

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

Manchester City Council
C/o Agent

Agent (if used)

Mr Frank Fitzpatrick
Planit-IE
2 Back Grafton Street
Altrincham
WA14 1DY

Part 1 – Particulars of the application/development

Proposal: City Council Development - Public realm works to create a new public amenity space (Phases 1A, 1B and 1C) comprising the creation of a memorial feature to the Manchester Arena Attack, new entrance square in front of Manchester Cathedral (with potential use as events space), areas of new paving, amenity planting, raised lawns, tree planting, street furniture and lighting.

Location: Manchester Cathedral, Victoria Street, Manchester, M3 1SX

Date of application: 21 September 2020

Application number: 128045/VO/2020

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 pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the development and pre application advice about the information required to be submitted to support the application.

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

(a) Site Location Plans: MMQ-PLA-XX-XX-DR-L-0004-S4-P03-Site Location Plan and MMQ-PLA-XX-XX-DR-L-0005-S4-P03-Existing Site Plan;

(b) Dwgs MMQ-PLA-XX-XX-DR-L-0001-S4-P11-Landscape General Arrangement, MMQ-PLA-XX-XX-DR-L-0002-S4-P07-Landscape Masterplan, MMQ-PLA-XX-XX-DR-L-0003-S4-P04-Site Sections,, MMQ-PLA-XX-XX-DR-L-0006-S4-P06-M and E General Arrangement, MMQ-PLA-XX-XX-DR-L-0007-S4-P06-Tree Constraints Plan, MMQ-PLA-XX-XX-DR-L-1001-S4-P05-General Arrangement - Phase 1A and PL1784-ID-034-02-Design-Access-Statement;

(c)Dwgs 19.516 - 100 - General Arrangement - P1, 19.516 - 101 - Site Sections - P1, 19.516 - 102 - Halo - Detail Drawing - P1 and 19.516 - 200 - Soft Landscape - P1, Dwg 949-02 CIVIC C TR003 P02, Dwg 949-02 CIVIC C TR004 P02 and Dwg 949-02 Civic TR005 Rev PO1 VEHICLE TRACKING CHETHAM'S ACCESS Sheet 2

(d) Recommendations and Mitigation within in 949-02_Flood Risk Assessment_P01 - 21.08.2020, Dwgs 949-02-CIVIC-C-XX-DE-001_P02 - Drainage Details Sheet 1,949-02-CIVIC-C-XX-DE-002_P02 - Drainage Details Sheet 2, 949-02-CIVIC-C-XX-DE-003_P02 - Drainage Details Sheet 3, 949-02-CIVIC-C-XX-DE-004_P02 - Drainage Details Sheet 4, 949-02-CIVIC-C-XX-DE-010_P03 - Hardworks Details Sheet 1, 949-02-CIVIC-C-XX-DE-011_P02 - Hardworks Details Sheet 2, 949-02-CIVIC-C-XX-DE-012_P02 - Hardworks Details Sheet 3, 949-02-CIVIC-C-XX-DR-002_P01- Proposed SW Drainage Strategy Phase 1A, 949-02-CIVIC-C-XX-GA-001_P02 - Planit Proposals and Topo, 949-02-CIVIC-C-XX-GA-002_P02 - Planit Proposals and GPR Sheet 1, 949-02-CIVIC-C-XX-GA-003_P02 - Planit Proposals and GPR Sheet 2, 949-02-CIVIC-C-XX-GA-004_P02 - Planit Proposals and GPR Sheet 3, 949-02-CIVIC-C-XX-GA-005_P02 - Planit Proposals and GPR Sheet 4, 949-02-CIVIC-C-XX-GA-006_P02 - Planit Proposals and GPR Sheet 5, 949-02-CIVIC-C-XX-GA-007_P01 - Areas of Reusable Roadbase, 949-02-CIVIC-C-XX-SK-001_P02 - Existing Permeable Areas, 949-02-CIVIC-C-XX-SK-002_P02- Proposed Permeable Areas and 949-02-CIVIC-C-XX-SK-003_P02 - Underground Catacomb Locations; and 949-01-CIVIC-C-XX-DE-001 - Indicative Raingarden

(e) Recommendations in sections 4,5 and 6 of the Crime Impact Statement Version B dated 20-09-20;

(f) Management details set out in 4.25 Construction Phase Works of the Design and Access Statement by p.ie.;

(g) Principle set out in sections 4.3, 4.5, 4.6,4.7,4.8, 4.9, 4.10, 4.11, 4.12,4.13, 4.17. 4.18. 4.19 and 4.24 of the Design and Access Statement by p.ie;

(h) Responsible Sourcing document February 2020 by Galliford Try;

(i) Site Waste Management Plan (SWMP) measures set out in Waste Document 09-10-20;

(j) Responses on the following sections in p.ie e-mail 25-11-20 (Access Officer comments response) Bollards, Planting Strategy, Water/Rain Garden, Cycling, Parking and River Walk;

(k) Recommendations within Salford Archaeology Manchester Medieval Quarter Phase 1a Archaeological Watching brief; and

(l) Details of Hostile Vehicle Mitigation as set out in section 4.15 of the Manchester Medieval Quarter and Glade of Light Design and Access Statement by p.ie and dwgs MMQ-PLA-XX-XX-DR-L-0001-Landscape General Arrangement and MMQ-PLA-XX-XX-DR-L-0006-S4-P03-M and E General Arrangement subject to the criteria set out in GMP CTU's e-mails 17-11-20 and 27-11-20.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP 1, CC7, CC10, EN1, EN3, EN9, EN15, EN 16 and DM1 saved Unitary Development Plan policies DC18, DC19.1 and DC20 and DC26.

3) Notwithstanding the dwgs approved in condition 2 above no works in relation to Phase 1a are to take place on or adjacent to the boundary bridge structures (Palatine Bridge) between Salford City Council (SCC) and Manchester City Council (MCC) prior to evidence of formal written sign-off for the works (which shall include any structural works and material junction details) from Salford City Council's Structures and Bridges section being submitted to the City Council. The area to which this condition relates includes a minimum distance of 3 metres behind the back of the abutment on the Manchester bank.

Reason - To safeguard the structural integrity and visual amenities of nearby residents and in the interest of highway safety, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012).

4) Notwithstanding the dwgs approved in condition 2 above no works to layout the public realm in relation to Phase 1b shall commence unless or until final details of the revised configuration of the Victoria St/ Hunts Bank junction and the impact that this has on capacity at the junction, have been submitted to, and agreed in writing by, the City Council as local planning authority in consultation with Salford City Council.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out which has fully considered the highway capacity and safety implications of the proposals pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012).

5) Before works to layout the public realm in relation to Phase 1b commence final details of a hard and soft landscaping treatment scheme for area within the footprint of the former Palatine Building shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in accordance with an agreed delivery schedule to be submitted with the above details and shall be completed not later than 12 months from the date that any of the proposed space covered by phase 1b is first brought into use. 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, unless otherwise agreed in writing by the City Council as local planning authority.

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 policy DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

6) Notwithstanding the dwgs approved in condition 2 above, no works to the public realm in relation to Phase 1c shall commence unless or until final details of the maintenance of access and egress arrangements to and from Deansgate/ Cathedral Approach and the revised junction configuration of the Deansgate/ Victoria Bridge St/ Victoria St junction have been submitted to, and agreed in writing by, the City Council as local planning authority in consultation with Salford City Council.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out which has fully considered the highway safety implications of the proposals pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012)

7) Notwithstanding the dwgs approved in condition 2 above no works in relation to Phase 1c are to take place on or adjacent to the boundary bridge structures (Greengate footbridge or Victoria Bridge) between Salford City Council (SCC) and Manchester City Council (MCC) prior to evidence of formal written sign-off for the works (which shall include any structural works and material junction details) from Salford City Council's Structures and Bridges section has been submitted to the City Council. The area to which this condition relates includes a minimum distance of 3 metres behind the back of the abutment on the Manchester bank.

Reason - To safeguard the structural integrity and visual amenities of nearby residents and in the interest of highway safety, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012)

8) On the basis of the MEDIEVAL QUARTER, MANCHESTER GROUND INVESTIGATION FACTUAL REPORT dated February 2019 site no site remediation is required. Notwithstanding this a watching brief shall be implemented for (a) phase 1 (a), (b) phase 1 (b) and (c) phase 1 (c) to ensure that in the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time during the development being implemented then works shall cease until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the works shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to the use commencing.

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 Section 11 of the National Planning Policy Framework and policy EN18 of the Core Strategy.

9) A programme of archaeological works will be undertaken in accordance with the approved Written Scheme of Investigation prepared by Salford Archaeology, dated 14th September 2020: 'Manchester Medieval Quarter, Phase 1a - Written Scheme of Investigation for an Archaeological Watching Brief.'

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

10) No development shall take place in relation to (a) phase 1b and (b) phase 1c 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) an evaluation through trial trenching
- ii) dependent on the above, more detailed excavation (subject to a separate WSI)

2. A programme for post investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological and historical interest represented.

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

4. 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 archaeological heritage interest publicly accessible and pursuant to saved UDP policy DC20.1 .

11) A scheme to present the medieval and later heritage shall be submitted to and approved in writing by the City Council as local planning authority. The scheme will include a package of interpretation: physical, digital and publication. Details for Phase 1A are to be finalised in accordance with an agreed programme to be submitted to and approved in writing by the City Council as Local Planning Authority approved before first use of the landscaping scheme for Phase 1 A commences. Details for the later Phases 1B and 1C will be prepared and approved during the implementation of those phases and implemented in accordance with a programme to be agreed prior to the use of those phases commencing.

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 archaeological heritage interest publicly accessible, and pursuant to saved UDP policy DC20.1 .

12) Before the areas of public realm within Phase 1 C hereby approved are first brought into use a detailed Event Management Strategy for the event space outside of the Cathedral West entrance which includes detail of the following:

- (a) Details of the types of events that would be held within the space;
- (b) Temporary traffic measures that would be required to be put in place;
- (c) Details of how events would be co-ordinated with those being held at other nearby venues including the Arena and Printworks;
- (d) How full access for pedestrians and service vehicles to surrounding streets and buildings would be maintained;

- (e) Locations for vehicles including cranes to unload.
- (f) Details of alternative provision of parking spaces to ensure that access for disabled people to the space is not adversely affected.
- (g) Management of disabled access to events including details of how allowed for time for eventgoers to be escorted into and out of the building if necessary will be managed.

shall be submitted and agreed in writing by the City Council as Local Planning Authority.

Reason - In the interests of highway safety and amenity 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

13) Conditions 14 to 22 inclusive of this planning permission shall apply separately to the different phasing zones of the site as defined on a drawing MMQ-PLA-XX-XX-DR-L-0001 S4 Rev P08 (1 a, 1 b and 1 c)

Reason - For the avoidance of doubt to allow the development to be carried out in a phased manner, pursuant to Policy DM1 of the Core Strategy.

14) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- *Detailed temporary (during construction works) service access strategy;
- *Display of an emergency contact number;
- *Details of Wheel Washing;
- *Dust suppression measures;
- *Compound locations where relevant;
- *Location, removal and recycling of waste;
- *Routing strategy and swept path analysis;
- *Parking of construction vehicles and staff;
- *Sheeting over of construction vehicles;
- *Communication strategy with adjacent building occupiers and residents which shall include details of how there will be engagement, consult and notify residents during the works;
- * a dilapidation survey which should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site and proposals to make good.

Development 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).

15) Condition 1: No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

In order to avoid/discharge the above drainage condition the following additional information has to be provided:

*Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;

*Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

*Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building;

*Details of siltation prevention measures across the drainage network, which should be designed to reduce risk of blockage occurring at the shallow pipe gradients towards the River Irwell outfall. This should include prevention of mobilising green SuDS components substrates into the pipes.

*Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

*Where surface water is connected to Main River, any works within or adjacent to the river that would affect it would require consent from Environment Agency. An email of acceptance of proposed flows and/or new connection will suffice.

*Where surface water is connected to the Highway gullies to outfall into River Irwell, agreement in principle from Manchester City Council Highways Department is required. An email of acceptance of proposed flows and/or new connection will suffice.

*Hydraulic calculation of the proposed drainage system;

*Construction details of flow control and SuDS elements.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

If there is no clear adoption policy in place to take over the proposed drainage system after construction, we suggest the following construction and maintenance condition to be considered by the LPA:

16) No development hereby permitted shall be brought into use until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall

be implemented and thereafter managed and maintained in accordance with the approved details. 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 to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

17) Prior to commencement of development a site specific plan shall be submitted and approved in writing by the City Council as Local Planning Authority. Any site clearance, earth moving shall take place or material or machinery brought on site shall then be carried out in accordance with the approved plan and on the basis of compliance with the following:

Environmental good practice on-site_c692
Hs&s-bpg-e04-101 spill response planning & control
HS&S-BPG-P04-101 Environmental Constraints Map & Site Drainage Plan
HS&S-BPG-P04-102 Contractors Environmental Requirements
Hs&s-frm-e04-01 spill response plan
Hs&s-frm-e06-01 environmental risk register_v7.01
HS&S-FRM-P04-01 Environmental Site Visit Checklist
Hs&s-frm-p04-02 pep(e&w)
HS&S-FRM-P04-04 Environmental Site Set Up Form
Hs&s-std-n02 nuisance management
Hs&s-tbt-e04-301 spill control
Hs&s-tbt-n02-301 dust & air quality

Reason: To secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

18) Before any works to install any of the following elements within the scheme commence final details shall be submitted to and agreed in writing by the City Council as local planning authority as applicable to each phase:

- (a) Text /lettering to the 'Halo';
- (b) Details of the (i)seating, (ii) cycle stands (to include provision for disabled cyclists) and final number ((v) feature floor grating, including materials and design(s)(vi) litter bins,(vii) lighting and (viii) edging to the rain gardens;
- (c) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and brick, bird boxes and appropriate planting;
- (d) Surface materials including tactile paving, kerb edgings and details of kerb levels;

- (e) Details of anti- skateboard features;
- (f) Details of signage including directional signage and tactile / interpretive maps;
- (g) Demarcation between adopted and non adopted highway (Phase 1B);and
- (h) Details of a the kerbed upstand along the vehicular route between Victoria Bridge Street and Cathedral Approach. This route is to remain outside of the secure line and will remain adopted highway, and as such will need to act as a designated vehicular route to prevent conflict with pedestrians;

The detailed scheme shall demonstrate adherence to the relevant sections of DFA2 and MCC-recommended guidance in relation to Age Friendly Public Realm including Age-Friendly Seating and Sense of Place and the Alternative Age-Friendly Handbook.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building, to ensure that paving materials are consistent with the use of these areas as pedestrian routes and that the proposed fixtures, fittings and detailing of access / egress to and from and movements within the proposed areas of public realm are suitable for use by disabled people seeking compliance with Design for Access 2 and in accordance with saved policy DC19.1; of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

19) Before works to layout the public realm commence, final details of the proposed soft landscaping including tree planting (details of overall numbers, size, species and planting specification) shall be submitted to and agreed in writing by the City Council as local planning authority:

The approved scheme shall be implemented in accordance with an agreed delivery schedule and not later than 12 months from the date that each of the proposed phases covered by this application are first brought into use. 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 Core Strategy policies SP1, DM1, EN1, EN9 and EN15 of the emerging Core Strategy.

20) Prior to first use of the public realm full details of a maintenance strategy including details of who would be responsible for the ongoing maintenance of trees, surfaces, lighting, street furniture, drainage, planting and litter collection and details of where maintenance vehicles would park shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The approved strategy shall remain in operation in perpetuity.

Reason

In the interests of amenity pursuant to Core Strategy policy DM1

21) Prior to the use commencing details of a permanent servicing strategy outlining how servicing and site traffic access will be maintained to adjacent buildings including when there are events such as Christmas Markets which might impact on normal service routes, shall be submitted to and approved in writing by the local planning authority to include evidence of consultation to seek agreement to the plan with the adjacent building owners and their agents.

Servicing shall be carried out in accordance with the approved plan.

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

22) Prior to development commencing a lighting impact assessment on the River Irwell for the street lighting shall be submitted to and approved in writing by the LPA. The strategy shall:

(a) show how and where street lighting will be installed and through appropriate lighting contour plans demonstrated clearly that any impacts on the River for bats is negligible and;

(b) discuss the potential impact of future phases on the River

All external lighting shall be installed in accordance with agreed specification and locations set out in the strategy

Reason : In the interests of the protection of bat roosts and associated foraging and commuting areas pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP

23) 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.

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

Lighting Design - It recommended based on proximity to River Irwell, and it being a key ecological network and wildlife corridor, that any new riparian lighting scheme work to Bat Conservation Trust guidance <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>.

Flood Risk Activity Permit (FRAP)

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the bank of the River Irk which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Flood Risk Standing Advice (FRSA) applies in relation to the Flood Risk Assessment (FRA) for the application. For details please see:

<https://www.gov.uk/guidance/flood-risk-assessment-local-planning-authorities#flood-zone-2>

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately

and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Following the public realm works it is proposed that the entirety of Victoria Street will be subject to a prohibition of driving order, except for access. The proposed Traffic Regulation Order (TRO) extension should be delivered as part of a S278 agreement. It should be ensured that the TRO and legal orders for the entirety of Victoria Street and Cathedral Approach are worded the same i.e. the orders permit the same vehicle access / egress.

The applicant will be required to fund the decommission and subsequent removal of the signals at the Victoria Street arm, including associated costs to amend ducting. This should be agreed as part of the S278 agreement but will also require liaison with TfGM Urban Traffic Control.

The use of non-standard materials within the adopted highway will require commuted sums to be provided for the ongoing maintenance of the materials. The required contribution should be agreed as part of the S278 agreement.

It is also recommended that the applicant liaises with Manchester City Council's Flood Risk Management and Street Lighting teams to discuss lighting and drainage associated with the site public realm.

S278 HIGHWAY WORKS:

A S278 agreement will be required for all amendments to the existing adopted highway. These works would need to be funded by the developer. The applicant can begin the S278 process by following the below web address:

http://www.manchester.gov.uk/directory_record/270134/permission_to_do_work_on_the_highways_-_section_278_agreements/category/355/highways_and_pavements

STRUCTURES:

Should retaining walls be required as part of the public realm scheme. The applicant should submit for checking (for a fee) structural drawings and calculations for the temporary and permanent support works to MCC Structures section in order to obtain an approval in principal.

MCC will require a kerbed upstand along the vehicular route between Victoria Bridge Street and Cathedral Approach. This route is to remain outside of the secure line and will remain adopted highway, and as such will need to act as a designated vehicular route to prevent conflict with pedestrians.

Appropriate drainage should be installed throughout the public realm area i.e. no slot drain channels should be permitted within this scheme. The developer should confirm that this is the case.

The applicant should apply for a S278 agreement with the contractor name used to progress the legal commission to MCC Highways. This is the case for similar public realm schemes funded by MCC.

Date: 22 January 2021

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

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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.