) with associated car parking, roof top amenity space, access and servicing, landscaping, pedestrian access to the Ashton Canal and other associated works (ref 130395/LO/2021).

Proposed changes

There are no changes proposed to the built form, nor to the proposed uses.

The amendments sought to the relevant conditions purely relate to the practicalities of delivering the scheme. Due to the scale of the proposal and the fluctuations in the market, it is proposed to deliver the scheme in two phases, with the listed building to be addressed first, followed by the new build elements.

As such, the changes proposed are non-material. National Planning Practice Guidance confirms that there is no statutory definition of 'non-material' because it will be dependent on the context of an overall scheme (ref 17a-002). It is useful to note that 'minor material' changes, which are of greater magnitude than 'non-material' changes, are identified as being of a scale and/or nature that produces 'a development which is not substantially different from the one which has been approved' (ref 17a-017). This suggests that non-material amendments should have a lesser impact than this. This is clearly the case with the proposal, which does not comprise any changes to the scheme, merely to the manner in which it is delivered.

Detailed changes

We propose to seek a variation of the relevant conditions so that they may be discharged on a phased basis. This approach has been agreed with the Council. It is recognised that the approach will enable the scheme to progress and to start delivering local benefits more swiftly. The drainage condition already contains the mechanism to discharge on a phased basis.

The proposed wording is contained within the appended table. An additional condition has been requested by officers which ensures that the listed building will form the first phase. It will also secure the phasing plan. This is the proposed wording:

The development shall be phased in accordance with the following plan which shall indicate that the listed building will be included within the first phase of development:
Ref L(--)510 Rev P5.

I trust the submitted application is satisfactory and I look forward to acknowledgement of its receipt. Should you wish to discuss the proposal or have any queries please do not hesitate to contact me.

I look forward to hearing from you in due course.

Yours sincerely,

A handwritten signature in black ink, appearing to read "DBB", with a stylized flourish at the end.

Deborah Baker Barnett
Associate Director

Brunswick Mill (Full planning consent) Planning Condition Revisions



Application No: 130394/FO/2021 **Decision Notice dated:** 19th April 2022 **Location:** Brunswick Place, Bradford Road, Manchester M40 7EZ

Description: Refurbishment, removal/demolition, repair and reconfiguration of Brunswick Mill to create work spaces, retail and community uses (Use Class E and Use Class F2) (2034 sqm) at the ground floor and creation of 153 residential apartments (Use Class C3a) with the upper floors following demolition works together with the erection of a part 6, part 8 storey building to form 100 residential apartments (Use Class C3a) and a 5 storey buildings to form 24 residential apartments (Use Class C3a) (277 apartments in total across the 3 buildings) with associated car parking, roof top amenity space, access and servicing, landscaping, pedestrian access to the Ashton Canal and other associated works

No	Condition
4	Prior to the commencement of each phase of the development, details of the method for piling, or any other foundation design using penetrative methods, for that phase of development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of the development of that phase . No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.
9	The development shall not commence until Prior to the commencement of each phase, a detailed construction management plan outlining working practices during construction of that phase have been submitted for approval in writing by the Local Planning Authority, which for the avoidance of doubt should include; - Display of an emergency contact number; - Details of Wheel Washing; - Dust suppression measures; - Compound locations where relevant; - Consultation with local residents/local businesses regarding construction and necessary access arrangements particularly to adjacent land; - Location, removal and recycling of waste; - Routing strategy and swept path analysis; - Parking of construction vehicles and staff; and - Sheeting over of construction vehicles. Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended. The development shall be carried out in accordance with the approved construction management plan.

No	Condition
10	The development (including demolition, ground works, vegetation clearance) of each phase shall not commence until a Biodiversity Construction Management relating to that phase has been submitted for approval in writing by the City Council, as Local Planning Authority. The Plan shall include the following. - Risk assessment of potentially damaging construction activities. - Identification of "biodiversity protection zones"; - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements); - The location and timing of sensitive works to avoid harm to biodiversity features; - The times during construction when specialist ecologists need to be present on site to oversee works; - Responsible persons and lines of communication; - The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; - Use of protective fences, exclusion barriers and warning signs. The approved Plan shall implemented throughout the duration of the construction period.
11	Prior to the commencement of the development of each phase, all material to be used on all external elevations of that phase 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.
13	a) Prior to the commencement of the development of each phase, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of that phase 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 associated with the relevant phase of the development being completed, 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.

No	Condition
14	Prior to any above ground works on a particular phase, details of all the boundary treatment and access gates to Bradford Road as relevant to that phase of the development shall be submitted for approval in writing by the Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first occupation of that phase of the development. The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.
15	Prior to the first occupation of each phase of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for that particular phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the scheme shall include the following: - Verification report providing photographic evidence of construction; and - Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.
17	Notwithstanding drawings 106-LYR-XX-XX-M2D-L-0001-02 Rev 1 stamped as received by the City Council, as Local Planning Authority, on the 19 August 2021, (a) prior to any above ground works on each phase, details of the hard and soft landscaping scheme (including appropriate materials, specifications) relevant to that phase 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 occupation of that particular phase of the residential element 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.
18	(a) Prior to the first occupation of each phase of the development, details of any externally mounted ancillary plant, equipment and servicing relevant to that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted 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 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location. (b) Prior to the first occupation of each phase of the development, a verification report will be required to validate that the work undertaken in relation to that phase conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time

No	Condition
	as the development complies with part (a) of this planning condition. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.
19	(a) Notwithstanding the Noise Statement by Azymuth Acoustics Uk stamped as received by the City Council, as Local Planning Authority, on the 13 May 2021, prior to the first use of each commercial/workspace unit relevant to each phase as indicated on drawings L (--) Rev P8, L (--) 231 Rev P3 and L (--) 100 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 19 August and 13 May 2021 respectively, a scheme of acoustic insulation for the commercial/workspace units within that particular phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. (b) Prior to the first use of each of the commercial units in each phase, a verification report will be required specific to that phase to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.
20	Notwithstanding the Noise Statement by Azymuth Acoustics Uk stamped as received by the City Council, as Local Planning Authority, on the 13 May 2021, prior to the first occupation of each phase of the development a scheme for acoustically insulating the proposed residential accommodation in that phase against noise from the local traffic network shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of each phase of the development. Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved: Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times) Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq Gardens and terraces (daytime) 55 dB L Aeq (b) Prior to the first occupation of each phase of the development, a verification report will be required to validate that the work undertaken as part of that phase conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

No	Condition
22	Prior to the first use of each commercial/workspace unit in each particular phase as indicated on drawings L (--) Rev P8, L (--) 231 Rev P3 and L (--) 100 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 19 August and 13 May 2021 respectively, a scheme for the storage and management of waste relevant to that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The details of the approved scheme shall be implemented prior to the first use of the each commercial/workspace unit and shall remain in situ whilst the use or development is in operation.
23	Prior to the first use of each of the workspace/commercial units in each particular phase, as indicated on drawings L (--) Rev P8, L (--) 231 Rev P3 and L (--) 100 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 19 August and 13 May 2021, should fume extraction be required, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the commercial units in the relevant phase and thereafter retained and maintained in situ.
24	Prior to the first use of each of the Workspace/commercial units in each particular phase as indicated drawings L (--) Rev P8, L (--) 231 Rev P3 and L (--) 100 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 19 August and 13 May 2021, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each commercial units in the relevant phase and thereafter retained and maintained in situ.
25	The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of each phase of the development, full details of such a scheme for the relevant phase of 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 occupation of the development by phase and shall remain in operation for so long as the development is occupied.
33	The development shall be carried out in accordance with the Crime Impact Statement and crime impact review stamped as received by the City Council, as Local Planning Authority, on the 13 May 2021 and 4 August 2021 respectively. The development shall only be carried out in accordance with these approved details. Prior to the first occupation of each phase of the development, the Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a Secured by Design accreditation.
34	The development hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 13 May 2020. In this condition a Travel Plan means a document which includes: i) the measures proposed to be taken to reduce dependency on the private car by those living at the development; ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time iii) mechanisms for the implementation of the measures to reduce dependency on the private car

No	Condition
	iv) measures for the delivery of specified Travel Plan services v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car Within six months of the first occupation of each phase of the development, a Travel Plan for that particular phase of the development which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.
35	Prior to the first occupation of each phase of the residential element, the cycle store relevant to that phase shall be implemented in accordance drawings L (--) Rev P8 and L (--) 100 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 19 August and 13 May 2021 and thereafter retained and maintained in situ.
36	Prior to the first occupation of each phase of the residential element of the development hereby approved, the car parking spaces relevant to that phase, as indicated on drawings L (--) Rev P8 and L (--) 100 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 19 August and 13 May 2021 shall then be implemented, made available and remain in situ for as long as the development remains in use.
37	Prior to the first occupation of the residential element of each the development phase, a scheme of highway works and details of footpaths reinstatement/public realm relevant to that phase of for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the following: - Signalised puffin crossing at Bradford Road (between Halmore Road and Layton Street); - Amendment to parking restrictions on Bradford Road from single to double yellows; - Provision of a car club bay in the vicinity of the site; - Relocation of bus stop adjacent to southern car park entrance; - Provision of tactile paving to vehicular access point; - Resurfacing of footways around the application site; and - Review and amendments to street lighting. The approved scheme shall be implemented and be in place prior to the first occupation of the relevant phase of residential element of the development and thereafter retained and maintained in situ.
38	Notwithstanding the TV Reception Survey by GTech, stamped as received by the City Council, as Local Planning Authority, on the 13 May 2021, within one month of the practical completion of each phase of the development, and at any other time during the construction of the development if requested in writing by the City Council as Local Planning Authority, in response to identified television signal reception problems within the potential impact area a study to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures

No	Condition
	identified must be carried out either before the relevant phase of development is first occupied or within one month of the study being submitted for approval in writing to the City Council as Local Planning Authority, whichever is the earlier.
39	(a) Prior to the first occupation of each phase of development, details, location and specification of 7 kw electric car charging points for 20% of the car parking space together with the remaining spaces fitted with infrastructure for future electric car charging capability, as relevant to that phase, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first occupation of that phase of the development and thereafter retained and maintained in situ. (b) The number of fast charging electric car charging points shall be reviewed annually as part of the travel plan requirements of condition 35 of this planning permission (commencing from the date of this permission). The survey shall be completed within 7 days of each annual review date and the results of the survey provided to the City Council within 7 days thereafter. Any additional charging points identified as part of this review shall be implemented within two months of approval of the annual agreement.
40	Prior to the first occupation of the each phase of development hereby approved, details of bird and bat boxes to be provided (including location and specification) for that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.
42	Prior to the first occupation of each phase of the development, a signage strategy for the buildings relevant to that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for the development and used to inform any future advertisement applications for the building.
46	Prior to the first use of each phase of the development hereby approved, details of the siting, scale and appearance of the solar panels to the roof (including cross sections) as relevant to that phase shall be submitted for approval in writing by the City Council, as Local Planning. The approved details shall then be implemented prior to the first use of that phase of the development and thereafter retained and maintained in situ.
48	Prior to above ground works for each phase , a scheme for the Biodiversity Mitigation and Enhancement Measures, as outlined in section 5 of The Extended Phase 1 Habitat Survey & Daytime Bat Survey by Rachel Hacking Ecology dated 2021, and as relevant for that phase , shall be submitted for approval in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the relevant phase of development and shall be retained thereafter.
49	Prior to any above ground works for the relevant phase , details of the ramp deck to provide level access to the commercial/workspaces within the internal courtyard shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include sections and use of materials. The approved details shall be implemented and be completed prior to the first occupation of the residential element of that phase of the development.