

22 July 2022

Lucy Harrison
Planning Department
Manchester City Council
Town Hall
Albert Square
M60 2LA

Dear Lucy,

Deansgate Square – Application for Non-Material Amendments to Planning Permission 111719/FO/2016/C1 (Landscaping Amendments – Retail Unit 2B)

On behalf of our client, FQ Commercial Investments Ltd, we hereby submit an application under Section 96(a) of the Town and Country Planning Act 1990 in order to make Non-Material Amendments (“NMA”) to Planning Permission 111719/FO/2016/C1 (herewith referred to as the ‘DSQ permission’).

Background

On 4 July 2016 Planning Permission was granted for Deansgate Square (ref: 111719/FO/2016/C1), including the erection of four residential towers, a residential amenity block, ground floor commercial units, and landscaping. The description of development as stated on the decision notice (ref: 111719/FO/2016/C1) is as follows:

“Construction of four residential buildings, ancillary amenity building for residents accommodating a tennis court, swimming pool and gym facilities (Use Class C3), ground floor retail units (Use Classes A1, A2, or A3), amenity space for residents within residential buildings, new public realm and landscaping, basement car parking and related highway, access, servicing, engineering and associated works.”

The Planning Permission has been subject to two NMA applications. The first NMA (ref: 122555/NMC/2019) was approved on 7 March 2019 and included amendments in relation to Condition 2 ‘Approved Plans’, Condition 31 ‘Flood Risk Assessment’, 44 ‘BREEAM’ and the removal of Condition 46 ‘Owen Street and Pond Street Highways Works’. This NMA (reference: 122555/NMC/2019) approved amendments to a number of the Deansgate Square buildings and landscaping changes, including changes to the elevations, the subdivision of retail units, the ground floor layout of Tower B, the addition of aircraft lights to Towers C & D, and the introduction of wind baffles.

The second NMA (reference: 132319/NMC/2021) was approved on 5 July 2022 and included amendments in relation to Condition 38 ‘Landscape Materials’ and Condition 39 ‘Paving and Surfacing Strategy’ in order to reflect changes proposed to the landscape design of Deansgate Square. A number of the originally approved landscaping plans were amended to reflect the non-material changes to the landscaping and access as part of the application. This NMA was also a result of ensuring that the Deansgate Square public

realm tied in with the Applicant's Plot F proposals (approved under planning permission 132199/FO/2021 on 1 July 2022) to ensure the delivery of a cohesive public realm within the Great Jacksons Street Framework Area.

Two 'drop in' full planning permissions have also been granted in relation to the Deansgate Square development, in order to facilitate internal layout changes:

- 122554/FO/2019 - Internal alteration to the ground floor of Tower B to introduce a retail unit (A1, A2 or A3) to replace the relocated residents' lounge, approved May 2019.
- 125513/FO/2019 - Internal alteration to ground floor of Tower C to introduce a residential entrance lobby in lieu of part of a retail unit, resulting in two separate retail units, approved March 2020. The proposed NMA does not affect either of the above two 'drop-in' planning permissions.

The Applicant has recently secured a commercial tenant for Retail Unit – 2B, Salvi's – a renowned Italian restaurant and bar with two other existing locations in Manchester City Centre. The tenant has instructed the architecture and interior design studio 'AXI' to develop the detailed design of the retail unit. As part of this detailed design process a pergola is proposed along the northeast elevation of Building E (retail unit 2B). Therefore, this NMA Application is being made in order to amend the relevant drawings and reflect the proposed external seating layout surrounding Retail Unit – 2B at Deansgate Square.

Unit 2B is located within the amenity building (Building E), adjacent to Owen Street. The ground floor also accommodates another retail unit and lobby space, within the upper floors of the 4 storey building (ground plus three) providing an indoor tennis court, swimming pool, gym facilities and a shared residents' garden at roof level.

Proposed Amendments

Planning permission 111719/FO/2016/C1) for Deansgate Square provided consent for four retail units (Use Class A1 (shops), A2 (financial and professional services) or A3 (restaurants and cafes)), including retail unit 2B. The proposed amendments support the creation of an outdoor seating area, associated with and ancillary to Salvi's occupation of retail unit 2B; the proposed use class is consistent with the approved use classes for the unit in the original consent. The proposed amendments include landscaping amendments, namely the introduction of an external pergola structure.

This will support the provision of an enclosed external seating space wrapping around the retail unit to provide comfortable and attractive areas for seating that is shielded from the elements. External seating is proposed along the north elevation (Tower D located to the north) and the northeast elevation of Unit 2B within the public realm fronting the River Medlock.

The proposed landscaping amendments will support activity and vibrancy within Deansgate Square and the wider area, providing a valuable contribution to the afternoon/evening offer in this part of the City Centre.

For further details of the proposed external seating layout and landscaping amendments please refer to the drawings and specification documents submitted as part of this application.

Table 1.1 below identifies which drawings will be superseded by new drawings, as a result of the landscaping amendments and any new additional drawings. We request that the wording of Condition 2 (Approved Drawings and Documents) be updated to reflect the new drawing references in Table 1.1.

Table 1.1 – Updated and Additional Drawings & New Drawing References

Drawing Name	Approved Drawing	New Drawing Reference	Comments
Landscape Hardworks (2 of 3)	Z1-TPM-G710-PL-XX-2289 103 (Revision P27)	Z1-TPM-G710-PL-XX-2289 103 (Revision P26)	Drawing most recently approved under application ref: 132319/NMC/2021 on 5 July 2022.
Landscape Hardworks (3 of 3)	Z1-TPM-G710-PL-XX-2289 104 (Revision P27)	Z1-TPM-G710-PL-XX-2289 104 (Revision P26)	Drawing most recently approved under application ref: 132319/NMC/2021 on 5 July 2022.
Enclosed seating area Plan and elevations	New drawing, see next column.	20 – 039 – AXI – 110 (Revision 1)	New Drawing <i>Drawing provides details of the enclosed seating area in the form of a detailed floor plan and elevational drawings.</i>
Enclosed seating area Ground floor plan – Retail Unit 2B	New drawing, see next column.	20 – 039 – AXI – 100 (Revision 1)	New Drawing <i>Drawing provides a detailed layout plan for the ground floor of Retail Unit 2B (Salvi's).</i>

Effects of the Proposed Changes

The proposed amendments do not result in any material changes to the development approved under Planning Permission 111719/FO/2016/C1. A number of the approved landscaping plans, detailed above, have been amended to reflect the introduction of the pergola structure. The proposed amendments are non-material changes to the landscaping, to support the incoming commercial occupier's operations through supporting the provision of an external seating area for Retail Unit 2B. The proposed amendments do not change the materiality, siting, massing or height of the buildings in any way. The number of units and unit mix is also not affected by the proposed changes.

Additional Movement

The proposed landscaping amendments will create an external seating area; it is intended that the space will be defined by fabric barriers supported by metal posts. The entrance and exit routes to the premises will be unobstructed and kept clear of tables and chairs at all times. The extended seating area will ensure a minimum width of unobstructed footway of 2.0m around each side of the seating zone. Clear areas will also be provided within the seating area to ensure all customer areas are accessible and safe. As such the proposed amendments ensure that the seating area will not disrupt or inconvenience the movements of people moving through the public realm.

Management and Operation

The use of a strict operating schedule, supervision by staff and adherence to a bespoke cleaning and waste regime will ensure that the outdoor seating area will not have a detrimental impact on the amenity of neighbouring commercial properties in terms of noise, disturbance or litter. The seating area will be managed in accordance with the publicly available 'Outdoor Seating Guidance' prepared by Greater Manchester Police Design for Security. Tables, chairs and any other ancillary equipment used in association with the proposed external seating area would be stored within the unit at the end of the operating hours of the external seating until the start of the operating hours of the external seating area the next day. The removal and storage of all tables, chairs, and equipment at the close will prevent opportunistic crime.

The seating area will be used between 9:00 and 23:00 and will operate daily if weather conditions permit. The hours of use will be displayed both inside and outside the venue. At 23:00 all tables, chairs, posts and barriers will be removed from the seating area and stored. No food or drink will be permitted outside the venue after 23:00.

Noise Disturbance

No amplified sound or music will be played in the proposed outdoor seating area. It should also be noted that signage inside and outside the venue will ask customers using the seating area to keep noise to a minimum. Customers using the area will be actively encouraged by staff to keep noise to an appropriate level and will be monitored to ensure that noise is kept to a reasonable level. Customers who disregard requests to keep the noise down will be asked to leave.

Planning Policy Framework

The relevant Development Plan documents comprise the 2012 Manchester Core Strategy and Saved Policies of the 2006 Manchester Unitary Development Plan.

The National Planning Policy Framework forms a Material Consideration in the determination of this application. Notably, the revised National Planning Policy Framework which was published on 24 July 2018 was updated on 20 July 2021. However, there have been no changes to the Framework or online Planning Policy Guidance which would affect consideration of the application. Manchester City Council planning guidance documents remain unchanged.

Full consideration of the development against the planning policy framework is considered within the original Owen Street (Deansgate Square) Planning and Tall Building Statement.

Pre-Application Consultation

This application is submitted following consultation with the Local Planning Authority with senior planning officers.

Application Submission

This application comprises this Covering Letter and the following documentation:

- Application Form and Notices, prepared by Deloitte;
- Additional Drawings, prepared by AXI:
 - Salvis Unit 2B, Deansgate Square Ground Floor Plan as Proposed (20-039-AXI-100 Revision 1)

- Salvis Unit 2B, Deansgate Square Enclosed Seating Area Plan and Elevations (20-039-AXI-110 Revision 1)
- Updated Landscape Drawings, prepared by TPM:
 - Z1-TPM-G710-PL-XX-2289 103: Deansgate Square Hardworks (Revision P26)
 - Z1-TPM-G710-PL-XX-2289 104: Deansgate Square Hardworks (Revision P26)
- Approved Landscape Drawings, prepared by TPM Landscape
 - Z1-TPM-G710-PL-XX-2289 103 (Revision P27)
 - Z1-TPM-G710-PL-XX-2289 104 (Revision P27);
- Owen Street Z2: Ground Floor Commercial Unit Plans (Ref: 7359-Z2-SHP-G200-PL-GF-101), prepared by SimpsonHaugh and Partners;
- Owen Street Ground Floor External Seating Areas Plan (Ref: 7359-Z2-SHP-F800-PL-GF-600 P03) prepared by SimpsonHaugh and Partners;
- Outdoor Furniture Specification Document;
- External Enclosure Specification Documents and Drawing (x3);
- Unit 2B Opening Hours, External Enclosure Seating Hours, and Outside Seating Hours Schedule; and
- Planning Letter, prepared by AXI (dated 12 May 2021) – *letter previously prepared and submitted as part of condition discharge application CDN/21/0194.*

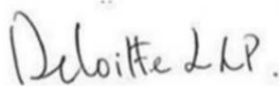
Summary and Conclusion

The amendments have been agreed with the Local Planning Authority as being non-material to the determination of the original permission (ref: 111719/FO/2016/C1). The proposed amendments will allow the future tenant of Retail Unit – 2B to secure the layout of the external seating area at Salvi's Restaurant and Bar, providing for a more active and animated ground floor usage within the wider Deansgate Square public realm.

The development is therefore wholly compliant with the policies of the Development Plan. We therefore respectfully request that this application be supported by the Planning Authority.

We would be grateful if you would notify us of validation of the Application, and please do not hesitate to contact my colleagues Ed Britton (edbritton@deloitte.co.uk / 0161 455 6169) and Jemma Brabrook (jbrabrook@deloitte.co.uk / 0161 455 6903).

Yours sincerely,



For Deloitte LLP

Encl.