

Our Ref: 04C100633
Your Ref: PP-11518255

1 September 2022

David Lawless
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

Dear David

Building 401, Avro Way, Manchester Airport: Discharge of Conditions Application on Planning Permission Reference: 133408/JO/2022

On behalf of our client, Threadneedle Curtis Ltd, please find enclosed an application to formally discharge requirements of conditions 8a pursuant to planning permission 133408/JO/2022 relating to Building 401, Avro Way, Manchester Airport.

Full planning permission (133408/JO/2022) was granted on 7th July 2022 for the following development:

"Variation of condition nos. 2 (approved drawings) and 9 (landscaping), attached to planning permission 131892/FO/2021 to allow for amendments to design and layout of the development"

The relevant planning condition per the decision notice is copied below in full, with explanatory text to explain what has been submitted to satisfy the condition.

Condition 8

Condition 8 states:

"In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the following approved plans and particulars;

1) Tree Constraints Plan, drawing nos. 60663052-ACM-XX-XX-AB-TCP-001 P01, 002 P01, 003 P01 and 004 P01

2) Tree Protection Plan, drawing nos. 60663052-ACM-XX-XX-AB-TPP-005 P01, 006 P01, 007 P01 and 008 P01

3) Arboricultural Impact Assessment

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:

- (a) *No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)*
- (b) *If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.*
- (c) *The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority."*

Whilst this is an information condition, it has become apparent that in order to construct the building under the approved layout that it is necessary to remove a number of trees which were previously marked for retention.

In accordance with part (a) of this condition, the schedule below outlines the documents which are being submitted (prepared by AmenityTree) and their key findings.

Document	Finding
Bat Roost Assessment	No evidence of bat activity was found during this survey. However, it concludes a further emergence bat survey is required for two of the trees and precautionary checks shall be made prior to any tree removals.
Bat Activity Survey Report	Bats were found to be commuting and feeding on the site which was attributed to common bat species. The numbers of bats recorded confirms the habitat is used foraging and commuting by the local bat population and suggests the importance of the site to bat species is slight. As such the favorable conservation status of the bat species present on the site remain unaffected by development plans. Enhancement plans can be suited to bat species using the site by introducing appropriate measures within the woodland for roosting and improving foraging opportunities. This will facilitate the improvement of the foraging areas on the site and its immediate environment and maintain the areas of biological connection to the wider environment. The provision of artificial roosting within suitably lit conditions into the development could lead to an improvement in site conditions for bat species.

Bat Emergence Survey Report	No bats were found to emerge from the trees. As a result, no measures are required to mitigate the effects of development on bats and there is no requirement for an EPS license (derogation or low impact) from Natural England in this instance.
Tree Survey and Constraints Plan	The survey found a total of 44 records within the site including 8 groups that have been surveyed across the site. 6 individual trees were found to be of high quality (Category A), 20 individual trees and 4 groups of trees were found to be of moderate quality (Category B), 6 individual trees and 4 groups of trees were found to be of low quality (Category C), and 4 individual trees were found to be of a condition where they cannot be retained as living trees (Category U).
Arboricultural Impact Assessment	There was found to be a harmonious balance of retained and removed trees has been achieved and that balance contributes to the stated aim of woodland management. A significant improvement in the long term condition of the woodland has been demonstrated through the Biodiversity Assessment, use of DEFRA biodiversity metric and supported by the Woodland Management Plans for this site.
Preliminary Woodland Management Plan	The woodland area is small being less than 1 acre in total. It is an even aged semi natural broadleaf woodland containing a no conifer species. It exhibits poor levels of natural regeneration, scrub, and field layers with a lack of variety of woodland plants growing within the study areas. It has attained a poor condition status as measured by the DEFRA Biodiversity habitat condition assessment sheet. As a result of the proposed improvements it has been assessed that the site can achieve an at least moderate condition through the DEFRA biodiversity metric v3.1.
Assessment Biodiversity	of In accordance with the habitats present within the site and the proposals for the site's redevelopment the BNG Assessment predicts a change of +48.09% and in 0.66 habitat units. This assessment has assumed that the proposed habitat will achieve a moderate condition. The methods by which a moderate condition is to be achieved are provided in the Woodland Management Plan.
Preliminary Ecological Appraisal	At present there is no evidence of protected species on the site which could be affected by development. Other protected species that may be present on site include bats, badgers, great crested newt and hedgehog. Habitat protected by the NERC Act S41 species (woodland) is present and is partially affected requiring partial removal. The provision of a Biodiversity enhancement report (woodland management plan) and a Biodiversity Net Gain Assessment is

considered to apply to the site in accordance with the NPPF guidelines and best practice.

Biodiversity Metric
3.1: Habitat Condition
Assessment Sheet
and Auditing and
Accounting for
Biodiversity
Calculation Tool

The headline results of this assessment shows there to currently be 1.36 baseline habitat units and post development there will be 2.02 habitat units, which represents a 48.09% increase in habitat units. This satisfies the BNG requirements.

It is acknowledged that part (b) of this condition requires replacement planting for any trees being removed, however it is our position that the current tree replacement planting proposed is more than sufficient and exceeds one for one replacement to quantify for the loss of these particular trees. The Biodiversity Net Gain Assessment has been updated for the site has established a net increase of 48.09 habitat units (without additional planting) which clearly evidences the site will be of greater biodiversity value following the development. In addition, the Preliminary Ecological Assessment and Bat Surveys have established there is no evidence of protected species on the site which would prevent the felling of trees.

I trust the above is in order and I look forward to receiving confirmation that the application has been validated. Should you require any additional information in the meantime, please do not hesitate to contact me.

Yours sincerely



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For and on behalf of Avison Young (UK) Limited