

16 September 2022

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

FAO Jennifer Atkinson

Dear Jennifer,

Discharge of Condition Application for Conditions 8 (Ground Conditions Completion / Verification Report) and 12 (Acoustic Verification Report) of Planning Permission 129631/FO/2021 at Land North of Miller Street, Manchester

Please find enclosed a discharge of condition application, relating to the proposals for the NOMA Marketing Suite. The Applicant is NOMA (GP) Ltd.

Background

Planning Permission was granted for the *“Erection of a single-storey marketing suite building (Sui Generis), including photovoltaics and related access, landscaping, bicycle parking, plant and servicing and associated works for a temporary period of up to 5 years”* (Ref: 129631/FO/2021) on 5 May 2021.

The information contained within this application is submitted to address the requirements of Conditions 8b (Ground Conditions Completion / Verification Report) and 12b (Acoustic Verification Report) of Planning Permission Reference 129631/FO/2021.

Condition Discharge

The following section details the conditions to be discharged and the information to be submitted in respect of each condition.

Condition 8b (Ground Conditions Completion / Verification Report)

The wording of Condition 8, as set out on Planning Permission Reference 129631/FO/2021 is as follows:

“Notwithstanding the Buro Happold Phase I Desk Study submitted for Plots 2&3 Angel Square stamped as received by the City Council, as Local Planning Authority, on the 1 April 2021

(a) the development shall not commence until the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Site investigation report;*
- Final Risk Assessment; and*
- Submission of a remediation strategy.*

Once approved, the development shall then be carried out in accordance with the approved details.

(b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion / Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first use of the development. In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy."

Part a of Condition 8 was approved by Manchester City Council on 11 February 2022 and included the following information:

- Factual Report on Ground Investigation at 2&3 Angel Square, Manchester by Structural Soils Ltd (dated July 2015, ref: 763315); and
- 2&3 Angel Square & Marketing Suite: Ground Engineering Summary Report by Buro Happold (dated 16th December 2021, ref: 043434-BH-XX-XX-RP-GE-0001 R3).

A Ground Conditions Completion Report, prepared by LK Consult, is now provided to MCC against part b of the Condition to enable the full discharge of Condition 8.

It should be noted that the site investigation reports approved under the discharge of Condition 8a related to a much larger area. Yet with specific reference to the NOMA Marketing Suite site, the Buro Happold Report *notes the following:*

"based on the site-specific data from beneath the proposed footprint of NMS and in the immediate vicinity, it is not considered that any remediation strategy is required. The majority of the chemical test results do not record any elevated determinants or presence of ACM."

Measurable contamination within the NOMA Marketing Suite site were noted from the 2015 site investigation around TP10A and around TP111. A low risk was identified at these locations as they are in the footprint of the new building and are only a risk due to direct contact. The NOMA Marketing Suite building acts as a barrier to any contact with contaminated ground.

The site investigation reports further stated the import and re-use of clean soil in landscaped areas would need to be tested to ensure suitability. Based on the above LK Consult considers the following is required to satisfy Condition 8b:

1. Soil sampling of material brought onto landscaped areas (material has already been placed) to ensure it is chemically suitable for use and not a risk to human health.
2. Details on suitable installation of potable pipework.
3. Provision of disposal tickets or evidence of appropriate disposal offsite for waste material / soils.
4. Details of any unexpected contamination.

This information is provided within the LK Consult Site Completion Report. No unexpected contamination was encountered during excavation.

The information submitted against Condition 8b is considered to be suitable to enable the full discharge of Condition 8.

12b (Acoustic Verification Report)

The wording of Condition 12, as set out on Planning Permission Reference 129631/FO/2021 is as follows:

“(a) The installation of plant at the premises hereby approved shall be carried out in accordance with the Noise Impact Assessment prepared Burohappold (ref. 0046912) stamped as received by the City Council, as Local Planning Authority, on the on the 20 December 2021. 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 (Laeq) below the typical background (La90) level at the nearest noise sensitive location.

“(b) The approved scheme shall be implemented and prior to the first use of the development, a verification report will be required 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. 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.”

Part a of Condition 12 is a compliance condition. This application is therefore made against part b to enable the full discharge of Condition 12.

To support the application please find enclosed the Acoustic Verification Condition Discharge Report, prepared by Hann Tucker Associates. The Report confirms that the installed plant achieves the agreed plant noise criteria at the worst affected noise sensitive receptors.

The information submitted is considered acceptable to enable the full discharge of Condition 12.

The Submission

In addition to the supporting information set out above, a Condition Discharge Application Form has been submitted via the Planning Portal (PP-11551205) to formalise this Application seeking the full discharge of Conditions 8 (Ground Conditions Completion / Verification Report) and 12 (Acoustic Verification Report) of Planning Permission 129631/FO/2021 at Land North of Miller Street, Manchester.

A fee has been paid to Manchester City Council for £116, in addition to any administrative fees by the Planning Portal, in respect of the requisite application fee. We trust you will find this application in order and we look forward to receiving written confirmation of its registration.

If you require any further details, please do not hesitate to contact my colleague Jennifer Chatfield at jchatfield@deloitte.co.uk / +44 161 455 8084.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J Cooper'.

John Cooper
For and on behalf of Deloitte LLP