



Paul Butler Associates

Planning, Development & Heritage Consultants

18 October 2022

FAO Caerwen Ramsden
Development Management
Swinton Civic Centre
Manchester
M27 5DA

22.1813

Dear Caerwen

**Non-Material Amendment relating to Planning Permission 17/69345/FUL
Navigation House, 1 Furness Quay, Salford, M50 3XZ**

On behalf of our client Kroll, we are pleased to submit this non-material amendment application for the removal of condition 32 (tree protection) attached to planning permission 17/69345/FUL. Section 96A paragraph 3(b) of the Town and Country Planning Act 1990 states that non-material amendment applications can be used to 'remove or alter existing conditions', therefore this application is appropriate to amend condition 32.

Condition 32 states *"No development shall be started until G2 as shown on Preliminary Tree Constraint Plan reference 16/AIA/SALFORD/13/01, have been surrounded by substantial fences which shall extend to the extreme circumference of the spread of the branches of the trees (or such positions as may be agreed in writing by the Local Planning Authority). Such fences shall be erected in accordance with a specification to be submitted to and approved in writing by the Local Planning Authority and shall remain until all development is completed and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such fencing."*

The Arboricultural Report submitted in support of the application confirms that all existing trees on site are to be removed, this was accepted by the Council's arborist subject to replacement planting. The committee report for application 17/69345/FUL notes that *"A group of category B trees are located along the common boundary with the Fortis Quay development; whilst these are located within the red line they are not within the ownership of the applicant and therefore will be retained. The City's Arborist is of the opinion that to safeguard the trees they should be fenced during the construction period and this can be secured by condition."* The trees outside of the applicant's ownership have since been removed (see photos below). As such condition 32 is no longer relevant.

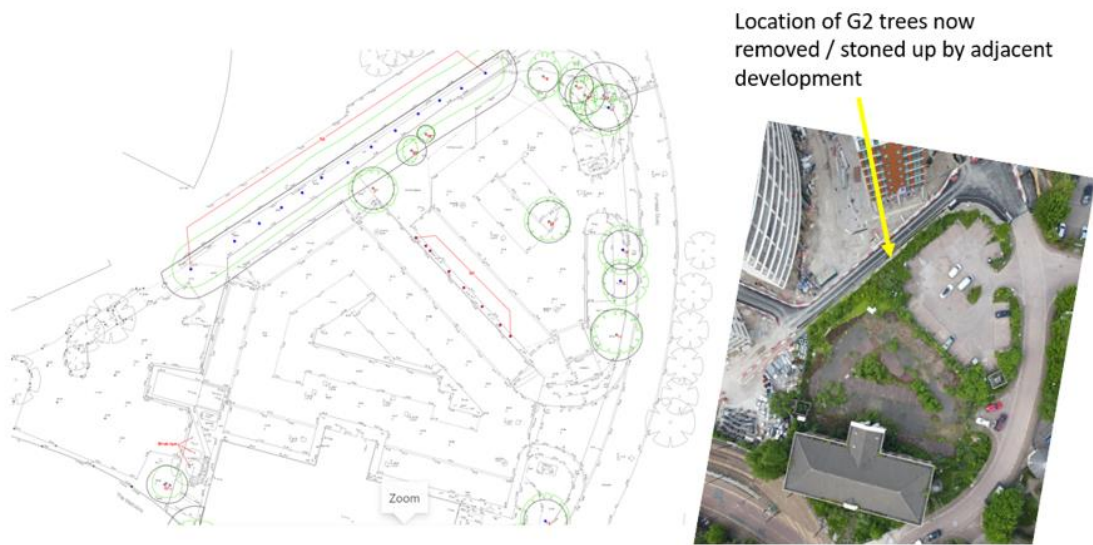


Figure 1: Location of removed G2 trees identified by yellow arrow.



Figure 2: Photo taken from within the Fortis Quay site showing trees on the northern side of the common boundary with the application site have been removed.



Figure 3: Photo taken from within the Fortis Quay site showing trees on the northern side of the common boundary with the application site have been removed.

The removal of condition 32 does not have any material impact on the development as the landscaping and replacement tree planting is secured by condition on both the application site (condition 30 attached to 17/69345/FUL) and the neighbouring Fortis Quay site (condition 16 attached to 17/70682/FUL) which is currently under construction.

We are pleased to submit this application to remove condition 32 on behalf of our client. We look forward to working with the Council in progressing this application, and request that it is dealt with as promptly as possible in light of the time constraints for commencing the development.

The application fee of £234 has been paid at the time of submission.

We trust that the information submitted is sufficient for you to approve the application. If you require any additional information, please do not hesitate to get in touch.

Yours sincerely

Lynsay Ewart BSc(Hons) MSc MRTPI
Senior Planner