MANCHESTER CITY COUNCIL

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 of £85 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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Outline Planning Application for housing-led mixed use redevelopment comprising: a maximum of 565 new dwellings;
a Community Hub building(s) comprising Class A1 retail, Class A2 offices, Class A5 hot food takeaway (maximum floorspace 120 sq.m in total), Class B1office floorspace and Class D1 health centre and ancillary pharmacy use (maximum 1650sqm GFA non-residential space in total); new recreation open space; and associated access and infrastructure provision , following demolition of existing buildings.

Location: Land Between Hyde Road/Pottery Lane/Bennett Street, West Gorton, Manchester, M12

Date of application: 9 May 2012

Application number: 099219/OO/2012/N2

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).

Reason(s) for decision

On the basis that the Council has taken the environmental information in the Environmental Statement (as defined in the EIA regulations) into consideration, and the proposal is, subject to compliance with the conditions below, generally in accordance with the policies contained within the National Planning Policy Framework, in particular sections Policy 1(Building a strong, competitive economy by securing economic growth in order to create jobs and prosperity) by creating jobs in the construction, commercial and retail sectors within West Gorton ; Policy 4 (Promoting sustainable transport by safeguarding access to public transport and promoting the use of travel) by promoting sustainable transportation within the development through travel plans within West

Gorton and improving access to jobs by being located so as to reduce the need to travel; Policy 6 (Delivering a wide choice of high quality homes by delivering a wide range of high quality homes) by the development providing a range of quality residential accommodation; Policy 7: (Requiring good design by contributing to sustainable development and making places better for people sustainability criteria through) by controlling the quantum of development and the Code Level 4 requirement;
and Core Strategy policies - Policy SP1 (Spatial Principles)by making a positive contribution to the neighbourhood, Policy H1(Overall Housing Provision) and Policy H2 (Strategic Housing Location) by being located within an area identified as being a strategic location for new housing; Policy H4 (East Manchester) by delivering new homes in East Manchester ; Policy H8 (Affordable Housing) by seeking to deliver affordable housing by way of development agreements; Policy EC2 (Existing Employment Space) due to the proposals being able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing uses on the site; Policy EC 5 (East Manchester) by providing commercial floorspace along a key radial route; Policies EN5 and EN6 (Strategic Areas for low and zero carbon decentralised energy infrastructure and Target Framework for CO2 reductions from low or zero carbon energy supplies) by seeking to achieve the targets set through sustainable development criteria through Code level 4; Policy EN10 (Safeguarding Open Space, Sport and Recreation Facilities)and Policy EN12 - (Area priorities for Open Space Sport and Recreation) by providing new areas of open space in a central location within the proposed development which would be more accessible to local residents; Policy EN3 (Heritage) by minimising any potential impact on the setting of St. Benedict's Church which is Grade II* listed building on Bennett Street; Policy EN14 (Flood Risk) by mitigation measures to reduce the risk from flooding to future occupiers; Policy DM1 (Development Management) by according with the design principles in the policy in terms of access;
and saved Unitary Development Plan Policies Policy DC7 by the provision of housing which is accessible , and Policy DC16 by retaining exiting trees wherever possible; and there are no material considerations of sufficient weight to indicate otherwise.

Condition(s) attached to this decision

1) a) Applications for approval of reserved matters for Phase 1 of development must be made not later than the expiration of three years beginning with the date of this permission. The development of the Phase 1must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

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

1b) Applications for approval of reserved matters for Phase 2 of development must be made not later than the expiration of 5 years beginning with the date of this permission. The development of Phase 2 must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

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

1c) Applications for approval of reserved matters for Phase 3 of development must be made not later than the expiration of 8 years beginning with the date of this permission. The development of Phase 3 must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

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

2) Before development of each Phase is commenced, the applicant shall submit detailed plans and particulars to the Council, as Local Planning Authority and obtain approval of the following reserved matters: the appearance of the proposal; layout; scale and the landscaping of the site.

Reason - To ensure the satisfactory development of the site and because this application is in outline only, and to ensure that the conditions attached to the consent are complied with for each Phase of the development.

3) Development shall be carried out in accordance with the Phasing Principles Plan (04008) and the programme outlined within the Design & Access Statement; in particular:

(i) the development will proceed consecutively; Phase 2 after Phase 1; and Phase 3 after Phase 2, unless otherwise agreed in writing by the City Council as local planning authority;

(ii) no development shall take place in Phases 2 and 3 until after the City Council as local planning authority have agreed in writing that all site enabling works (i.e. ground de-contamination and remediation) for the previous Phase are complete.

(iii) site enabling works and plot development in any particular phase may be carried out concurrently.

Reason - To ensure the development is carried out in accordance with the sequencing / phasing described in the Environmental Statement, to ensure that the provision of infrastructure and public realm is properly co-ordinated and comprehensively provided with the built development.

4) The development hereby approved shall be carried out in accordance with the drawings numbered 01001(existing site plan) ; 04007 (development parameters); and 04008 (phasing principles), Design and Access Statement (including Statement of Community Involvement); Planning Statement; West Gorton Regeneration Masterplan - Environmental Statement Volume 1 Non -Technical Summary; West Gorton Regeneration Masterplan - Environmental Statement; Volume 2 Main Text ; West Gorton Regeneration Masterplan - Environmental Statement Volume 3 Figures & Appendices,received 9th May 2012, and e-mail dated 11th October 2012 in relation to

minimum numbers of residential units, unless otherwise agreed in writing with the City Council as Local Planning Authority.

The following supporting information has also been submitted to support the proposals: 04001 rev.D (indicative masterplan layout); Transport Assessment; Framework Travel Plan; Waste Strategy; Crime Impact Statement; (received 9th May 2012).

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 for Manchester.

5) Prior to commencement of works on site, a construction method statement (including details of any vibro compaction works), and a strategy for the management of construction traffic, (including information regarding site approach routes, and directional signage) shall be submitted to and approved in writing by the City Council as local planning authority. The construction method statement and strategy shall be implemented in full throughout the construction period.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

6) All contractors vehicles entering and leaving the site during the construction period shall pass through a wheel wash. A 'Wheel Wash Scheme' for each phase shall be submitted to and approved in writing by the Council as local planning authority prior to the commencement of development of that Phase. The Wheel Wash Scheme shall provide details of the location of the wheel wash which shall ensure that it is positioned to allow use throughout each Phase of construction. The wheel wash shall be retained and available for use throughout the construction period.

Reason - To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

7) All contractors' vehicles entering and leaving the site during the construction period shall be sheeted.

Reason - To ensure that the proposed development is not prejudicial or a nuisance to the adjacent premises in the interests of public health and amenity, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

8) The details of an emergency telephone contact number for the contractor; shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

9) Construction of any Phase of development hereby approved by this permission shall not take place unless and until samples and specifications of the materials to be used on all external elevations of that Phase of development have been submitted to and

approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved.

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

10) The car parking shall be surfaced, demarcated and made available for use before each Phase of development is occupied, in accordance with details to be submitted to and approved in writing by the City Council as Local Planning Authority. The car parking spaces shall then be available at all times whilst the buildings are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

11) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secure by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secure by Design accreditation.

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

12) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' and at least 4 under the Code for sustainable homes for those elements of the development, which are residential in nature. A post construction review certificate in relation to any particular Phase shall be submitted to and approved in writing by the City Council as local planning authority before that Phase is first occupied.

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, policies ER13 and DP3 of Regional Spatial Strategy for the North West (RSS13) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

13) No development of any Phase shall commence until there has been submitted to and approved in writing by the local planning authority a plan relevant to that Phase indicating the positions, design, materials and type of boundary treatment to be erected together with the proposed timing of the erection of the boundary treatment. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

14) No commencement of any Phase of development after 5 years from the grant of this permission shall take place until an update of the Transport Assessment specific to that Phase has been submitted to and approved in writing by the City Council as local planning authority. Development shall be carried out in accordance with the approved details and shall thereafter be retained .

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

15) Full detailed designs (including specifications) of all highways works within each Phase (as shown on phasing plan ref: 04008) shall be submitted to and approved in writing by the City Council as Local Planning Authority, prior to the development of that Phase commencing. The development of that Phase shall be implemented in accordance with the approved details prior to the commercial uses being brought into use and prior to any residential unit within the Phase being first occupied and in accordance with the Phasing Plan ref: 04008.

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

16) No part of any Phase of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority, and in accordance with the Phasing Plan ref: 04008. These facilities shall then be permanently retained and reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport, pursuant T1and DM1 of the Core Strategy for Manchester.

17) No development of any Phase shall commence until details of a Travel Plan with the objective of reducing car borne journeys; and including particulars of its implementation and monitoring of effectiveness and how measures to improve effectiveness shall be implemented , (with specific reference to traffic management measures based on monitoring data of the existing traffic volumes in conjunction with the future traffic forecasts) for that phase of development shall be submitted to and approved in writing by the City Council as local planning authority prior to first occupation of any dwelling within the Phase ; For so long as the use is in operation the local planning authority shall be provided with such information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority, as part of the Travel Plan.

Reason - To assist promoting the use of sustainable forms of travel pursuant to policies SP1, T2 and DM1 of the Core Strategy for Manchester.

18) Details of access proposals to each Phase of development for mobility impaired persons including route widths, levels and gradients, shall be submitted to and approved in writing by the City Council as local planning authority before development of each Phase commences. The approved details shall be implemented before that Phase of the development is first brought into use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester saved policy DC7, and policy DM1 of the Core Strategy for Manchester.

19) Within six months of first occupation of any Phase of the development, a repaving strategy for the public footpaths and redundant vehicular crossings within that Phase shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

20) Before any Class A1, A2, A5 ,B1, and D1 uses hereby approved commences, the premises , together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 , H1 and DM1 of the Core Strategy for Manchester.

21) Before each Phase of the development commences an acoustic attenuation scheme to protect against noise from Hyde Road, nearby railway lines, and any commercial or public areas, including particulars of the internal noise levels to be achieved, acoustic glazing and acoustically treated ventilation to be installed as part of that Phase of the development , shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in full before use of the residential premises within that Phase first commences.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant policies SP1,H1 and DM1 of the Core Strategy for Manchester.

22)) No demolition or development of any Phase shall commence until a programme of archaeological investigation for that Phase, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the City Council as local planning authority. The type and extent of investigation should be dependent on the heritage and archaeological assets identified within each Phase and should be focused on these assets. The programmes of archaeological investigation should be informed by Chapter 7 of the Environmental Statement submitted with this application. The programmes of archaeological investigation should include the following elements:
(a) A phased programme and methodology of site investigation and recording to include:

- desk-based documentary research
- archaeological building survey (English Heritage Level 3)
- an intra-soft-strip and demolition watching brief
- targeted evaluation
- (informed by the above) targeted excavation and recording;

(b) 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.

(c) Provision for publication and dissemination of the analysis and report on the site investigation to include:
- a bound hardcopy and digital copy of the final assessment report with the Historic Environment Record
- (dependent upon the investigation results) a volume in the series - Greater Manchester¿s Past Revealed¿.

(d) Provision for archive deposition of the report, finds and records of the site investigation.

(e) Nomination of a competent person or persons/organisation to undertake the works set out within the approved written statement of investigation

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved Policy DC20.1 of the Unitary Development Plan for the City of Manchester and in accordance with NPPF Section 12, Paragraph 141(- To record and advance understanding of heritage assets to be lost and to make information about the archaeological heritage interest publicly accessible), and policies SP1, H1,EN1 and DM1 of the Core Strategy for Manchester.

23) a) Before each Phase of the development hereby approved commences, a report (the Preliminary Risk Assessment the Desk Study) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas within that Phase shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to the City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

The Desk Study shall be prepared by a suitably qualified person whose competence to carry out the Desk Study has been approved in writing by the City Council as local planning authority (an "Expert").

In the event of the Preliminary Risk Assessment Desk Study identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development of that Phase shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal Scheme) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal Scheme shall be carried out, by an Expert (being an identified individual whom the Council as LPA has agreed in writing is sufficiently qualified to act as Expert) before development of that Phase commences and the Expert shall prepare a report outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development of that Phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy / Site Investigation Report, and a Completion/Verification Report assessing compliance with the Remediation Strategy and/or Site Investigation 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 of the individual Part Phase shall cease and/or the development shall not be occupied until, an Expert has prepared a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy / Site Investigation Report) which shall be 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 / Site Investigation Report, which shall take precedence over any Remediation Strategy Site / Site Investigation Report or earlier Revised Remediation Strategy / Site Investigation Report.

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 EN18 and DM1 of the Core Strategy for Manchester.

24) No development of any Phase of the development hereby permitted shall commence until fully detailed cross section plans of the existing and proposed external ground levels of that Phase have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details, unless otherwise agreed with the local planning authority.

Reason - To safeguard residential and visual amenity, and to ensure that a satisfactory development is carried out, pursuant to policy DM1 of the Core Strategy for Manchester .

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

Reason - To ensure adequate lighting within the development and to ensure full accessibility within the public realm works, pursuant to policies SP1 and policy DM1 of the Core Strategy for Manchester.

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

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

27) Prior to the commencement of development of any Phase a scheme for the storage and disposal of refuse including storage of recyclable materials for that Phase of development, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

28) Prior to the commencement of development, a method statement and strategy to monitor NO2 levels within an agreed locality shall be submitted to and approved in writing by the City Council as local planning authority. The approved strategy shall be implemented prior to the commencement of the development, and shall be retained in situ at all time thereafter, unless otherwise agreed in writing with the local planning authority.

Reason - To safeguard the amenities of nearby residents and to keep a watching brief on air quality associated with the scheme, pursuant policies SP1 and DM1 of the Core Strategy for Manchester.

29) Before development falling within Class A1, A2, ,A5 ,B1, and D1, purposes commences, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 andM1 of the Core Strategy for Manchester.

30) No loading or unloading to the Class A1,A2, A5, B1 and D1 development (including waste collections) , shall be carried out after 8.00p.m. Mondays to Saturdays with no loading and unloading on Sundays and Bank Holidays. Loading and unloading shall be restricted to the period between 07:30 a.m. and 8:00p.m. daily.

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

31) The hours of use of the Class A1 , A2, A5, B1, and D1 units within the development, are to be submitted to and agreed in writing by the City Council as Local

Planning Authority, prior to the first occupation of the buildings for those uses. The development shall only be carried out in accordance with the approved hours of opening.

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

32) Details of any roller shutters or security grilles to be installed within the development for each , Phase of development, shall be submitted to and agreed in writing by the City Council as Local Planning Authority before these are in place. Roller shutters and grilles shall be of an open grille construction, with the housing for the mechanism recessed behind the plane of the wall where the mechanism is to be located and shall be colour-coated.

Reason -In the interests of visual amenity, pursuant to saved policies DC14 and E3.3 of the Unitary Development Plan for the City of Manchester, and polices SP1 and DM1 of the Core Strategy for Manchester.

33) Upon the occupation of the commercial units, any roller shutters on the frontage of the commercial units shall be open/raised on days that the businesses are open from 9.00 a.m. until the unit closes that same day.

Reason - In order to ensure that the appearance of the building is in keeping with the character of the area, pursuant to saved policies DC14 and E3.3 of the Unitary Development Plan for the City of Manchester, and policies SP1 and DM1 of the Core Strategy for Manchester.

34) Before the development of any Phase hereby approved commences a shop front and signage design strategy for the commercial units shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with the approved details.

Reason - To protect the visual amenity of the development, pursuant saved Unitary Development Plan polices DC15.1 and DC15.2, and policies SP1 and DM1 of the Core Strategy for Manchester.

35) Before development of each Phase commences, full details , including scaled elevations, plans and cross-section drawings, of temporary infill panels to the ground floor commercial units shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The details submitted shall include an explanation, in drawings or text, of how the proposed works will resist fly posting and graffiti, and how they will be maintained in good condition. Any works approved in discharge of this condition shall be implemented in full before any part of the development under this planning consent is first used, or by such time as may be agreed in writing with the City Council as Local Planning Authority. The strategy for maintaining the infills in good condition shall be operational at all times until the temporary infills are removed from the site.

Reason - In the interests of visual amenity and to ensure that the frontage of the units before occupation has a good appearance within the streetscene, and that this

appearance is maintained, pursuant to Manchester Unitary Development Plan saved policy E3.3, and policies SP1 and DM1 of the Core Strategy for Manchester.

36) A litter bin of a size and type to be approved in writing by the City Council as local planning authority shall be installed on the forecourt of any premises falling within Class A1, and A5 use, before the use commences and shall remain there for so long as the use is in existence.

Reason - To maintain the quality of the street environment in the locality of the development in order to comply with saved Policies DC10.1, DC10.4 and DC10.5 of the Unitary Development Plan for the City of Manchester, and policies SP1 and DM1 of the Core Strategy for Manchester .

37) Before each Phase of the development hereby approved commences, a hard and soft landscaping treatment scheme for all areas of open space and landscaping within that Phase together with long term maintenance arrangements (including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens)has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date of first occupation of any building within that Phase. 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 agree in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for each Phase of 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 for Manchester.

38) No trees shall be felled, or have any works undertaken on them, during the bird nesting season (March to August inclusive), unless otherwise agreed with the City Council as Local Planning Authority.

Reason - To ensure the protection of wildlife habitats in the locality , pursuant to policy EN15 of the Core Strategy for Manchester.

39) Within each Phase of the development, all trees, shrubs and hedges within the Phase and/or trees whose root structure may extend within the Phase, which are to be retained shall be fenced off in accordance with British Standard 5837 (1991) before any building or other operation approved by this permission is carried out . Thereafter, no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence during the construction period.

Reason - In order to avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area, pursuant to policy EN9 of the Core Strategy for Manchester .

40) Prior to commencement of each Phase of development, full details of a scheme for the management, destruction and /or disposal of Japanese Knotweed, to be carried out by the developer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. This plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority for approval . Any such scheme shall be implemented in full.

Reason - To prevent the spread of Japanese Knotweed which has been found on part of the site in accordance with the Wildlife and Countryside Act 1981.

41) No Phase of development approved by this permission shall commence until the existing buildings within that phase have been surveyed for evidence of use by bats prior to demolition. The results of this survey shall be submitted to and approved by the City Council as Local Planning Authority . If bats are found to inhabit these buildings, no development of that phase shall commence until a scheme for the conservation of this species has been agreed with the Local Planning Authority. The development shall be implemented in accordance with the details so approved.

Reason - To protect bats and their roost sites pursuant to policy EN15 of the Core Strategy for Manchester.

42) No part of each Phase of the development hereby permitted (such works to include the demolition of built structures) shall commence until, details of a permanent bat roost, as part of the approved development and associated lighting scheme have been submitted and agreed with the Local Planning Authority. The permanent bat roost and lighting scheme shall be installed in accordance with the agreed design,.

Reason - To provide a replacement roost for bats a European Protected Species (Habitats Regulations 1994) and to comply with policy EN15 of the Core Strategy for Manchester.

43) Within six months of the date of approval of reserved matters for any Phase, a comprehensive Landscape and Ecology management plan for the long term management of all newly established planting, newly created or enhanced habitats, shall be submitted for approval to the City Council as the local planning authority. The landscape management plan shall be carried out as approved.
The scheme shall include the following elements:
- detail extent and type of new planting including planting schedule.
- details of all new or retained greenspace which create a coherent and linking ecological network
- details of all maintenance regimes
- details of any new habitat created on site, in particular any new above ground SUDs features or skylighted sections of Corn or Black Brooks.
- details of management responsibilities

The development shall be implemented in accordance with the details so approved.

Reason - To ensure that landscape and ecology management is adequately in place; to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning

policy, and to ensure the longevity of new planting in different areas of the site and to comply with policy EN15 of the Core Strategy for Manchester.

44) No development of any Phase shall commence until a Flood Risk Assessment for that Phase has been submitted to and approved in writing by the City Council as local planning authority. The Phase shall be constructed in compliance with the requirements of the Flood Risk Assessment which have been identified by the local planning authority as being desirable in the interests of flood prevention, amenity, health or safety

Reason - To ensure that the development does not increase the risk of flooding , and to ensure the health and safety of the occupants of the development, pursuant to policies EN14 and DM1 of the Core Strategy for Manchester.

45) The development hereby permitted shall not be commenced until such time as a scheme to provide 'level for level' compensatory flood plain storage associated with Corn Brook has been submitted to, and approved in writing by the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To ensure flood risk is not increased elsewhere by loss of flood plain, and to ensure the health and safety of the occupants of the development, pursuant to policies EN14 and DM1 of the Core Strategy for Manchester.

46) The development hereby permitted shall not be commenced until such time as details of the proposed development floor levels have been submitted to, and approved in writing by the local planning authority.
The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason -To reduce the risk of flooding to the proposed development and occupants and to ensure the health and safety of the occupants of the development, pursuant to policies EN14 and DM1 of the Core Strategy for Manchester.

47) The development hereby permitted shall not be commenced until such time as a scheme to regulate surface water run-off from the proposed development has been submitted to, and approved in writing by, the local planning authority.

The scheme shall show compliance with the Council's be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason -To ensure flood risk is not increased elsewhere, pursuant to policies EN14 and DM1 of the Core Strategy for Manchester.

48) No development within Phase 3 shall commence until a scheme to ensure that an 8 metre strip either side of the Black Brook and Corn Brook Culverts will be kept free from impediments to access to the culverts has been submitted to and approved in writing by

the City Council as local planning authority. Any such scheme shall be implemented and kept in operation in perpetuity.

Reason - To preserve access to the watercourse for maintenance and improvement in the interests of flood prevention, pursuant to policy EN17 of the Core Strategy for Manchester.

49) Notwithstanding the provisions of Class A, D, E, G Part 1, Class A, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 of any subsequent amending legislation, no extensions, free standing buildings or means of enclosure to properties within Phase 3 of the development shall be erected within an 8 strip either side of the Black Brook and Corn Brook. No ground levels shall be changed within the 8m strip either side of the Black Brook and Corn Brook culverts..

Reason - To preserve access to the watercourse for maintenance and improvement in the interests of flood prevention, pursuant to policy EN14 of the Core Strategy for Manchester.

50) Prior to the commencement of Phase 3 of the development hereby approved a method statement giving details of measures to be taken to prevent any surface water drainage, and construction materials from the development reaching the Corn Brook and Black Brook Culverts shall be submitted to and approved in writing by the City Council as local planning authority. The measures to prevent any surface water drainage, and construction materials from the development reaching Corn Brook and Black Brook Culverts hereby approved shall be implemented in full before Phase 3 of the development commences.

Reason - To prevent pollution of the Corn Brook and Black Brook Culverts, pursuant to policy EN14 and EN17 of the Core Strategy for Manchester.

51) No soakaways as a means of storm/surface water disposal must be constructed within 10 metres of any boundary with a railway line.

Reason - In the interests of railway safety, and to ensure that the development does not increase the risk of flooding , pursuant to policies EN14, T1 , and DM1 of the Core Strategy for Manchester.

52) Any scaffolding which is to be erected /constructed within 10metres of a boundary to a railway line must be erected in such a manner that at no time will any poles oversail the railway line. A method statement giving details of measures to be taken to prevent construction materials from the development within that Phase reaching the railway (including protective fencing) shall be submitted to and approved in writing by the City Council as local planning authority before the development of that Phase commences. The measures (including protective fencing)to prevent any construction materials from the development reaching the railway line hereby approved shall be implemented in full before that Phase of development commences.

Reason - In the interests of railway safety, pursuant to SP1 and DM1 of the Core Strategy for Manchester.

53) The first use of each of the commercial units 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 subject to the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development pursuant policy DM1 of the Core Strategy for Manchester .

54) No development in excess of the external floorspace limits set out below shall take place:- residential units (565), Class A1 retail, Class A2 offices, and Class A5 hot food takeaways (120sq.m max floorspace in total for A5), Class B1 (offices) and Class D1 Class D1 health centre and ancillary pharmacy use (maximum 1650sqm Gross Floor Area for all non-residential space in total).

Reason - To ensure that the development does not exceed the quantum hereby permitted, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester .

55) No demolition works shall be undertaken until a demolition methodology statement (including mitigation measures) has been submitted to and approved in writing by the City Council as local planning authority. The demolition methodology statement strategy shall be implemented in full throughout the demolition period.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

56) Notwithstanding the provisions of Class A, D, E, G Part 1, Class A, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 of any subsequent amending legislation, no extensions, free standing buildings or means of enclosure to properties within any Phase of the development shall be erected on any public sewer or within a 4metre strip either side of any public sewer; and no deep rooted shrubs and trees should be planted in the vicinity of the public sewer and overflow systems, unless full details of methodology for ensuring no undue impact is caused to the sewerage system, and those works are fully agreed in writing with the local planning authority.

Reason - To preserve access to the sewer for maintenance and improvement in the interests of flood prevention, pursuant to policy EN14 of the Core Strategy for Manchester.

57) `No development in excess of the maximum external limits, or below the minimum external limits set out below shall take place:-

Dwellinghouses Minimum height - single storey
Maximum height - three storeys

Apartments and mixed use developments Minimum height - two storeys
Maximum height - four storeys

Reason - To ensure that the development does not exceed the quantum hereby permitted, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester

Informatives

This permission does not grant approval under Building Regulations.

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.

Date: 1 November 2012

Signed: 

Julie Roscoe
Head of Planning
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, he may appeal to the First 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 Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he 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 of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.
Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com