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 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	Agent (if used)
Mr David Knowles Wythenshawe Community Housing Group WIllow Park House 8 Poundswick Lane Wythenshawe Manchester M22 9TA	Mrs Denise Giblin Pozzoni LLP 2 Woodville House Woodville Road Altrincham Cheshire WA14 2FH

Part 1 – Particulars of the application/development

Proposal: Erection of a part 2 to part 8 storey development to create 135 (2 bed) retirement apartments, with extra care facilities, incorporating communal facilities, associated landscaping, car parking and a new footbridge over Hollyhedge Road.

Location: Land To The North And West Of Hollyhedge Court And To The North And East Of Benchill Court, Hollyhedge Road , Benchill, Manchester, M22 4QP

Date of application: 3 December 2013

Application number: 104370/FO/2013/S2

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 31 Declaration

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:

1. P3642-100 rev A, stamped as received on 3rd December 2013

2. P3642-101 rev A, stamped as received on 3rd December 2013
3. P3642-109 rev A, stamped as received on 3rd December 2013
4. P3642-110 rev A, stamped as received on 8th December 2013
5. P3642-111 rev A, stamped as received on 3rd December 2013
6. P3642-113, stamped as received on 20th December 2013
7. P3642-300 rev A, stamped as received on 3rd December 2013
8. P3642-301 rev A, stamped as received on 3rd December 2013
9. P3642-HH-120P rev A, stamped as received on 3rd December 2013
10. P3642-HH-121P rev A, stamped as received on 3rd December 2013
11. P3642-HH-122P rev A, stamped as received on 3rd December 2013
12. P3642-HH-123P rev A, stamped as received on 3rd December 2013
13. P3642-HH-124P rev A, stamped as received on 3rd December 2013
14. P3642-HH-125P rev A, stamped as received on 3rd December 2013
15. P3642-HH-126P rev A, stamped as received on 3rd December 2013
16. P3642-HH-127P rev A, stamped as received on 3rd December 2013
17. P3642-HH-128P rev A, stamped as received on 3rd December 2013
18. P3642-HH-130P rev A, stamped as received on 3rd December 2013
19. P3642-HH-131P rev A, stamped as received on 3rd December 2013
20. P3642-HH-314 rev A, stamped as received on 3rd December 2013
21. P3642-BH-120P rev A, stamped as received on 3rd December 2013
22. P3642-BH-121P rev A, stamped as received on 3rd December 2013
23. P3642-BH-122P rev A, stamped as received on 3rd December 2013
24. P3642-BH-123P rev A, stamped as received on 3rd December 2013
25. P3642-BH-124P rev A, stamped as received on 3rd December 2013
26. P3642-BH-125P rev A, stamped as received on 3rd December 2013
27. P3642-BH-126P rev A, stamped as received on 3rd December 2013
28. P3642-BH-130P rev A, stamped as received on 3rd December 2013
29. P3642-BH-131P rev A, stamped as received on 3rd December 2013
30. 13.540 001, stamped as received on 3rd December 2013
31. 13.540 002, stamped as received on 3rd December 2013
32. 13.540 101 P-01, stamped as received on 3rd December 2013
33. 13.540 102, stamped as received on 3rd December 2013
34. 13.540 103, stamped as received on 3rd December 2013
35. 13.540 104 P-01, stamped as received on 3rd December 2013
36. 13.540 105 P-01, stamped as received on 3rd December 2013

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.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

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

4) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of "very good" under the BRE New Construction: Multi-residential standards. A post construction review certificate shall be submitted to and approved in writing by the City

Council as local planning authority within a timescale previously agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document for the City of Manchester

5) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured 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 Secured by Design accreditation.

Reason - To reduce the risk of crime, pursuant to policy DM1 in the Core Strategy Development Plan Document for the City of Manchester

6) The hard and soft landscaping scheme approved by the City Council as local planning authority, shown on drawings ref 001, 002, 101-P-01, 102, 103, 104 P-01 and 105 P-01 prepared by BCA Landscape, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

7) No development shall commence until details of the boundary treatment referred to in drawing no. 101 P-01 have been 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 development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

8) 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.

9) No vegetation clearance or building demolition should occur between the 1st March and 31st August in any one year unless nesting birds have been shown to be absent by a suitably qualified person and this has been agreed in writing by the City Council as local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

10) If, during development, bats not previously identified are found to be present on the site then no further development shall be carried out until the developer has submitted and received approval for a remediation strategy to the City Council as local planning authority detailing how artificial bat roosting features to be installed within the application site. The remediation strategy shall be implemented as approved.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and pursuant to policy EN15 of the Core Strategy.

11) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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 - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

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

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification

of remediation measures (the Site Investigation Proposal) 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 shall be carried out, before the development commences and a report prepared 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 commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

13) The development hereby approved shall not be commenced until such time as a scheme to show the discharging of surface water to a Sustainable Drainage System has been submitted to and approved by the City Council as local planning authority. The approved details shall then be implemented and thereafter maintained in accordance with the approved details.

Reason - To reduce the risk of flooding by ensuring the satisfactory storage of/ disposal of surface water from the site, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

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

Reason - To prevent pollution of the water environment and comply with the National Planning Policy Framework and pursuant to Policy DM1 in the Core Strategy Development Plan Document.

15) The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority. Given that the site is located within a Critical Drainage Area, the scheme shall reduce the surface water run-off rate to 50% compared to that which currently exists at the site. The scheme shall identify existing and proposed receptors and show compliance with the

Manchester City, Salford City and Trafford Councils Level 2 Hybrid SFRA User Guide, Final, dated May 2010.

Reason - To reduce the risk of flooding by ensuring the satisfactory storage/disposal of surface water from the site, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

16) The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority

Reason - To reduce the risk of flooding to the proposed development and future occupants, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

17) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. the designated route for construction and delivery vehicles
2. the parking of vehicles of site operatives and visitors
3. loading and unloading of plant and materials
4. storage of plant and materials used in constructing the development
5. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
6. wheel washing facilities
7. measures to control the emission of dust and dirt during construction
8. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy Development Plan Document.

18) No development shall commence until a Bridge Licence has been obtained and submitted to and approved in writing by the City Council as local planning authority. The bridge shall be implemented prior to the occupation of the residential accommodation hereby approved and shall remain in situ thereafter.

Reason - To ensure the satisfactory development of the site and in the interests of pedestrian and highway safety, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

Informatives

This permission does not grant approval under Building Regulations.

The site is shown on the Environment Agency's Flood Maps as being within Flood Zone 1, which is low probability of river/tidal flooding. The site however is within a Critical Drainage Area identified within the Council's SFRA. Accordingly, the discharge of surface water from the proposed development is to be reduced by 50%, compared to the run-off from the existing developed site. The submitted Flood Risk Assessment and associated Site Specific Drainage Strategy from Sutcliffe (dated November 2013)

recognise the requirement to reduce the rate of surface water discharge by 50% from existing rates.

The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc., can help to remove the harmful contaminants found in surface water and can help to reduce the discharge rate. Further information on SUDS can be found in:

- CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales End 3
- CIRIA C697 document SUDS manual
- The Interim Code of Practice for Sustainable Drainage Systems.

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's website: www.environment-agency.gov.uk and CIRIA's website: www.ciria.org.uk

Date: 14 March 2014

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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

Notes

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

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, 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.