

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Saif Uddin
ENGIE Services Ltd and Landcare (East
Manchester) Ltd
Q3 Office Quorum Business Park
Benton Lane
Newcastle Upon Tyne
NE12 8EX

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Application to remove condition 44 (Affordable Housing) attached to planning permission ref: 125596/FO/2019

Location: Coleshill Street, Manchester, M40 8HH

Date of application: 12 October 2021

Application number: 131895/JO/2021

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Condition(s) attached to this decision

0) Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice were sought in respect of this development where early discussions took place regarding issues arising in relation to the granted funded element of the affordable housing to be delivered on the site. The proposal is now considered to be acceptable, and been conditioned accordingly.

1) The development must be begun not later than 10th November 2023.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the

Phasing plan ref: rev.01 received on 11th September 2020, and Phase 0 definition Statement and Appendix 1 Phase 0 Site plan by Engie and NPL received 2nd November 2020.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 and to reflect the likely time period for the implications of the proposed development

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Site Location Plan (LEV-00-GF-DR-A-1000 Rev P1)

Existing Site Plan (LEV-00-GF-DR-A-1050 Rev P2);

Plots L & M Proposed Ground floor plan (LEV-00-GF-DR-A-1470 rev.P2)

Plot A - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1600 rev. P2)

Plot A - Proposed Courtyard Sections (LEV-00-XX-DR-A-1601 rev. P3)

Plot B - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1610 rev. P2)

Plot B - Proposed Courtyard Sections (LEV-00-XX-DR-A-1611 rev. P3)

Plot C - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1620 rev. P3)

Plot C - Proposed Courtyard Sections (LEV-00-XX-DR-A-1621 rev. P2)

Plot D - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1630 rev. P2)

Plot D - Proposed Courtyard Sections (LEV-00-XX-DR-A-1631 rev. P2)

Plot E - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1640 rev. P3)

Plot E - Proposed Courtyard Sections (LEV-00-XX-DR-A-1641 rev. P2)

Plot F - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1650 rev. P2)

Plot G - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1660 rev. P2)

Plot G - Proposed Courtyard Sections (LEV-00-XX-DR-A-1661 rev. P3)

Plot H - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1670 rev. P2)

Plot H - Proposed Courtyard Sections (LEV-00-XX-DR-A-1671 rev. P2)

Plot J - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1690 rev. P3)

Plot J - Proposed Courtyard Sections (LEV-00-XX-DR-A-1691 rev. P2)

Plot K - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1700 rev. P2)

Plot K - Proposed Courtyard Sections (LEV-00-XX-DR-A-1701 rev. P3)

GA Landscape Sections- 01 (LEV-00-GF-DR-L-1800 rev.P4)

Building A - Elevation Study (LEV-00-XX-DR-A-2300 rev.P1)

Building E - Elevation Study (LEV-00-XX-DR-A-2301 rev.P2)

Air Quality Assessment Project No. 443593/AQ01 (03);Crime Impact Statement

November 2019 GM 10776 001 v2.0;Framework Construction and Management

Plan; Heritage Environmental Desk Based Assessment; Noise Impact Assessment

rev.B dated 26.11.2019; Statement of Community Involvement; Supporting Planning

Statement; Financial Viability Statement ; Waste Management Strategy Proforma;

Energy Statement rev.B;

Interpretative Phase 2 Ground Investigation report R01 ; Composite site summary

ground works Strategy; Interpretative Phase 2 ground investigation report Zone

5W;Interpretative Phase 2 ground investigation report Zone 7; Factual Ground

Investigation report; Factual ground investigation report zone 7; Factual ground

investigation report zone 5W;Preliminary Remediation strategy.

Stamped as received 29th November 2019

Report to support a Habitat Regulations Assessment ref: 2019-176b dated August

2019 received 13th December 2019

Flood Risk Assessment and Drainage Strategy report ; received by email on 13th

December 2019;

Letter dated 18th February 2020 from planning agent regarding Open space provision;

Ecology Survey and Assessment dated July 2019 ref 2019 -176 received 2nd

January 2020;
 Viability Appraisal letter 14th February 2020;
 Fire Strategy in email dated 25th February 2020 from the planning agent , and
 attached Fire Engineering Stage 3 report - Fire Strategy revision 3 - 14 February
 2020by Hoare Lea;
 Letter dated 25th February 2020 from Wardell Armstrong relating to Secure by
 Design matters;
 Open Space Assessment dated February 2020 received by email 6th March 2020;
 Supporting plans and letter from planning agent dated 8th April 2020;
 Sitewide Landscape plan - Illustrative (LEV-00-GF-DR- L- 1250 rev.P3)
 Sitewide Landscape plan - Hardscape (LEV-00-GF-DR- L- 1251 rev.P10)
 Sitewide Landscape plan - Softscape (LEV-00-GF-DR- L- 1252 rev.P6)
 Plots A& F Proposed Ground floor plan (LEV-00-GF-DR-A-1400 rev.P5)
 Plots A& F Proposed First floor plan (LEV-00-GF-DR-A-1401 rev.P5)
 Plots A& F Proposed Second floor plan (LEV-00-GF-DR-A-1402 rev.P4)
 Plots A& F Proposed Third floor plan (LEV-00-GF-DR-A-1403 rev.P4)
 Plots A& F Proposed Fourth floor plan (LEV-00-GF-DR-A-1404 rev.P5)
 Plots A& F Proposed Roof plan (LEV-00-GF-DR-A-1405 rev.P3)
 Plots B& G Proposed Ground floor plan (LEV-00-GF-DR-A-1410 rev.P5)
 Plots B& G Proposed First floor plan (LEV-00-GF-DR-A-1411 rev.P5)
 Plots B& G Proposed Second floor plan (LEV-00-GF-DR-A-1412 rev.P5)
 Plots B& G Proposed Roof plan (LEV-00-GF-DR-A-1413 rev.P5)
 Plots C& H Proposed Ground floor plan (LEV-00-GF-DR-A-1420 rev.P4)
 Plots C& H Proposed First floor plan (LEV-00-GF-DR-A-1421 rev.P4)
 Plots C& H Proposed Second floor plan (LEV-00-GF-DR-A-1422 rev.P4)
 Plots C& H Proposed Roof plan (LEV-00-GF-DR-A-1423 rev.P4)
 Plot D Proposed Ground floor plan (LEV-00-GF-DR-A-1430 rev.P4)
 Plot D Proposed First floor plan (LEV-00-GF-DR-A-1431 rev.P4)
 Plot D Proposed Second floor plan (LEV-00-GF-DR-A-1432 rev.P4)
 Plot D Proposed Roof plan (LEV-00-GF-DR-A-1433 rev.P4)
 Plot E Proposed Ground floor plan (LEV-00-GF-DR-A-1440 rev.P4)
 Plot E Proposed First floor plan (LEV-00-GF-DR-A-1441 rev.P4)
 Plot E Proposed Second floor plan (LEV-00-GF-DR-A-1442 rev.P3)
 Plot E Proposed Third floor plan (LEV-00-GF-DR-A-1443 rev.P3)
 Plot E Proposed Fourth floor plan (LEV-00-GF-DR-A-1444 rev.P5)
 Plot E Proposed Roof plan (LEV-00-GF-DR-A-1445 rev.P3)
 Plots I & J Proposed Ground floor plan (LEV-00-GF-DR-A-1450 rev.P8)
 Plot K Proposed Ground floor plan (LEV-00-GF-DR-A-1460 rev.P4)
 Plot K Proposed First floor plan (LEV-00-GF-DR-A-1461 rev.P4)
 Plot K Proposed Roof plan (LEV-00-GF-DR-A-1462 rev.P4)
 Plot N Proposed Ground floor plan (LEV-00-GF-DR-A-1480 rev.P5)
 Western Gateway - Proposed Landscape Plan (LEV-00-GF-DR-L-1500 rev.P5)
 Canal Green - Proposed Landscape Plan (LEV-00-GF-DR-L-1501 rev.P5)
 Holland Gardens - Proposed Landscape Plan (LEV-00-GF-DR-L-1502 rev.P4)
 Neighbourhood Green - Proposed Landscape Plan (LEV-00-GF-DR-L-1503 rev.P5)
 Eastern Gateway - Proposed Landscape Plan (LEV-00-GF-DR-L-1504 rev.P4)
 Plot F - Proposed Courtyard Sections (LEV-00-XX-DR-A-1651 rev. P3)
 GA Landscape Sections- 02 (LEV-00-GF-DR-L-1801 rev.P5)
 GA Landscape Sections- 03 (LEV-00-GF-DR-L-1802 rev.P4)
 Building F - Elevation Study (LEV-00-XX-DR-A-2302 rev.P2)
 Building F - Elevation Study (LEV-00-XX-DR-A-2303 rev.P2)
 External Substations - Elevation Study (LEV-00-XX-DR-A-2400 rev.P1)
 Vehicle Tracking - Fire Appliance (JR00755_WES_00_XX_DR_D_024 rev.P2)
 Design and Access Statement rev.E -April 2020

Schedule 1- Car Parking Management Plan April 2020
Travel Plan rev.B - April 2020
Transport Assessment rev.B - April 2020
Preliminary Controlled Water Risk Assessment (13-887 R1 -1 February 2020)
Remediation Method Statement by McAuliffe received by email 21st April 2020;
Coal Mining Features and Mitigation plan (LEV - 00 - GF - DR - A - 1206 rev. P2)
received 6th July 2020

Viability Appraisal 14th August 2020

Change to mix of accommodation 25th August 2020.

Schedule 1 site plan and schedule 2 -affordable housing plots plan received 14th August 2020

Sitewide Landscape General Arrangement) LEV-00-GF-DR-L-1254 rev.P2) ;

Site wide Street Elevations (LEV-00-XX-DR-A-1300 rev.P2);

Sitewide Street elevations - Sheet 2 (LEV-00-XX-DR- A- 1301 rev.P3);

Plots I & J Proposed First floor plan (LEV-00-GF-DR-A-1451 rev.P9);

Plots I & J Proposed Second floor plan (LEV-00-GF-DR-A-1452 rev.P7);

Plots I & J Proposed Third floor plan (LEV-00-GF-DR-A-1453 rev.P7);

Plots I & J Proposed Roof plan (LEV-00-GF-DR-A-1454 rev.P6);

Plots L& M Proposed First floor Plan ((LEV-00-GF-DR-A-1471 rev.P3);

Plots L& M Proposed Second floor Plan ((LEV-00-GF-DR-A-1472 rev.P3);

Plots L& M Proposed Roof Plan (LEV-00-GF-DR-A-1473 rev.P3);

Plot N Proposed First floor plan (LEV-00-GF-DR-A-1481 rev.P6)

Plot N Proposed Second floor plan (LEV-00-GF-DR-A-1482 rev.P5);

Plot N Proposed Third floor plan (LEV-00-GF-DR-A-1483 rev.P5)

Plot N Proposed Fourth floor plan (LEV-00-GF-DR-A-1484 rev.P6)

Plot N Proposed Roof plan (LEV-00-GF-DR-A-1485 rev.P5);

Plot I - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1680 rev. P3)

Plot I - Proposed Courtyard Sections (LEV-00-XX-DR-A-1681 rev. P5)

Plot L - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1710 rev. P3)

Plot L - Proposed Courtyard Sections (LEV-00-XX-DR-A-1711 rev. P3)

Plot M - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1720 rev. P3)

Plot M - Proposed Courtyard Sections (LEV-00-XX-DR-A-1721 rev. P3)

Plot N - Proposed Perimeter Elevations (LEV-00-XX-DR-A-1730 rev. P3)

Plot N - Proposed Courtyard Sections (LEV-00-XX-DR-A-1731 rev. P4)

Building N - Elevation Study (LEV-00-XX-DR-A-2304 rev.P2)

Arboricultural Impact Assessment rev.3 and Arboricultural Method Statement and

Sitewide Landscape plan - Tree Removal (LEV-00-GF-DR- L- 1253 rev.P5) ;

received by email 21st August 2020;

076298-CUR-00-XX-DR-C-95700 rev.P3 Vehicle Tracking -large refuse vehicle site layout received by email 4th September 2020.

Sitewide Masterplan - Ground Floor (LEV-00-GF-DR-A- 1200 rev.P11)

Sitewide Masterplan - First Floor (LEV-00-GF-DR-A- 1201 rev.P10)

Sitewide Masterplan - Second Floor (LEV-00-GF-DR-A- 1202 rev.P10)

Sitewide Masterplan - Third Floor (LEV-00-GF-DR-A- 1203 rev.P10)

Sitewide Masterplan - Fourth Floor (LEV-00-GF-DR-A- 1204 rev.P10)

Sitewide Masterplan - Roof (LEV-00-GF-DR-A- 1205 rev.P8)

Sitewide Landscape General Arrangement Plan (Dwg no. LEV-00-GF-DR-L-1254 Rev P2)

Updated Estate Management Plan

received by email 8th September 2020.

Contaminated Land Site Characterisation Report ref:13-887-R4-1 July 2020 received by email dated 9th September 2020.

Revised phasing plan received 11.09.2020 together with email dated 11.09.2020

from the planning agent stating that this plan relates purely to the phased completion of building works and as such does not relate to the remediation phasing.
3547A - LEV - 00 - GF - DR - A - 1210 _ Site wide tenure plan - ground floor
3547A - LEV - 00 - 01 - DR - A - 1211- Site Wide Tenure Plan - First Floor
3547A - LEV - 00 - 02 - DR - A - 1212 - Site Wide Tenure Plan - Second Floor
3547A - LEV - 00 - 03 - DR - A - 1213 - Site Wide Tenure Plan - Third Floor
3547A - LEV - 00 - 04 - DR - A - 1214 - Site Wide Tenure Plan - Fourth Floor
3547A - LEV - 00 - 05 - DR - A - 1215 Site Wide Tenure Plan - Roof Plan

Received 27th October 2020

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

4) Notwithstanding the materials annotated on the submitted plans ,prior to above ground works of each phase of development (excluding Phase 0 works), samples and specifications of all materials to be used on all external elevations of the phase of development shall be submitted to and approved in writing by the City Council as local planning authority. The phase of development shall be carried out in accordance with the agreed details.

Reason -To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

5) Prior to above ground works of each phase of development (excluding Phase 0 works) details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details for that phase. The development (or phase thereof) hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation for that phase of development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

6) Prior to the commencement of each phase of the development (excluding Phase 0 works) a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority for that phase, which for the avoidance of doubt should include:-

- The routing of construction traffic;
- Detail the quantification/classification of vehicular activity associated with the construction including commentary on types and frequency of vehicular demands together with evidence (appropriate swept-path assessment);
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;

- Specify the working hours for the site;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete;
- Identify advisory routes to and from the site for staff and HGVs;
- A highway dilapidation survey including photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

Reason - To safeguard the amenities of nearby residents and highway safety pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (2012).

7) Prior to above ground works commencing for any phase of development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, the incorporation of a pedestrian phase to the signalisation of the existing Coleshill Street junction, measures to prevent parking along the line of the towpath, and traffic calming) relating to that phase, and taking account of measures approved as part of condition no.8, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

8) Notwithstanding the submitted layout and access arrangements, prior to the commencement of development (excluding Phase 0 works), final details of access into the site and other measures considered necessary to avoid rat running and improve pedestrian and highway safety (including if necessary the incorporation of a physical break within the proposed east-west route through the site to prevent through traffic) shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

9) Prior to above ground works commencing for any phase of development, full details of a parking management strategy for on street parking on non-adopted highways relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

10) The car parking indicated on the approved plans for each phase of development shall be surfaced, demarcated and made available for use prior to the new dwellings hereby approved within that phase being occupied. The car parking shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

11) Prior to above ground works commencing for any phase of development, finalised detailed designs and provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN6 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

12) Prior to the occupation of any phase of development details of a way finding scheme (together with on-going maintenance arrangements, and full details of access points ,and level/ramped access to the Rochdale Canal), within the site to reference the location of the Rochdale Canal and associated cycleway shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use, and thereafter managed and maintained in accordance with the approved details.

Reason - To improve wayfinding within the site , and assist promoting the use of sustainable forms of travel to the development, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012) and the Guide to Development in Manchester SPD (2007).

13) Before the development of any phase of development hereby approved is first occupied, a Full Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those attending or employed in the development
 - ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
 - iii) mechanisms for the implementation of the measures to reduce dependency on the private car
 - iv) measures for the delivery of specified travel plan services
 - v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car
- b) Within six months of the first occupation of each phase of development (or an alternative timescale to be agreed in writing with the Local Planning Authority), a revised Travel Plan, which takes into account the information about travel patterns gathered pursuant to item (ii) above, shall be submitted to and approved in writing by the City Council as local planning authority for that phase of development. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full for that phase of development at all times when the

development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the development, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012) and the Guide to Development in Manchester SPD (2007).

14) Prior to the occupation of any phase of development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at both the apartments and houses hereby approved within that phase of development, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

15) Prior to the occupation of any phase of development, finalised details of the location and specifications of tree pit within footpaths, together with a management and maintenance strategy, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

16) Prior to the occupation of any phase of development, details of the strategy for all external lighting, including lighting on the buildings, within the building's curtilage, and lighting units within the public realm works within that phase, shall be submitted to, and approved in writing by, the City Council as local planning authority. The development of that phase shall be implemented in accordance with the approved details.

Reason - To ensure adequate lighting within the development and to ensure full accessibility within the public realm works, and would not adverse impact on protected species pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

17) If, when the lighting units are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be

retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

18) a) Before the development hereby approved commences (excluding Phase 0 works), a scheme for the investigation of all the shallow mine workings on the site and the identification of remediation measures (the Site Investigation Proposal) shall be submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences (excluding site set up or works relating to site investigation) and a report prepared outlining what measures, if any, are required to remediate the areas of shallow mine workings (the Site Investigation Report and/or Remediation Strategy) shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development, the development shall be carried out in accordance with the previously agreed Remediation Strategy for the shallow mine workings and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that shallow mine workings 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 areas of shallow mine workings (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. Upon completion of the revised remedial works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of areas of shallow mine workings is detected and appropriate remedial action is taken in the interests of public safety, and to ensure the stability of the proposed development pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

19) a) Before the development hereby approved commences (excluding Phase 0 works), a report outlining what measures (remedial works), if any, that are required to be undertaken to the mine entry (including foundation), together with any specific designs which may be required for any buildings within influencing distance of the mine entry (the Site Investigation Report and/or Remediation Strategy) shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy for the mine entry, and approved specific designs required for any buildings within influencing distance of the mine entry, and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that mine entry is assessed and appropriate remedial action is taken in the interests of public safety, and to ensure the stability of the proposed development pursuant to policies DM1 and EN18 of the Manchester Core Strategy

(2012).

20) Prior to the construction of above ground structures in phases 2,3 and 4 on phasing plan , full details of the proposed of sheet piling retaining structures to the Rochdale Canal boundary including their location , finish and detailing, within that phase of development shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented prior to first occupancy within that phase of development and shall remain operational thereafter.

Reason- To ensure a satisfactory form of development and to afford appropriate protection of the Rochdale Canal that adjoins the site pursuant to policies EN8, EN14, EN15 and DM1 of the Manchester Core Strategy (2012).

21) Prior to the proposed foundations outlined in the Phase 2 Ground Investigation report in relation to development in Phases 2,3,and 4 in proximity to the canal being implemented , detailed cross sections of the proposed foundations relative to the Rochdale Canal within that phase of development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the approved foundation detail, prior to first occupancy within that phase of development.

Reason - To ensure the protection of a Site of Biological Importance and wildlife habitats in the locality, pursuant to policy EN15 and EN17 of the Core Strategy for Manchester.

22) Prior to the construction of above ground structures of any phase of development, a finalised scheme for the storage (including segregated waste recycling) and disposal of refuse within that phase of development (including external bin store design)shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented prior to first occupancy within that phase of development and shall remain operational thereafter.

Reason - To protect the amenity of the occupants of the residential and commercial accommodation once the development hereby approved is occupied, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

23) Prior to commencement of the development (excluding Phase 0 works) mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason- To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

24) Before any Class E or C3a uses hereby approved commence, any externally mounted ancillary 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 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

The scheme for each phase of development shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in

the level of noise emanating from the site prior to occupation of that phase of development. The approved scheme shall be completed before the premises is occupied.

Upon completion of each phase of development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, and to safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1, H1 and DM1 of the Manchester Core Strategy (2012).

25) Deliveries, servicing and collections, including waste collections shall not take place to the Class E uses, outside the following hours: 07:30 to 20:00, Mondays to Saturdays, and 10:00 to 18:00 Sundays/Bank Holidays.

Reason - In the interests of residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy (2012).

26) Before any above ground works relating development falling within Class E (in any phase of development), a scheme for the extraction of any fumes, vapours and odours for that use and Phase shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy in that use and Phase, and shall remain operational thereafter. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Manchester Core Strategy (2012).

27) The hours of use of the Class E units in any phase of development, are to be submitted to and agreed in writing by the City Council as Local Planning Authority, prior to the first occupation of the buildings for those uses in that phase. The development shall only be carried out in accordance with the approved hours of opening.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

28) Before commencement of development falling within Class E (excluding Phase 0 works), in any Phase of development, the building(s) within that Phase shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the building(s), and a scheme of acoustic treatment relating to that phase of development , shall be submitted to and approved in writing by the City Council as local planning authority, prior to first occupation of that Phase . The

scheme shall be implemented in full before the use commences in the building(s) in that phase of development.

Where entertainment noise (i.e. music or other amplified sound) is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location

Upon completion of each phase of development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report in respect of that phase. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

29) No part of the site outside of the building falling within Class E, in any phase, shall be used other than in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority. No amplified sound or any music shall be produced or played in any part of the site outside of the building in any phase.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

30) a) Before commencement of development falling within Class C3, in any Phase of development, the dwellings within that Phase shall be acoustically insulated against noise from traffic noise from Hulme Hall Road and Varley Street, and industrial/commercial uses in the vicinity with a scheme to be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme for that phase shall be completed before any of the dwelling units within that phase are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Upon completion of the development and before first occupation of the residential units in that phase, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met. A minimum of 1 in 10 residential units shall be tested. Any instances of nonconformity

with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

31) No removal of or works to any hedgerows, trees or shrubs should take place between 1st March and 31st August inclusive, unless a competent ecologist has

undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to Policy EN15 of the Manchester Core Strategy (2012).

32) The Phase 0 phase of development shall be implemented in accordance with the Surface Water Management Plan prepared by E3P ref: 13-887- R9 Dated January 2021, Addendum Letter Report - Former Manox Site - Miles Platting, and the content of Surface Canal Protection Measures. Reference: 13-887-L5. prepared by E3P. Date: 14th April 2021 confirming that :- a low permeability geotextile membrane will be installed to the inward side of the proposed sheet pile retaining wall to impede any migration of pollution during the construction period as stipulated by Condition 32, and the works proposed as a part of Phase 0 and Phase 1 remediation, will not preclude the provision of the piled wall with either interwoven membrane or chemical barrier. Any excavated materials stored in temporary stockpiles should be located away from the canal to prevent contaminated water run-off and the amount of exposed ground and stockpiles minimised. The specific measures to prevent any pollution of the Rochdale Canal during the construction period, hereby approved shall be implemented in full before the development commences.

Reason - To ensure the protection of a Site of Biological Importance and wildlife habitats in the locality , pursuant to policy EN15 and EN17 of the Manchester Core Strategy (2012).

33) The Phase 0 enabling works shall be implemented in accordance submitted Invasive Species Survey and Management Strategy (reference: GC.J200737 dated November 2020 .

Reason - To prevent the spread of invasive species in accordance with the Wildlife and Countryside Act 1981, and in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012)

34) Notwithstanding the landscaping plans specified in condition no.3, prior to the any above ground works of any phase of development a hard and soft landscaping treatment scheme (including a replacement tree strategy, and a management and maintenance strategy, and full details of access points ,and level/ramped access to the Rochdale Canal),) for that phase of development shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings within that phase are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective in that phase of development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within that phase of development.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

35) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

36) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans specified in condition no.3 and particulars; 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.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

37) Prior to any above ground works in each phase of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase, shall be submitted to and approved in writing by the City Council as the local planning authority. The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to comply with policy EN15 of the Manchester Core Strategy (2012).

38) The development hereby approved shall be carried out in accordance with the document titled 'Energy Statement rev. B' stamped as received by the City Council, as Local Planning Authority, on the 29th November 2019. For the avoidance of doubt each phase of the development shall seek achieve a minimum of 25% average reduction of CO2 emissions for all dwelling houses and 20% average reduction of CO2 emissions for all apartments over that set out in Building Regulations Part L 2013 and MCC planning policy.

b) A post construction review certificate/statement shall be submitted for approval for that phase of development, within a timescale that has been previously agreed in writing for that phase of development, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy (2012) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

39) The development shall be carried out in accordance with the Estate Management Plan received on 8th September in relation to non-adopted roads, footpaths, lighting, and public open spaces, including play areas and the wider public realm for all phases of the development.

Reason - To ensure that the areas not within the curtilage of dwellings are appropriately managed and maintained development to safeguard the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

40) No development or development-related groundworks shall take place (excluding Phase 0 works) until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include: i) archaeological watching brief and recording
2. A programme for post investigation assessment to include: i) post-fieldwork analysis of watching brief records and finds ii) production of a final report on the watching brief including a statement on the significance of the below-ground archaeological interest.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the archaeological investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason- In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, and pursuant to saved UDP policy DC20.1 .

41) No development shall take place (excluding Phase 0 works) until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

Reason - To prevent the increased risk of flooding, promote sustainable development, secure proper drainage and ensure future maintenance of the surface water drainage system pursuant to policies within the NPPF and NPPG, and policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

42) No phase of development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme for that phase have been submitted to and approved by the local planning authority. The approved scheme shall be implemented and thereafter managed and maintained in accordance with the approved details for that phase. Those details shall include:

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;
- o Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason- To manage flooding and pollution and ensure future maintenance of the surface water drainage system pursuant to policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

43) The Phase 0 enabling works shall be implemented in accordance with the Construction Risk Assessment Method Statement (RAMS) comprising :-

- o Plan ref: 3547A-LEV-00-GF-DR-A-1075 Rev P1) to show the geographic extent of 'Phase 0' , with the specific detail of the extent of works forming 'Phase 0' in the accompanying definition of 'Phase 0' (prepared by ENGIE dated October 2020)
- o McAuliffe's Method Statement (dated January 2021) for Site Set Up, Site Clearance, Vegetation Clearance, Invasive Weeds.
- o McAuliffe's Risk Assessment (ref MC2906 dated 8 January 2021).
- o P2 Services' Japanese Knotweed Removal and Contaminations Treatment Programme
- o Treefellers' Job Sheet and Risk Assessment (ref 7740/077089/77089).
- o Fast Fence's standard Method Statements for Temporary Hoarding Installation including an addendum for Coronavirus (Rev 2).

Reason- To ensure a satisfactory form of development and to afford appropriate protection of infrastructure that crosses the site pursuant to policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

44) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy

45) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy (2012) and the guidance contained within the National Planning Policy Framework.

46) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches, roof alterations or outbuildings shall be erected onto the new build properties within the development hereby approved other than those expressly authorised by this permission.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

47) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings specified in condition 3.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

48) Prior to any above ground works, in each phase of development, the finalised details of the positions, heights, and type of boundary treatment (including gates) within that phase of development, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property within that phase is first occupied

and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

49) Prior to any above ground works, in each phase of development, the finalised design of balcony balustrade details (including the location of privacy screens) within that phase of development, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property within that phase is first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

50) The two commercial units hereby approved at ground floor level in Plot E, as indicated on drawing LEV-00-GF-DR-A-1440 rev.P4 stamped as received by the City Council, as Local Planning Authority, on the 8 April 2020, shall each remain as one unit (total no. 2 Units) and shall not be subdivided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, and SP1 of the Manchester Core Strategy (2012).

51) The two commercial units hereby approved at ground floor level in Plot E, as indicated on drawing LEV-00-GF-DR-A-1440 rev.P4 stamped as received by the City Council, as Local Planning Authority, on the 8 April 2020, be occupied as either retail use, restaurant /café use or business/ office use and for no other purpose in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

52) a) Prior to the commencement of the development (excluding Phase 0 works), details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

53) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

54) Prior to commencement of development hereby approved, no development shall take place (excluding Phase 0 works) until a detailed remediation phasing plan has been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved remediation phasing plan.

Reason - To ensure that all phases of remediation are clearly identified along with the order that remediation will take place, pursuant policies EN17 and EN18 of the Manchester Core Strategy .

55) Prior to commencement of development hereby approved , no development shall take place (excluding Phase 0 works) until an outline remediation scheme (based on the information already gathered and provided previously), has been submitted and approved in writing by the City Council as local planning authority. The development shall then be implemented in accordance with the approved outline remediation strategy.

Reason - To identify the broad remediation requirements for the site, based on the remediation phasing plan, and to indicate the necessary environmental permits and permissions that are required to carry out the potential remediation process, pursuant policies EN17 and EN18 of the Manchester Core Strategy .

56) Prior to the commencement of development (excluding Phase 0 works), and where necessary, additional ground investigations (based on the information already provided, the outline remediation scheme and the remediation phasing plan) to address information gaps, are identified for each phase of the development so as to provide sufficient information for a detailed assessment of risks to human and environmental receptors for each phase as identified in the remediation phase plan, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details

so approved.

Reason- To gather sufficient information on each phase of the development to ensure that all possible risks to human and environmental receptors are known and be assessed in detail to facilitate further work on the development site, pursuant policies EN17 and EN18 of the Manchester Core Strategy .

57) Prior to the commencement of development (excluding Phase 0 works) a detailed assessment of risks to human and environmental receptors (including those off-site) , as identified in the remediation phase plan, shall be submitted to and approved in writing by the City Council as local planning authority. This should include risks associated with ground gases. The development shall be implemented in full accordance with the details so approved.

Reason- To identify provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation scheme and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

58) Prior to the commencement of development (excluding Phase 0 works), a detailed options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed in the remediation phase plan) should be submitted and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development remediation phasing plan, that the detailed remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

59) Prior to the commencement of development (excluding Phase 0 works) and as per the agreed remediation phasing plan a Ground Stabilisation works plan shall be developed, and shall be submitted to , and approved in writing by the City Council as local planning authority. The Ground Stabilisation works plan should include details, per phase, as to how identified ground hazardous (such as underground structures, mine shafts; workings, and boreholes) are to be addressed and decommissioned. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure the protection of the development from underground hazards, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

60) On completion of each phase of the ground stabilisation works (as set out in the remediation phasing plan), a verification report demonstrating the completion of works set out in the approved remediation and ground stabilisation works strategies, and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the Water Environment and human health

from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

61) Prior to the commencement of building works, post remediation ground gas monitoring shall be undertaken and a detailed build phase remediation strategy produced, which shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason -To ensure the protection of the development from ground gases, pursuant to policies EN18 of the Manchester Core Strategy (2012).

62) Prior to the commencement of development (excluding Phase 0 works) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy and ground stabilisation works report (per phase as identified in the remediation phasing plan) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that unacceptable risks to the environment and human health can be addressed and that a safe development can be achieved using the identified remediation techniques without adverse impact to human and environmental receptors on and off-site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

63) Prior to each phase of development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the Water Environment and human health from risks arising from land contamination. , pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

64) No infiltration of surface water drainage into the ground where adversely elevated concentrations of contamination are known or suspected to be present is permitted, other than those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - For the future protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

65) Piling or any other foundation designs using penetrative methods shall not be permitted other than for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason - For the ongoing and future protection of the Water Environment from risks

arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

66) If, during development, contamination not previously identified is found to be present at the site then no further development, shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

67) Prior to the commence of development (excluding Phase 0 works), plans of the existing and proposed site levels in the form of cross sections, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the approved details.

Reason -To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the residential amenity and visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. It is recommended that you check with the Coal Authority prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>.

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to their adopted policy regarding new development and mine entries:
<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

If the applicant wishes to explore the potential for surface water discharge to the canal, they are advised to contact the utilities section at utilitiesenquiry@canalrivertrust.org.uk or on 01926 626158.

Works affecting the Canals and Rivers Trust's land ownership may need to comply with the Trust's Code of Practice for works affecting the Canal & Rivers Trust, details of which are be found at <https://canalrivertrust.org.uk/business-andtrade/undertaking-works-on-our-property-and-our-code-of-practice> . The applicant is strongly advised to discuss this further with their Works Engineering team on 0303 040 4040.

MCC records highlight that the underground Shooters Brook is located within close proximity to the site (approximately 40 m to the south-east of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, it is requested that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Date: 5 April 2022

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate . The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A



**The Coal
Authority**

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/the-coal-authority

INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2021 until 31st December 2022