

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 Gavin Taylor
Far East Consortium Ltd and the Co-op
C/o Agent

Agent (if used)

Mr Jon Suckley
HOW Planning
40 Peter Street
Manchester
M2 5GP

Part 1 – Particulars of the application/development

Proposal: Erection of four residential buildings (22 storey building, 17 storey building, 40 storey building and part 12, part 9 storey building) to form 756 residential apartments (Use Class C3a) together with ground floor commercial uses (616 sqm) (Use Classes A1, A2, A3, A4, A5, D1 and B1) with associated car parking, landscaping, amenity areas, creation of new public realm following the closure of Aspin Lane, Mincing Street and Irk Street and other associated works following demolition of existing structures

Location: Land Bounded By Dantzic Street & Aspin Lane, Land Bounded By Gould Street & Angel Meadows And Land Bounded By Old Mount Street, School Street, Naples Street & Ludgate Street, Manchester

Date of application: 18 May 2017

Application number: 116366/FO/2017

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

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 has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application as a result of matters arising from the consultation and notification process. The proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

2) Prior to the commencement of development, a detailed phasing plan (including indicative timescales for implementation) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall then be carried out in accordance with the phasing plan and timescales agreed.

Reason - The development is to be carried out on a phased basis and details must therefore be agreed in this regard to ensure that a comprehensive development provided at this site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and the Angel Meadow Development Framework.

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

Drawings

PL1691-GA-P100, PL1691-GA-P101, PL1691-GA-P102, PL1691-GA-P103, PL1691-GA-P104, PL1691-GA-P300, PL1691-GA-P301, 05498_MP_00_1000, 05498_mp_01_1000 Rev A, MP_00_1001 Rev F, MP_00_1200 Rev H, MP_00_1203 Rev G, MP_00_1240 Rev D, B2_02_1199 Rev A, B2_02_1200 Rev E, B2_02_1201 Rev F, B2_02_1202 Rev E, B2_02_1203 Rev F, B2_02_1216 Rev C, B2_02_1217 Rev A, B2_02_1221 Rev B, B2_02_1222 Rev B, B4_02_1198 Rev A, B4_02_1199 Rev E, B4_02_1200 Rev F, B4_02_1201 Rev E, B4_02_1202 Rev E, B4_02_1203 Rev B, B4_02_1209 Rev E, B4_02_1237 Rev B, B4_02_1240 Rev B, B5_02_1200 Rev F, B5_02_1201 Rev F, B5_02_1202 Rev F, B5_02_1203 Rev F, B5_02_1208 Rev F, B5_02_1209 Rev F, B5_02_1210 Rev E, B5_02_1212 Rev E, B2_04_2200 Rev B, B2_04_2201 Rev B, B2_04_2202 Rev B, B2_04_2203 Rev B, B4_04_2200 Rev C, B4_04_2201 Rev C, B4_04_2202 Rev C, B4_04_2203 Rev C, B5_04_2200 Rev F, B5_04_2201 Rev E, B5_04_2202 Rev E, B5_04_2203 Rev E, B2_05_1200 Rev B, B2_05_1201 Rev B, B2_05_1202 Rev A, B4_05_1200 Rev C, B4_05_1201 Rev C, B4_05_1202 Rev C, B5_05_1201 Rev E, B5_05_1202 Rev B, B5_05_1203 Rev B, B2_10_3200 Rev B, B4_10_3200 Rev A, B4_10_3201 Rev A and B5_10_3200 stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017

05498_MP_00_1200 AA PO1, 05498_MP_00_1200 B PO1, 05498_B4_02_1199 ATR PO1, 05498_MP_1200 AB PO1, 05498_MP_00_1200 AB PO1, 05498_MP_00_1200 AC PO1, PL1691_GA_P204 PO1 and 05498_b4_02_1200_REFUSE PO1 stamped as received by the City Council, as Local Planning Authority, on the 24 July 2017

Supporting Information

Supporting planning statement prepared by HOW, Tall Building Statement prepared by HOW, Statement of community involvement prepared by Counter Context, Design and access statement prepared by 5Plus, Landscape Design and access statement prepared by Planit, Energy statement prepared by WSP, Environmental standards statement prepared by WSP, TV survey prepared by GTech, Crime Impact Statement prepared by GMP, Ecology report prepared by Phiorum, tree survey prepared by Amenity Trees, Ventilation strategy prepared by WSP and Environmental Statement (including non technical summary) prepared by HOW all stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017.

Supplementary Transport Statement stamped as received by the City Council, as Local Planning Authority, on the 24 July 2017

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

4) A phase of the development shall not commence until details of the method for piling, or any other foundation design using penetrative methods, for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

5) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

6) Notwithstanding the Environmental Statement prepared by HOW Planning including the flood risk assessment prepared by WSP/Parsons Brinckerhoff (ref. 70020194 Rev 2 May 2017) stamped as received by the City Council, as Local Planning Authority on the 17 May 2017, (a) A phase of the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Hydraulic calculations of the proposed drainage system for the entire network; and
- Construction details of floor control and SuDs elements

(b) The phase shall then be constructed in accordance with the approved details, within an agreed timescale.

(d) Prior to the first occupation of a phase a verification report for that phase shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

7) A phase of the development shall not commence until a programme of archaeological works for that phase has been submitted. The works are to be

undertaken in accordance with Written Schemes of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSIs shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

- Archaeological evaluation through trial trenching (as set out in the WSI by Orion Heritage dated May 2017)
 - Dependent on the above, targeted more detailed area excavation and recording
 - Analysis and evaluation of the proposed landscaping scheme to establish impact on the former burial ground
- Dependent on the above, a scheme to mitigate for disturbing human remains and graveyard fabric

2. A programme for post investigation assessment to include:

- Production of a final report on the significance of the below-ground archaeological interest.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. A scheme for community engagement with the archaeology.

5. A scheme to display and interpret the heritage interest and to publish the results of the archaeological investigations

6. Provision for archive deposition of the report and records of the site investigation.

7. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy.

8) Notwithstanding the Ground Conditions report plus technical appendices prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017 within the Environmental Statement,

a) A phase of the development shall not commence until the following information for that phase has been submitted for approval in writing by the City Council, as Local Planning Authority, to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site

- Submission of site investigation proposals;
- Submission of a site investigation and risk assessment report;
- Submission of a remediation strategy.

b) When the phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as Local Planning Authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

9) A phase of the development shall not commence until a detailed construction management plan outlining working practices during construction for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Communication strategy with residents;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

A phase shall be carried out in accordance with the approved construction management plan.

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

10) Prior to any above ground works of a phase, a) a programme for the issue of samples and specifications of all material to be used on all external elevations of the development in that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management.

b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part a). The approved materials shall then be implemented as part of the phase.

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, as specified in policies SP1 and DM1 of the Core Strategy.

11) Prior to any above ground works of a phase, details of the boundary treatment shall for that phase be submitted for approval in writing by the Council, as Local Planning Authority. The approved details shall then implemented as part of the phase and be in place prior to the first occupation of that phase of the development.

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, as specified in policies SP1 and DM1 of the Core Strategy.

12) Prior to the first occupation of a phase hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

- Verification report providing photographic evidence of construction; and
- 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.
- evidence that there will be no impact on the Ashton Canal from the disposal of water from the development.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

13) The development hereby approved shall be carried out in accordance with the Environmental Statement prepared by HOW Planning including the Flood Risk Assessment prepared by WSP/Parsons Brinckerhoff (ref. 70020194 Rev 2 May 2017). For the avoidance of doubt this shall include the following mitigation measures:

- The finished floor levels shall be set in accordance with section 5.1.4 and 5.1.5;
- Flood proofing measures on the ground floor of plot 3; and
- Raised entrance to the underground car park from plot 3.

The development shall be carried out in accordance with this information and prior to the first occupation of a phase, a verification report for that phase shall be submitted for approval in writing to the City Council, as Local Planning to confirm that the works in that phase have been undertaken in accordance with the previously approved reports.

Reason - To reduced the impact of flooding on the proposed development and its future occupants pursuant to policy EN14 of the Manchester Core Strategy (2012).

14) The development hereby approved shall be carried out in accordance with the Environmental Standards Statement prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017. A post construction review certificate/statement for each phase shall be submitted for approval, within a timescale

that has been previously agreed in writing, to the City Council as Local Planning Authority for each phase.

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

15) Notwithstanding drawing PL1691-GA-P100 issue 00 stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017 (a) prior to the first occupation of each phase details of a hard and soft landscaping scheme (including appropriate materials, specifications) for that phase shall be submitted for approval in writing by the City Council as Local Planning Authority.

(b) The approved scheme for each phase shall be implemented not later than 12 months from the date the buildings in each 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, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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 Core Strategy.

16) Prior to the first occupation of the residential element of each phase, a detailed landscaped management plan for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include details of how the hard and soft landscaping areas will be maintained including maintenance schedules and repairs. The management plan shall then be implemented as part of the development and remain in place for as long as the development remains in use.

Reason - To ensure that the satisfactory landscaping scheme for the development is maintained in the interest of the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

17) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans 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 Core Strategy.

18) 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 Core Strategy.

19) (a) prior to the first occupation of a phase, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. (b) The approved scheme shall be implemented and prior to the first occupation of a phase and post construction survey (including appropriate mitigation measures and timescales for implementation if necessary) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures agreed thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

20) Prior to the first use of each the commercial units as indicated on drawing MP_00_1200 Rev H stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented and retained and maintained for as long as the development remains in use.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

21) (a) prior to the first occupation of the residential accommodation with a phase hereby approved, the accommodation shall be insulated in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved scheme shall be implemented and prior to the first occupation of the residential element within a phase and post construction survey (including appropriate mitigation measures and timescales for implementation if necessary) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures agreed thereafter retained and maintained in situ.

Reason: To secure a reduction in noise in order to protect future residents from noise from the surrounding road and rail network pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

22) Notwithstanding the Waste and Servicing strategy within the Design and Access statement prepared by 5Plus stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017, prior to the first occupation/use of each phase a scheme for the storage (including segregated waste recycling) and disposal of refuse for the residential and commercial elements within a phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The details of the approved scheme shall be implemented as part of each phase and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the residential element of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

23) Prior to the first use of each of the commercial units, as indicated on drawing MP_00_1200 Rev H stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial units pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

24) Prior to the first use of each commercial unit as indicated drawing MP_00_1200 Rev H stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each commercial units and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

25) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of each phase, full details of such a scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of each phase and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using and ensure that lighting is installed which is sensitive to the bat environment the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

26) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in

accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

27) Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections

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

28) The commercial units hereby approved, as indicated on drawing MP_00_1200 Rev H stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017, shall not be open outside the following hours:-

Monday to Saturday 08.00hrs - 23.00hrs

Sundays 09.00hrs - 23.00hrs

There shall be no amplified sound or any amplified music at any time within the units.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

29) The commercial units as shown on drawing MP_00_1200 Rev H stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017, shall remain as separate units and shall not be sub divided 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, C5 and SP1 of the Manchester Core Strategy.

30) The commercial units, as indicated on drawing MP_00_1200 Rev H stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017, can be occupied as A1, A2, A3 or A4 and D1 (excluding a place of worship). The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

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 .

31) In the event that any of the commercial units, as indicated on drawing MP_00_1200 Rev H stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017 are occupied as an A3 or A4 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. For the avoidance of doubt this shall include:
 - o Dispersal policy;
 - o Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential element of the building shall be used for any other purpose (including any other purpose in Class C3 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 2015, 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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, 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 Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

33) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017. The development shall only be carried out in accordance with these approved details. Prior to the occupation of each phase the Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a Secured by Design accreditation.

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

34) The development hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017.

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 living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building 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, including monitoring and review of cycle provision.

Within six months of the first use of each phase, a Travel Plan for that phase which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

35) Prior to the first occupation of the residential element within each phase details of the cycle provision for that phase, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details for that phase shall then be implemented prior to the first occupation of the residential element within that phase and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

36) Prior to the first occupation of the residential element within each phase of the development hereby approved, details of disabled car parking provision for that phase shall be submitted for approval in writing. The approved details shall then be implemented prior to the first occupation of the residential element within each phase and remain in situ for as long as the development remains in use.

Reason - To ensure sufficient car parking is available for disabled occupants of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

37) Prior to the first occupation of the residential element of each phase the car parking layout as indicated on drawing B4_02_1198 Rev A, B4_02_1199 Rev E and B5_02_1200 Rev F stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017 shall be implemented and made available. The car parking shall remain available for as long as the residential element remains in use.

Reason - To ensure sufficient car parking is available for the occupants of the office element of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

38) Prior to the first occupation of the residential element of each phase hereby approved, details of an off site car parking strategy for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The strategy shall include the off-site car parking provision, off site disabled car parking provision and measures to encourage the use of car club usage for that phase. The approved strategy shall be implemented prior to the first occupation of the residential element of each phase (including any necessary highway improvements) and remain in use for as long as the development is occupation.

Reason - To mitigate against the lack of on site car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

39) Prior to the first occupation of each phase, a detailed waste and servicing strategy for each phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include details of the type and sizes of refuse and servicing vehicles that will require access to the site including any associated management and operational requirements. The approved strategy, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the each phase and thereafter retained and maintained in operation.

Reason - To ensure appropriate refuse and servicing management arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

40) Prior to the first occupation of plot 4, details of the ramp gradient and car park barrier controlled system to the car park shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development and be in place prior to the first occupation of the development.

Reason - In the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

41) Prior to the first occupation of the residential element of each phase a scheme of highway works and details of footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority in accordance with the Supplementary Transport Statement prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 24 July 2017.

For the avoidance of doubt this shall include the following:

- Junction improvement works at Dantzic Street/Angel Street;
- Facilities and amendments to make provision of cycle parking within the public realm;
- Pedestrianisation of Aspin Lane;
- Improvements to the public realm;
- Creation of laybys for each phase;
- Amendment/implementation of various Traffic Regulation Orders (TROs) (including car club bays, extension to 20 mph zone, new one way order on Aspin Lane and double yellow lines to Irk Street, Gould Street, Dantzic Street and Naples Street);

- Creation of new vehicular access points for each phase (including dropped kerbs and tactile paving);
- Footway improvement and reinstatement works;
- Improvements and carriageway resurfacing (including associated traffic calming measures to Old Mount Street, Little Nelson Street and Dantzic Street
- Improvements to the public realm including details of materials (including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and building line) and tree planting and soft landscaping where appropriate.

The approved scheme for each phase shall be implemented and be in place prior to the first occupation of the residential element of each phase and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

42) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 17 May 2017, within one month of the practical completion of each phase, and at any other time during the construction of the development if requested in writing by the City Council as Local Planning Authority, in response to identified television signal reception problems within the potential impact area a study to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before each phase is first occupied or within one month of the study being submitted for approval in writing to the City Council as Local Planning Authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

43) (a) Prior to the commencement of each phase, details of a local labour agreement in order to demonstrate commitment to recruit local labour for both the construction and operations elements of the that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved document shall be implemented as part of the construction and occupation phases of the development. Within six months of the first occupation of each phase details of the results of the scheme for that phase shall be submitted for consideration.

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

44) Prior to the first occupation of the residential element of the development within each phase, details of electric car charging points within the development for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details for that phase shall then be implemented and be in place prior to the first occupation of the residential element of the development.

Reason - In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

45) Prior to the first occupation of each phase, details of bird and bat boxes to be provided (including location and specification) shall be submitted for approval in writing by the City Council, as Local Planning Authority in that phase. The approved details shall then be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason - To provide new habitats for birds and bats pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

46) Prior to the demolition of building 3 on Plot 4, a method statement for an ecological watching brief shall be submitted for approval in writing by the City Council, as Local Planning Authority. The demolition of the building shall be carried out in accordance with the method statement and the watching brief maintained for the duration of the works.

Reason - In order to ensure that the demolition works do not disturb and protect habitats pursuant to policy EN18 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.

The developer or crane operator must contact Manchester Airports Control of Works Office at least 21 days in advent of intending to erect a crane or other tall construction equipment on the site. This is to obtain a tall equipment permit and to ascertain if any operating restrictions would be required. Any operating restriction that are subsequently imposed by Manchester Airport must be fully complied with.

Building Regulations - Fire Safety

You should ensure that any external wall treatments approved for planning purposes are discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

- With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail's Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could over-sail onto Network Rail air-space and potentially impact any over-head lines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.

- Network Rail will need to review and agree all excavation and earthworks to determine if the works impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree to the following:

- o Alterations to ground levels
- o De-watering works
- o Ground stabilisation works

Network Rail would need to review and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail.

Alterations in loading within proximity of the railway boundary must be agreed with Network Rail.

- Soakaways, as a means of storm/surface water disposal must not be constructed near / within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.

Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property.

Proper provision must be made to accept and continue drainage discharging from Network Rail's property.

Suitable foul drainage must be provided separate from Network Rail's existing drainage.

Drainage works could also impact upon culverts on developers land. Water discharged into the soil from the applicant's drainage system and land could seep onto Network Rail land causing flooding, water and soil run off onto lineside safety critical equipment / infrastructure; or lead to de-stabilisation of land through water saturation.

- To note are:

The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.

Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration.

Network Rail also often carry out works at night on the operational railway when normal rail traffic is suspended and often these works can be noisy and cause vibration.

Network Rail may need to conduct emergency works on the existing operational railway line and equipment which may not be notified to residents in advance due to their safety critical nature, and may occur at any time of the day or night, during bank holidays and at weekends.

Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for project or emergency works.

The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators, and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.

- The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.

o Any assessments required as a part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.

o Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.

o Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.

- The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken in proximity of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to:

- As the proposal includes works which may impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits,

review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA.

For major works / large scale developments an Asset Protection Agreement will be required with further specific requirements.

AssetProtectionLNWNorth@networkrail.co.uk

The applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found, all work should cease immediately and an assessment of how best to safeguard the bat(s) should be undertaken by an employed licensed bat worker. Natural England should also be informed.

Date: 25 August 2017

Signed: 

Julie Roscoe
Head 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/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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.

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 his 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

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

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

This Standing Advice is valid from 1st January 2017 until 31st December 2018