

19 April 2023
L 220414 – SAV Cover Letter



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

Francesca Opoku-Gyamfi
E: francesca.opokugyamfi@savills.com
DL: +44 (0) 7870 981665

Belvedere
12 Booth Street
Manchester M2 4AW
T: +44 (0) 161 236 8644
savills.com

SUBMITTED VIA PLANNING PORTAL REF: PP-11053372

Dear Jennifer,

SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION TO DEVELOP LAND WITHOUT COMPLIANCE WITH CONDITIONS 2 & 13 OF PLANNING
PERMISSION: 133125/FO/2022
LAND OFF ELIZABETH STREET, CHEETHAM HILL, MANCHESTER
KIER TRADE CITY LLP

Introduction

We write on behalf of our client Kier Trade City LLP, to apply for planning permission to develop land without compliance with Conditions 2 & 13 on Planning Permission: 133125/FO/2022 (the '**2022 Permission**'). In effect, the application seeks to make minor changes to the approved plans and replace the requirement to agree an off-site tree replacement strategy by providing a developer contribution to offset the loss of existing trees arising from the development of the Site.

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the documents which comprise the application include the following:

- This covering letter;
- The completed application forms and certificates;
- Planning Permission: 133125/FO/2022;
- Detailed Drainage Strategy, prepared by Curtins;
- Noise Management Plan, prepared by AEC;
- Proposed Landscaping & Planting Plans, prepared by TPM;
- The following plans/ drawings, prepared by Fletcher Rae:
 - Drawing Reference: 21039-FRA-XX-00-DR-A-10-0001 – 'Site Location Plan'
 - Drawing Reference: 21039-FRA-XX-XX-DR-A-10-0003 Rev P5 – 'Proposed Site Plan'
 - Drawing Reference: 21039-FRA-XX-XX-DR-A-21-1001 Rev P2 – 'Proposed Refuse Store'
 - Drawing Reference: 21039-FRA-01-00-DR-A-20-1001 Rev P3 – 'Unit 1 Ground Floor Plan'
 - Drawing Reference: 21039-FRA-01-XX-DR-A-20-1004 Rev P2 – 'Unit 1 Elevations'
 - Drawing Reference: 21039-FRA-01-ZZ-DR-A-20-1005 Rev P2 – 'Unit 1 Sections'
 - Drawing Reference: 21039-FRA-02-00-DR-A-20-2001 Rev P2 – 'Units 2-3 Ground Floor Plan'
 - Drawing Reference: 21039-FRA-02-RL-DR-A-20-2003 Rev P2 – 'Units 2-3 Roof Plan'
 - Drawing Reference: 21039-FRA-02-XX-DR-A-20-2004 Rev P3 – 'Units 2-3 Elevations'
 - Drawing Reference: 21039-FRA-04-00-DR-A-20-3001 Rev P2 – 'Units 4-8 Ground Floor Plan'
 - Drawing Reference: 21039-FRA-04-RL-DR-A-3003 Rev P2 – 'Units 4-8 Roof Plan'
 - Drawing Reference: 21039-FRA-04-XX-DR-A-3004 Rev P3 – 'Units 4-8 Elevations'
 - Drawing Reference: 21039-FRA-09-00-DR-A-4001 Rev P2 – 'Unit 9 Ground Floor Plan'
 - Drawing Reference: 21039-FRA-09-RL-DR-A-4003 Rev P2 – 'Unit 9 Roof Plan'
 - Drawing Reference: 21039-FRA-09-XX-DR-A-20-4004 Rev P3 – 'Unit 9 Elevations'
 - Drawing Reference: 21039-FRA-01-XX-DR-A-40-0001 Rev P1 – 'Unit 1 Materials List & Colours'

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS.

A subsidiary of Savills plc. Registered in England No. 2605138. Registered office: 33 Margaret Street, London, W1G 0JD



- Drawing Reference: 21039-FRA-02-XX-DR-A-40-0002 Rev P1 – ‘Units 2-3 Materials List & Colours’
- Drawing Reference: 21039-FRA-04-XX-DR-A-40-0003 Rev P1 – ‘Units 4-8 Materials List & Colours’
- Drawing Reference: 21039-FRA-09-XX-DR-A-40-0004 Rev P1 – ‘Unit 9 Materials List & Colours’.
- Drawing Reference: 21039-FRA-XX-XX-DR-A-40-0005 Rev P1 – ‘Site Wide Boundary Treatment – Materials List & Colours’
- Drawing Reference: 21039-FRA-XX-XX-DR-A-90-0029 Rev P1 – Acoustic Fence

The above listed plans should (where relevant) supersede the plans listed on the decision notice for the 2022 Permission.

The application has been submitted electronically via the Planning Portal website under the Reference: PP-12049329. An electronic payment for £266.20, that being the requisite application fee, has also been made on the Planning Portal.

The Application Site

The application site (which measures 1.9 hectares) is located to the south of Elizabeth Street, in Cheetham Hill, approximately 1.5 km to the north of Manchester city centre (the ‘Site’). The majority of the Site is currently derelict brownfield land, but also includes two derelict warehouse units along the north-east frontage to Elizabeth Street. The precise location and extent of the Site is illustrated on Drawing Ref: 21039-FRA-XX-00-DR-A-10-0001 – Site Location Plan.

Vehicular access to the Site is currently made via a narrow and un-adopted road off Elizabeth Street (Bridcam Street) which has fallen into a state of disrepair. This existing arrangement means that access to the site is very limited, which is assumed to be a major contributing factor which has prevented meaningful redevelopment coming forward at the Site, despite the fact that it has remained without an economically productive use for the few decades.

The Site is irregular in shape and predominantly features a combination of overgrown scrub and broken hardstanding. Significant areas of the site of Japanese Knotweed is also present, mainly concentrated around the northwest and south east borders of the Site. A row of mature poplar trees is present on both the east and west borders of the Site, which are visible from surrounding areas and which provide a physical buffer to surrounding land uses.

The Site is surrounded by other commercial and employment uses to the north-east, south-east and southwest, with a residential apartment block (St David’s Court) to the north-east. Further to the north lie the residential areas of Cheetham Hill. Manchester Fort Shopping Park, one of the City’s largest out of the centre.

Planning History

On 1 July 2022, the Council granted permission for the erection of two storey Industrial and Logistics Warehouse Units (Use Class B2/ B8), including ancillary offices and trade counters, with associated landscaping, car parking and creation of access from Elizabeth Street following demolition of existing buildings and other associated works (i.e. the 2022 Permission).

The 2022 Permission was granted subject to 34 conditions of approval. Condition 2 is a standard condition requiring the development to be undertaken in accordance with the approved plans and documents. Condition 13 required the submission of an off-site tree replacement strategy to be approved by the Council, prior to first use of the development.

The Proposal

As set out above, this application seeks permission to develop the Site, without compliance with Conditions 2 & 13 of Planning Permission: 133125/FO/2022. In effect, the application seeks to make minor changes to the development by allowing minor changes to the approved plans and replace the requirement to agree an off-site tree replacement strategy by providing a developer contribution to offset the loss of existing trees arising from the development of the Site.

In relation to Condition 2, the plans submitted with the application detail a number of minor changes to the development approved by the 2022 Permission, including:

- Changes to the Proposed Elevations and Ground Floor Layout for Unit 1 in response to prospective tenant requirements;
- Changes to the Proposed Elevations and Roof Plans for Units 2-9, to allow a change to the approved roofing materials from black to goosewing grey;
- Changes to the Proposed Site Plan and Landscaping Plans, altering the materials for the pedestrian footpaths from flag paving to tarmac; and
- Changes to the Proposed Refuse Store, altering the materials from metal to timber.

In relation to Condition 13, the Applicant has investigated opportunities to produce an off-site tree replacement strategy along Cheetham Hill Road (at the direction of the Local Planning Authority). Unfortunately, the existing constraints of the adopted highway along that route (including spatial constraints and underground service infrastructure) has meant that the planting of an appropriate quantum of trees is not possible. Subsequent consultation with the Council's officers has failed to identify an alternative location for tree planting, and as a result it is considered that the most appropriate route to enable the approved development to progress is for the Applicant to make a developer contribution towards the replanting of trees within the local area, controlled by Section 106 Agreement.

The application also includes the submission of additional information to address a number of requirements contained in the conditions of approval for the 2022 Permission, including:

1. The proposed surface water Drainage Strategy (as per Condition 5);
2. Details of the materials proposed to be utilised for each of the units (as per Condition 8);
3. The results of the additional Phase 2 site investigation, water pipeline risk assessment and Remediation Strategy (as per Condition 6); and
4. Details of the acoustic insulation of the units and Noise Management Plan for the Site (as per Conditions 15 & 16).
5. Details of the acoustic fence to be put in place within the Site (as per Condition 17).

The proposal remains policy compliant with all aspects of local and national planning policy, including the adopted development plan and the NPPF. The changes to the development permitted by the 2022 Permission are minor and in accordance with the terms of that permission. As highlighted above, the submission documents include a number of details reserved by conditions on the 2022 Permission. It follows that the current proposal is acceptable in all regards and should be granted subject to the signing of a Section 106 Agreement.

Summary & Conclusion

The plans and documents submitted confirm that the proposal accords with the development plan and there are no material considerations which outweigh the presumption in favour of development. Accordingly, the application should be approved and planning permission granted pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004.



We trust that the details included within this submission provide you with sufficient information to register and consider this application. We will endeavour to contact you within the next few days to establish your timetable for decision making.

In the meantime, should you require any clarification or additional information, please do not hesitate to contact Brad Wiseman or Francesca Opoku-Gyamfi at these offices.

Yours sincerely,

A handwritten signature in black ink that reads "Savills". The script is fluid and cursive, with the letters "S", "a", and "v" being particularly prominent.

Savills (UK) Limited
Planning

Cc Henry Martin – Kier Property
 Oliver Butler – Kier Property