LEGAL OPINION ON COMMENCEMENT OF DEVELOPMENT

RELATING TO DEVELOPMENT AT EIDER HOUSE, MANCHESTER

1. INTRODUCTION

1.1 On 16 January 2018 Manchester City Council (**Council**) granted planning permission in respect of planning application reference 115178/FO/2017 (**Planning Permission**) (copy of decision notice at APPENDIX 1) relating to part site of existing car park bounded by Ducie Street, the Rochdale Canal, Peak Street, Tariff Street (multi storey car park) and remainder of surface car park, Manchester, M1 2JL (**Site)** (location plan at APPENDIX 2) for:

"*erection of 2 linked buildings ranging in height from 8 to 10 storeys (plus roof top plant room) to provide residential accommodation (Use Class C3) comprising 18 x 1 bed, 84 x 2 bed, 15 x 3 bed, 2x duplex (4 bed) and 9 townhouses (7 x 3 bed, 1 x 2 bed and 1 x 4 bed) (128 units in total) works to create provision for access and servicing, hard and soft landscaping (to include a secure external area and public realm linking Ducie Street to Rochdale Canal) and associated works following the demolition of existing buildings. Development to include 128 cycle parking spaces*." (**Development**).

1.2 Condition 1 of the Planning Permission provides that the Development must be begun not later than the expiration of three years beginning with the date of the Planning Permission, which is dated 16 January 2018.

1.3 Under section 56 of the Town and Country Planning Act 1990 (**TCPA 1990**), development is taken to have begun on the earliest date on which a "material operation" (as defined within section 56(4) TCPA 1990) comprised in the development begins to be carried out. Therefore, unless a material operation comprised in the Development has been lawfully carried out, the Planning Permission would otherwise expire at the end of Friday 15 January 2021, ie the expiration of three years beginning with 16 January 2018.

1.4 We are instructed by Town Centre Securities Limited (the owner of the Site) and Belgravia Living Group Limited (the applicant for the Planning Permission) to provide this legal opinion on whether the works which have been carried out under the Planning Permission, as set out in the statutory declaration of Paul Cryer dated 15 January 2021 (at APPENDIX 3), demonstrate that a material operation comprised in the Development has been lawfully carried out prior to 15 January 2021 and that, as a result, the Development has begun and the Planning Permission is extant.

2. THE PLANNING PERMISSION

2.1 The Planning Permission is subject to 26 conditions (conditions 1 – 12 and 14 – 27 – there is no condition 13). Several of these conditions are pre-commencement conditions (conditions 3, 4, 5, 6, 8, 12, 17 and 20), requiring something to be done prior to commencement of the Development (ie prior to the time that the Development has been begun by the carrying out of a material operation).

2.2 On 20 November Belgravia Living Group Limited submitted an application (reference 128668/NMS/2020) to the Council under section 96A TCPA 1990 for a non-material amendment to the Planning Permission to amend the time by which submission of information is required to discharge planning conditions 2 (Approved Dwgs), 3 (Materials), 4 (Contaminated Land), 5 (Landscaping), 6 (Construction Management Plan), 8 (Suds 1), 12 (Noise and ventilation), 17 (Local Labour Agreement) and 20 (Archaeology) (**NMA Application**). The NMA Application requested that the conditions be amended as follows:

Condition No.	Existing Wording	Amended Wording (highlighted in red)
3	(a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority: A programme for the issue of samples and specifications of all material to be used on all external elevations of the development. The programme shall included timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining and details of the glazing and a strategy for quality control management; and (b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.	S96A to amend trigger (a) Notwithstanding the details submitted with the application, prior to the commencement, development, other than enabling works comprising, demolition, piling and construction of the sub structure, the following shall be submitted for approval in writing by the City Council, as Local Planning Authority: [...]
4	(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). (b) 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	S96A to amend trigger (a) Other than demolition, 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). (b) 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, other than demolition, 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

	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. (c) 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. (d) 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.	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.
5	Prior to the commencement of development a programmes for submission of final details of the public realm works as shown in dwg numbered RF16-383-L03 Rev PO1 shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted: (a) Details of the proposed hard landscaping materials; (b)Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on Ducie Street and abutting the Canal; (c) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design; (d) 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;	S96A to amend trigger Prior to the commencement of development, other than enabling works comprising, demolition, piling and construction of the sub structure, a programmes for submission of final details of the public realm works as shown in dwg numbered RF16-383-L03 Rev PO1 shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted: [...]

	(e) Details of the proposed street furniture including seating, bins and lighting; (f) Details of external steps and handrails; and (h)Details of a signage strategy in relation to way finding within the development and associated public realm; and (i) A strategy for the planting of street trees within the pavements on Ducie Street and Peak Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance; and shall then be submitted and approved in writing by the City Council (in consultation with the Canal and Rivers Trust in relation to items a,b,e and f) as local planning authority in accordance with the programme as agreed above The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,	
6	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; *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; *A method statement to protect the Rochdale and Ashton Canals from accidental spillages, dust and debris in relation to site clearance, earth moving shall take place or material or machinery brought on site Development shall be carried out in accordance with the approved construction management plan.	S96A to amend trigger ~~Prior to the commencement~~ For each phase of the development, comprising a demolition phase and construction phase, a detailed demolition or construction management plan outlining working practices, as relevant to each phase, shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include; [...]

8	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 discharge the above drainage condition the following additional information has to be provided: (a)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 inlets. The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads. A layout with overland flow routes needs to be presented. (b) Hydraulic calculation of the proposed drainage system; (c) Construction details of flow control and SuDS attenuation elements; (d) evidence of agreement by the Canal and Rivers Trust , United Utilities and Environment Agency that they accept the proposal and connections.	S96A to amend trigger No development other than enabling works comprising, demolition, piling and construction of the sub structure, shall take place until details of the surface water drainage works have been ~~implemented~~ agreed 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. [….] Development shall be carried out in accordance with the approved details
12	Before the development commences a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads shall be submitted to and approved in writing by the City Council as local planning authority The approved noise insulation scheme shall be completed before any of the dwelling units are occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation.	S96A to amend trigger Before the development commences, other than enabling works comprising, demolition, piling and construction of the sub structure, a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads shall be submitted to and approved in writing by the City Council as local planning authority

17	Prior to development commencing a local labour agreement relating to the construction phase of development , shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to the commencement of the development, and shall be kept in place thereafter.	S96A to amend trigger Other than demolition, prior to development commencing, a local labour agreement relating to the construction phase of development , shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to the commencement of the development, and shall be kept in place thereafter.
20	No development shall commence unless and until Archaeological site investigations have been carried out in accordance with the Written Scheme of Investigation by the University of Salford, dated 06- 06-2017. This allows for: 1. A phased programme and methodology of investigation and recording that includes: - evaluation trenching - dependent on the above, more detailed archaeological excavation 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. Dissemination of the results commensurate with their significance. 4. Provision for archive deposition of the report and records of the site investigation. and have the findings of the investigation have been signed off by GMAAS	Other than demolition, no development shall commence unless and until Archaeological site investigations have been carried out in accordance with the Written Scheme of Investigation by the University of Salford, dated 06-06-2017.

2.3 Broadly, the effect of the amendments is to allow demolition works to be carried out under the Planning Permission without discharging pre-commencement conditions. "Any work of demolition of a building" is defined as a material operation for the purposes of Section 56(4)(aa) TCPA 1990 and so demolition works would begin the Development and prevent the Planning Permission from becoming time-expired. For example, under the revised wording for condition 3, enabling works comprising demolition, piling and construction of the sub structure can be carried out without triggering the pre-commencement requirement to submit the information set out in the condition. The relevant information would still need to be submitted before any further material operation (other than demolition) was to be carried out.

2.4 On 18 December 2020, the Council confirmed approval of the NMA Application (see approval at APPENDIX 4), allowing the Development to be carried out pursuant to the Planning Permission as amended by the NMA Application. As part of this, the Council added a new condition 28 to the Planning Permission that no development, other than demolition, shall be carried out under the Planning Permission (as amended by the NMA) if the contract for construction and completion of the building

permitted has not been let by 17 January 2022 (and evidence provided to the satisfaction of the Council) and any development activities on the Site shall cease and no further development permitted by the Planning Permission shall be carried out. The condition goes on to provide that, in that event, then no later than 18 February 2022, a scheme shall be submitted setting out how the site shall be restored, landscaped and maintained and thereafter the Site shall be restored, landscaped and managed in accordance with the approved scheme.

2.5 On 1 December 2020 Belgravia Living Group Limited submitted an application (reference CDN/20/0779) to the Council for discharge of condition 6 (Construction Management Plan – Demolition) (**Application for Discharge**). This application was intended to run in tandem with the NMA Application, and so was submitted for discharge of condition 6 of the Planning Permission as it would be following approval of the NMA Application (ie condition 6 as amended by the NMA).

2.6 The amended version of condition 6 provides that for each phase of the development (comprising a demolition phase and construction phase) a detailed demolition or construction management plan outlining working practices is to be submitted to the Council for approval. Therefore, the amended condition essentially makes clear that the Development is divided into two phases – a demolition phase and a construction phase.

2.7 A "Demolition Management Plan" dated 26 November 2020, to address the detailed procedures, sequencing and demolition methodology for the demolition phase of works, and a "Demolition Phasing Plan" showing the demolition phase shaded in orange, were submitted as part of the Application for Discharge (Exhibit 1 at APPENDIX 3).

2.8 On 18 December 2020, the Council approved the Application for Discharge (APPENDIX 5). Therefore, the part of condition 6 requiring submission and approval of a demolition management plan in relation to the demolition phase of the Development, has been discharged.

3. COMMENCEMENT OF THE DEVELOPMENT

3.1 The effect of approval by the Council of the NMA Application and Application for Discharge is to allow demolition works comprised in the Planning Permission to be carried out on Site in order to commence the Development within the required timeframe (ie by 15 January 2021), without breaching any of the pre-commencement conditions attached to the Planning Permission which have not yet been complied with.

3.2 Paul Cryer, an employee of the sub-contractor employed to carry out demolition works at the Site, has provided a statutory declaration in relation to the works which took place between 8 and 13 January 2021. This confirms that works have taken place to demolish the above ground structure of the existing Linda's Pantry Café building on the Site, leaving part of the roadside wall to remain to act as a boundary wall, in accordance with the approved Demolition Management Plan and Demolition Phasing Plan. As can be seen from the photographs exhibited in the statutory declaration (Exhibit 2 at APPENDIX 3), the works carried out are not marginal works - they are substantial and lawful demolition works.

3.3 As referred to above, in order for the Development to have been commenced, then a material operation comprised in the Development must have been carried out. Section 56(4) defines material operation, which includes (aa) any work of demolition of a building.

3.4 The description of the Development includes reference to demolition of existing buildings. Further, the amended condition 6 makes clear that the Development comprises both a demolition phase and a construction phase. As demolition is therefore a material operation which is comprised in the Development, then by carrying out the substantial and lawful demolition works to a building in accordance with the Planning Permission (as amended by the NMA), this clearly and emphatically began the Development lawfully within the required timeframe in condition 1. The Planning Permission will therefore remain live and extant and capable of implementation beyond the 15 January 2021, subject always to the requirement of condition 28, whereby no development other than demolition shall be carried out pursuant to this permission if the contract for the construction and completion of the building permitted under the permission has not been let by 17 January 2022.

Womble Bond Dickinson (UK) LLP

15 January 2021

APPENDIX 1

Planning Permission 115178/FO/2017

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

Belgravia Living Group
C/o Agent

Agent (if used)

Mrs Rachel Poole
Deloitte & Touche LLP
2 Hardman Street
Manchester
M3 3HF

Part 1 – Particulars of the application/development

Proposal: Erection of 2 linked buildings ranging in height from 8 to 10 storeys (plus roof top plant room) to provide residential accommodation (Use Class C3) comprising 18 x 1 bed, 84 x 2 bed, 15 x 3 bed, 2 x duplex (4 bed) and 9 townhouses (7 x 3 bed, 1 x 2 bed and 1 x 4 bed) (128 units in total) works to create provision for access and servicing, hard and soft landscaping (to include a secure external area and public realm linking Ducie Street to the Rochdale Canal) and associated works following the demolition of existing buildings. Development to include 128 cycle parking spaces.

Location: Part Site Of Existing Car Park Bounded By Ducie Street, The Rochdale Canal, Peak Street, Tariff Street (Multi-Storey Car Park) And Remainder Of Surface Car Park, Manchester, M1 2JL

Date of application: 25 April 2017

Application number: 115178/FO/2017

Part 2 – Particulars of decision

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

Article 35 Declaration

Officers have worked with the applicant in a positive and 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 developments 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 Plan 786-CPA-A-XX-GF-DR-A-1000 REV B;

(b) 786-CPA-XX-01-DR-A-2002_F, 786-CPA-XX-02-DR-A-2003_G, 786-CPA-XX-03-DR-A-2004_D, 786-CPA-XX-04-DR-A-2005_D, 786-CPA-XX-05-DR-A-2006_D, 786-CPA-XX-06-DR-A-2007_D, 786-CPA-XX-07-DR-A-2008_D, 786-CPA-XX-08-DR-A-2009_F, 786-CPA-XX-09-DR-A-2010_F, 786-CPA-XX-B1-DR-A-2000_E, 786-CPA-XX-GF-DR-A-1000_B, 786-CPA-XX-GF-DR-A-2001_H, 786-CPA-XX-GF-DR-A-2100_E, 786-CPA-XX-GF-DR-A-2150, 786-CPA-XX-RF-DR-A-2011_E, 786-CPA-XX-ZZ-DR-A-2500_C, 786-CPA-XX-ZZ-DR-A-2501_D, 786-CPA-XX-ZZ-DR-A-2600_F, 786-CPA-XX-ZZ-DR-A-2610_D, 786-CPA-XX-ZZ-DR-A-2611_E, 786-CPA-XX-ZZ-DR-A-2650_C, 786-CPA-XX-ZZ-DR-A-2651_C, 786-CPA-XX-ZZ-DR-A-2652_C, 786-CPA-XX-ZZ-DR-A-2670_A, 786-CPA-XX-ZZ-DR-A-2701_D, 786-CPA-XX-ZZ-SC-A-1101_M, 786-CPA-XX-ZZ-SC-A-1102_B, 786-CPA-XX-ZZ-DR-A-2700 D and 786-CPA-XX-ZZ-DR-A-2601 F.

(k) Waste Management Strategy stamped as received on 12-04-17 and dwg 786-CPA-A-XX-GF-DR-2150 Rev A;

(l) Recommendations in sections, 3, 4,5 and 6 of the Crime Impact Assessment Version A dated 06/01/17; and

(m) Recommendations and measures as detailed in Wardell Armstrong Air Quality Assessment April 2017 and points 11 within the Eider House: Statutory Consultee Comments and Responses document issued on 05-06-17;

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan polices DC18.1 DC19.1, DC20 and DC26.1.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all material to be used on all external elevations of the development. The programme shall included timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining and details of the glazing and a strategy for quality control management; and

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

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) (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).

(b) 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.

c) 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.

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

5) Prior to the commencement of development a programmes for submission of final details of the public realm works as shown in dwg numbered RF16-383-L03 Rev PO1 shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

(a) Details of the proposed hard landscaping materials;
(b)Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on Ducie Street and abutting the Canal;
(c) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design;

(d) 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;
(e) Details of the proposed street furniture including seating, bins and lighting;
(f) Details of external steps and handrails;and
(h)Details of a signage strategy in relation to way finding within the development and associated public realm; and
(i) A strategy for the planting of street trees within the pavements on Ducie Street and Peak Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance;

and shall then be submitted and approved in writing by the City Council (in consultation with the Canal and Rivers Trust in relation to items a,b,e and f) as local planning authority in accordance with the programme as agreed above

The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

6) 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;

*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;
*A method statement to protect the Rochdale and Ashton Canals from accidental spillages, dust and debris in relation to site clearance, earth moving shall take place or material or machinery brought on site

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).

7) The development shall be carried out in accordance with the Crime Imapct Statement Version A dated 06-01-17. 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 policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework

8) 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 discharge the above drainage condition the following additional information has to be provided:

(a)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 inlets. The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads. A layout with overland flow routes needs to be presented.

(b) Hydraulic calculation of the proposed drainage system;

(c) Construction details of flow control and SuDS attenuation elements;

(d) evidence of agreement by the Canal and Rivers Trust , United Utilities and Environment Agency that they accept the proposal and connections.

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.

The development shall be constructed in accordance with the approved details within an agreed timescale.

9) No development hereby permitted shall be occupied 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:

(a)Verification report providing photographic evidence of construction as per design drawings;
(b)As built construction drawings if different from design construction drawings;
(c)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.

10) The development hereby approved shall be carried out in accordance with the Energy Statement dated January 2017 both prepared by Max Fordham. A post construction review certificate/statement shall be submitted for approval, within a timeframe that has been 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, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

11) Prior to occupation of the development a scheme for the acoustic insulation of any externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

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

12) Before the development commences a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads shall be submitted to and approved in writing by the City Council as local planning authority

The approved noise insulation scheme shall be completed before any of the dwelling units are occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

14) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason
To ensure a safe form of development that poses no unacceptable risk of contamination to controlled waters pursuant to section 10 of the National Planning Policy Framework Core Strategy policy EN14 and EN17.

15) 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 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

16) Following commencement of construction of the hereby approved development, any interference complaint received by the Local Planning Authority shall be investigated to identify whether the reported television interference is caused by the Development hereby permitted. The Local Planning Authority will inform the developer of the television interference complaint received. Once notified, the developer shall instruct a suitably qualified person to investigate the interference complaint within 6 weeks and notify the Local Planning Authority of the results and the proposed mitigation solution. If the interference is deemed to have been caused by the Development, hereby permitted mitigation will be installed as soon as reasonably practicable but no later than 3 months from submission of the initial investigation to the Local Planning Authority. Television interference complaints are limited to 12 months from the completion of the Development hereby permitted.

Reason - To ensure terrestrial televaision services are maintained In the interest of residential amenity, as specified in Core Strategy Polices DM1 and SP1

17) Prior to development commencing a local labour agreement relating to the construction phase of development , shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to the commencement of the development, and shall be kept in place thereafter.

Reason - To safeguard local employment opportunities, pursuant to pursuant to policies EC1 of the Core Strategy for Manchester.

18) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1.

19) Prior to implementation of any proposed lighting scheme details of any proposed lighting scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

20) No development shall commence unless and until Archaeological site investigations have been carried out in accordance with the Written Scheme of Investigation by the University of Salford, dated 06-06-2017.

This allows for

1. A phased programme and methodology of investigation and recording that includes:
- evaluation trenching
- dependent on the above, more detailed archaeological excavation
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. Dissemination of the results commensurate with their significance.
4. Provision for archive deposition of the report and records of the site investigation.

and have the findings of the investigation have been signed off by GMAAS

Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of the heritage interest impacted on by the development and to make information about the archaeological heritage interest publicly accessible. GMAAS will monitor the implementation of the archaeological works on behalf of Manchester Planning Authority

21) Notwithstanding the details submitted with the application prior to completion of the development final details of how the parts of the Rochdale Canal corridor adjacent to the development are to be lit shall be submitted to and approved in writing by the local planning authority in consultation with the Canal & River Trust. The details shall include measures to effectively light the canal and towpath adjacent to the development. The works shall be completed in full accordance with the approved details. The approved scheme shall be implemented in full prior to occupation of any part of the development.

Reason

To ensure that the development makes a positive contribution to the quality of the Rochdale Canal and to aid in the improvement of Crime and Disorder issues in these areas pursuant to Core Strategy Policies EN9 and DM1.

22) Prior to the first use of the development hereby approved, a detailed Residential Management Strategy including:

*Details of how 24 hour management of the site in particular in relation to servicing and refuse (storage and removal) and noise management of communal areas shall be submitted to and agreed in writing by the City Council as Local Planning Authority.
*full details of a maintenance strategy for the areas of public realm adjacent to the site including surfaces, 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.

shall be submitted to an approved in writing by the City Council as Local Planning Authority.

The approved management plan shall be implemented from the first occupation of the residential element and be retained in place for as long as the development remains in use.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1

and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

23) The development hereby approved shall be carried out in accordance with the Travel Plan Framework prepared by Civic Engineers dated December 2016. In this condition a travel plan means a document that includes the following:

i) the measures proposed to be taken to reduce dependency on the private car by residents and those [attending or] employed in the development
ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel and to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution. , pursuant to policies SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

24) No part of the development shall be occupied unless and until details of a parking management strategy for residents including identification of the location of the 38 spaces to be provided within the adjacent Tariff Street Multi Storey Car Park has been submitted to and approved in writing by the City Council as Local Planning Authority. All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied.

Reason - The development does not provide sufficient car parking facilities and in order to provide alternative arrangements (e.g. parking leases with car parking companies; car sharing; or car pool arrangement) for the needs of future residents whom may need to use a motorcar and Policies DM1 and T1.

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

07:30 to 20:00 Monday to Saturday
10:00 to 18:00 Sundays and Bank Holidays

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

26) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason
To prevent pollution of controlled waters from potential contamination on site.Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

27) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

Informatives

Building Regulations 2010
This permission does not grant approval under Building Regulations.

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

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

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

You can apply online at the following address:
http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

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

"It is essential that the applicant/developer contacts the Canal & River Trust's Third Party Works Team (01782 779909) and Utilities Team (01926 626158) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust

All of the works required to achieve the new accesses / egresses and associated TROs should be included as part of a S278 agreement via an off-site highways condition, to be funded by the applicant

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:
Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation during the construction phase.

Any materials approved for planning purposes should be discussed in full with Building Control. This is to ensure they meet the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with the Building Regulations you should discuss these with the Planning Service as soon as possible as this could materially effect your permission.

Date: 16 January 2018

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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

Notes

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

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

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

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

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

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

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

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

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

Appendix A

The Coal Authority

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119
Email: planningconsultation@coal.gov.uk
Website: www.gov.uk/government/organisations/the-coal-authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

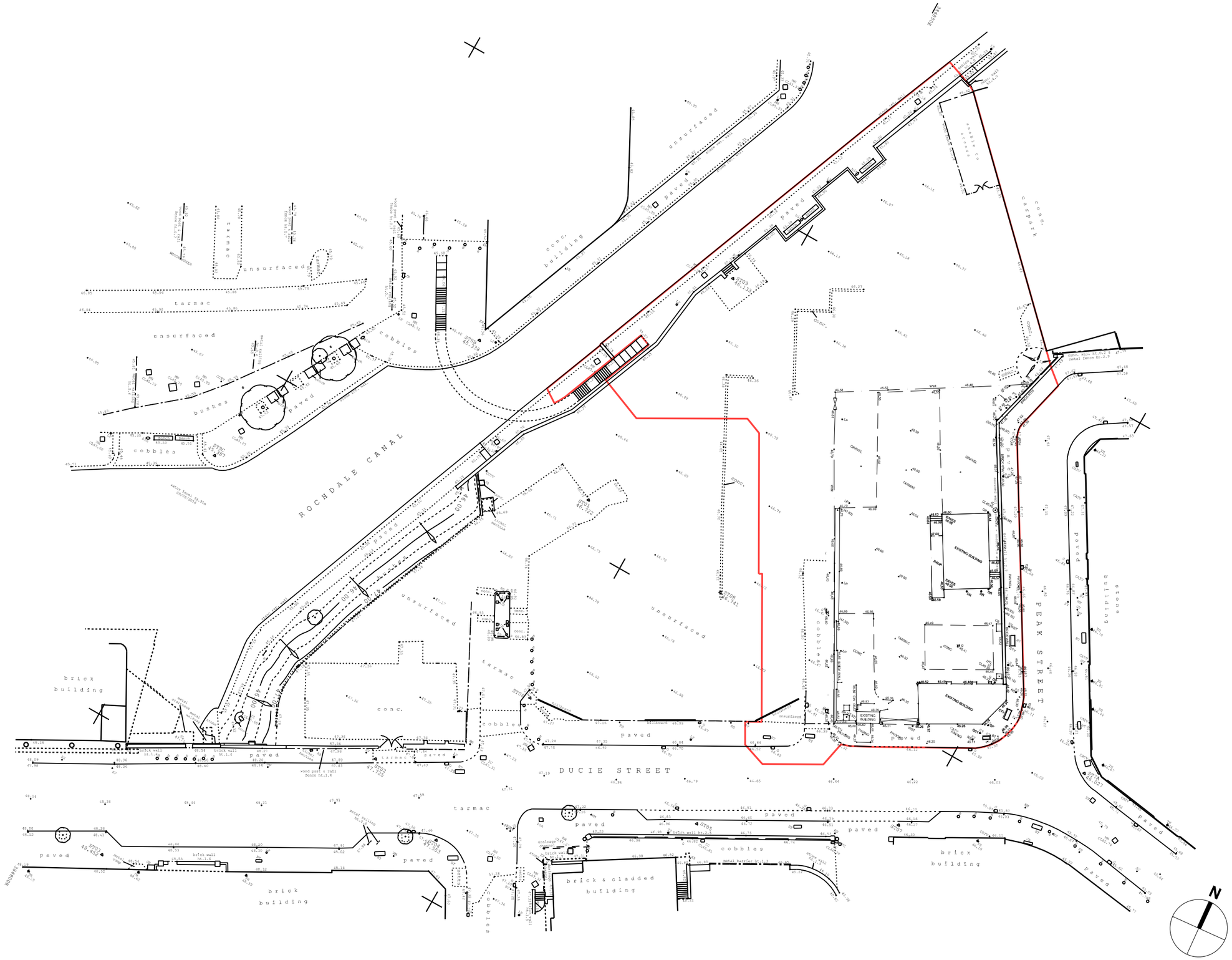
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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

APPENDIX 2

Location Plan



Drawing Original Size
A3

Notes
Unless indicated, this drawing is for information only and should not be used for construction. Do not scale, use figured dimensions only. All dimensions to be checked on site. This drawing should be printed and read at the original size, as stated above. Cartwright Pickard Architects accepts no responsibility for errors that occur as a result of reviewing this drawing at any other size.

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Drawing Revisions

Date:	Rev:	Note:	Check:
25.01.17	*	First issue	RO
31.01.17	A	For Planning	RO
03.02.17	B	North point added. For Planning	RO

CARTWRIGHT PICKARD

Client
BELGRAVIA LIVING

Project
Piccadilly Basin

Building Name
Eider House

Drawing Title
Existing Site Plan

Scale
1:500 @ A3

Drawing Created
25/01/17

Drawing Status
Planning Application

Revision
B

Drawing No.
786-CPA-A-XX-GF-DR-1000

Manchester Office
Unit 105 Ducie House
Ducie Street
Manchester M1 2JW
Tel 0161 914 7444
cartwrightpickard.com
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APPENDIX 3

Statutory declaration of Paul Cryer dated 15 January 2021

STATUTORY DECLARATION

IN THE MATTER OF PLANNING PERMISSION REFERENCE 115178/FO/2017 GRANTED 16 JANUARY 2018 (PLANNING PERMISSION) AS AMENDED BY NON-MATERIAL CHANGE REFERENCE 128668/NMC/2020 APPROVED 18 DECEMBER 2020 RELATING TO EIDER HOUSE, DUCIE STREET, MANCHESTER (PROPERTY)

I, Paul Cryer, Operations Director of ADM Regeneration Limited with registered company number 07864784 whose registered office is at Theatre Buildings, Carrington Business Park, Manchester Road, Carrington, M31 4DD (**Company**) do solemnly and sincerely declare as follows:

1. I confirm that I am employed by the Company, which has been contracted by Belgravia Living Group Limited to carry out initial works to the Property as part of the Eider House development under the Planning Permission (as amended by a non-material change under reference 128668/NMC/2020).

2. The Company started on site on 4 January 2021 with initial site set up. I was on site at the Property on 8 January 2021 when the Company began demolition of the existing Linda's Pantry Café at the Property. The works carried out consist of demolition of the above ground structure only, leaving part of the roadside wall to remain to act as a boundary wall. These demolition works were completed on 13 January 2021.

3. I confirm that the demolition works were carried out in accordance with the approved Demolition Management Plan dated 26 November 2020 and Demolition Phasing Plan attached at Exhibit 1 (approved by Manchester City Council as local planning authority on 18 December 2020 under discharge of condition reference CDN/20/0779).

4. I attach at Exhibit 2 photographs which show the initial demolition works carried out on 8 January 2021 and the progression of the works until they were completed on 13 January 2021.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature of declarant

.....

DECLARED at Addleshaw Goddard LLP
ONE ST PETERS SQUARE
MANCHESTER
M2 3DE

this 15th day of January 2021

Before me

Signature of person before whom the declaration is made

.....

Print Full Name: ESTHER AJAYI

~~A commissioner for oaths~~/ A solicitor empowered to administer oaths

EXHIBIT 1 – DEMOLITION MANAGEMENT PLAN AND DEMOLITION PHASING PLAN

Demolition Management Plan
Eider House, Ducie Street, Manchester



Site Address
Eider House
Ducie Street
Manchester
M1 2JL

Revision	Date	Author	Notes
01	25/11/2020	David Price	Issued for Planning Condition Sign off and Demolition.
02	26/11/2020	David Price	Updated

Demolition Management Plan
Eider House, Ducie Street, Manchester

Introduction

The purpose of the Demolition Management Plan (DMP) is to address and record the detailed procedures, sequencing and demolition methodology anticipated by the project team engaged in the planning, liaison and demolition works.

The plan outlines proposals on traffic and environmental measures to be adopted during demolition works on site.

Development shall be carried out in accordance with the approved demolition management plan.

The DMP incorporates the following elements

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Sheeting over of construction vehicles;
- A method statement to protect the Rochdale and Ashton Canals from accidental spillages, dust and debris in relation to site clearance, earth moving shall take place or material or machinery brought on site

Description of the Work

- Demolition of the existing "Linda's Café" Building.
- Removal of a small quantity of non-licensed asbestos material.
- Removal from site of the existing Sixt rental portacabin building.

Works Contractors

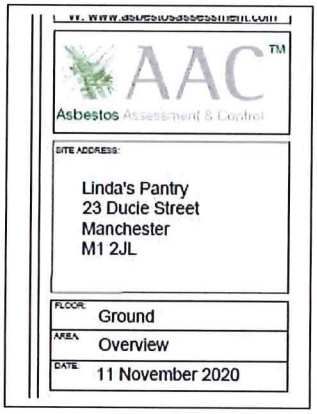
Works on site will be carried out by ADM Regeneration.

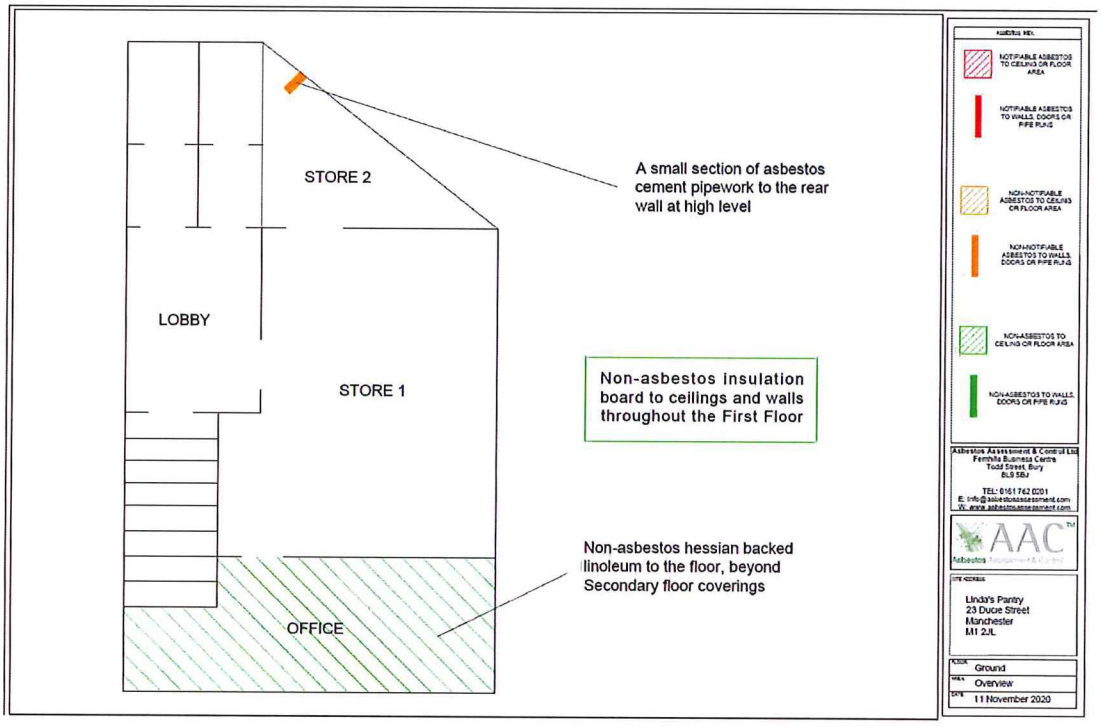
Belgravia Living Group will provide Project Management services

NON-LICENSED ASBESTOS REMOVAL METHODOLOGY -prior to demolition: -

Once the team have carried out the pre-start and enabling procedures, they will start with the removal of ACMs as detailed in the RD survey.



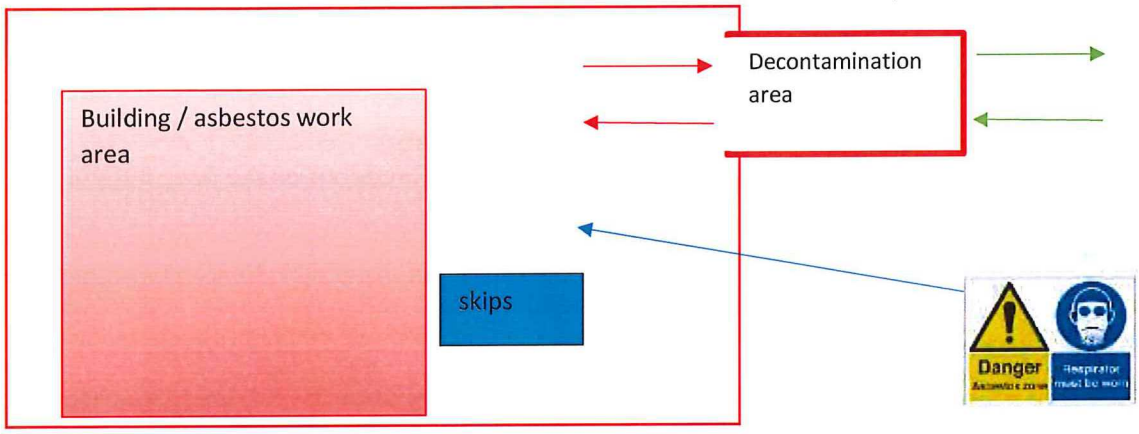




The RPE zone will be a soft barrier established using hazard tape and warning signage it must include:

- the footprint of the building + 2m
- the waste transit route
- the route to the decontamination area:

Below is an example of an RPE-zone



Once the RPE area has been set up the team will put on their PPE and RPE this will consist of:

- Type 5/6 Cat 3 overalls
- Half face mask with P3 filter. (wearers must be face fitted for the mask)
- Wellington boots with midsole protection
- Gloves with cut resistant protection.

The teams will be CAT B trained and have a face fits and medicals. Site manager will record works on the asbestos exposure sheet.

Once the team have put on their PPE and RPE, they will transit through the decontamination area and proceed to the work area.

The team will then secure the access routes to the building. Transit route will be set up leading from the work area to the skip.

Refer to https://www.hse.gov.uk/asbestos/essentials/ for addition information. And HSE printed downloads in the ADM site manager pack

ADM_CPP_FOLDER H_ASBESTOS REGULATORY GUIDANCE

Removal method cement pipe

- Using a hand held sprayer the working area of the ACM cement pipe (pipe + 1m of the wall in all directions) will be be sprayed with a fine mist of diluted surfactant prior to removal.
- Using small hand tools, small electric breaker, hammer & chisel etc the cement and bricks holding the pipe in place will be removed.
- The released cement and brick fragments will then be picked and placed in an asbestos waste bag (double bagged< red in clear).
- The bag will be secured with a gooseneck an asbestos tape once 3/4 full. The bag will then be placed into the asbestos waste skip.
- This process of removing brick and cement around the pipe will continue until the pipe is loose enough to be removed by hand
- The loosed pipe will then be removed and placed in an asbestos waste bag (double bagged< red in clear).
- The bag will be secured with a gooseneck an asbestos tape once 3/4 full. The bag will then be placed into the asbestos waste skip.

Removal method general picking of asbestos waste/debris

Following the removal operation there may be small ACM debris on the floor, this will be picked

- the items to be removed and debris will be sprayed/dampened down. Using a hand held sprayer the debris will be be sprayed with a fine mist of diluted surfactant prior to removal.
- The items and debris will be picked and placed in an asbestos waste bag (double bagged< red in clear)
- The bag will be secured with a gooseneck an asbestos tape once 3/4 full. The bag will then be placed into the asbestos waste skip.

If encountered on site: -

Removal method pigeon guano

- **Additional RPE** –Half face mask with P3 filter – **carbon filter to be attached to the P3 filter.**
- Using a hand held sprayer the guano contaminated working area will be be sprayed with a fine mist of disinfectant suitable for pigeon guano removal, prior to removal.
- Allow to soak and penetrate as per disinfectant application instruction.
- Lift guano off surfaces using scrapers / shovels. Used podiums / working platforms if required.
- Bag waste in an asbestos waste bag (double bagged< red in clear)
- The bag will be secured with a gooseneck an asbestos tape once 3/4 full.
- The bag will then be placed into the **Pigeon guano waste skip.**

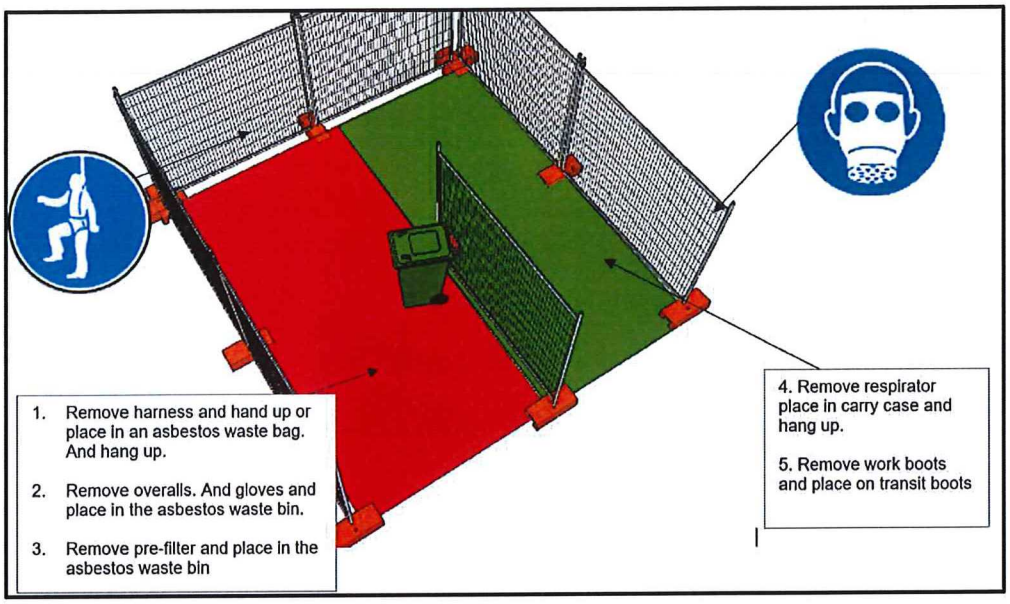
Cleaning area after pigeon guano removal

- All waste will be removed from the area.
- Cleaning will begin at high level by vacuuming all ledges / surfaces working towards the floor using a Hvac..
- All walls and surfaces will be sprayed with a fine mist of disinfectant and wiped down with disposable towels.
- Cleaning waste to be bagged and placed into the **Pigeon guano waste skip.**
- Site manager to inspect area for cleanliness.

Additional notes.

- Once the operation is complete or when the team need to leave the work area they will

decontaminate as below.

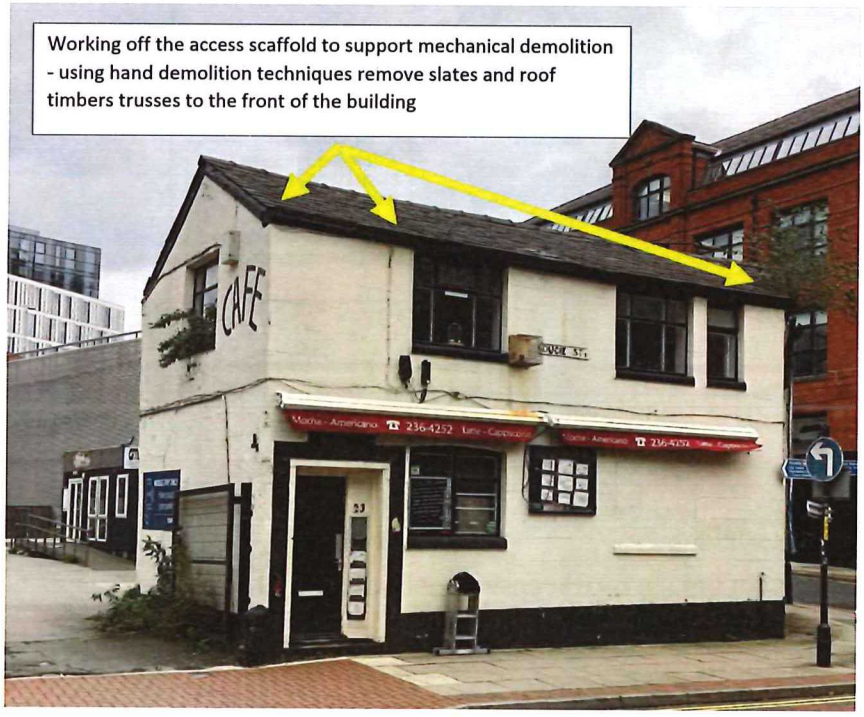


- To renter the work area the team will repeat this process.
- Upon completion of the works the asbestos skip will be enclosed by overlapping and securing the enveloped polythene
- The skip will be removed from the site by a licensed contractor.
- The asbestos RPE signage will be removed

DEMOLITION METHODOLOGY

NOTE

The gable end roof slates and part of the front elevation roof trusses need to be removed prior to full demolition of the building. This is required to avoid during machine demolition the pushing out of brickwork onto the protection scaffold. The brickwork at the top of the front elevation may crack and at risk of movement during machine demolition.





Structural demolition of brick & concrete structures

This will be done by a 360 operator in a progressive demolition manner.

As the demolition progresses from the top down the roof supports will be pulled from the building using the 360° excavator fitted with hydraulic multiprocessor and breaker attachment.

The remainder of the external brick, concrete wall panels will be demolished using a 360° excavator fitted with hydraulic multiprocessor and breaker attachment.

The demolition operation will be executed in a controlled manner, ensuring the section being crunched or pulled over is not excessive in size and weight.

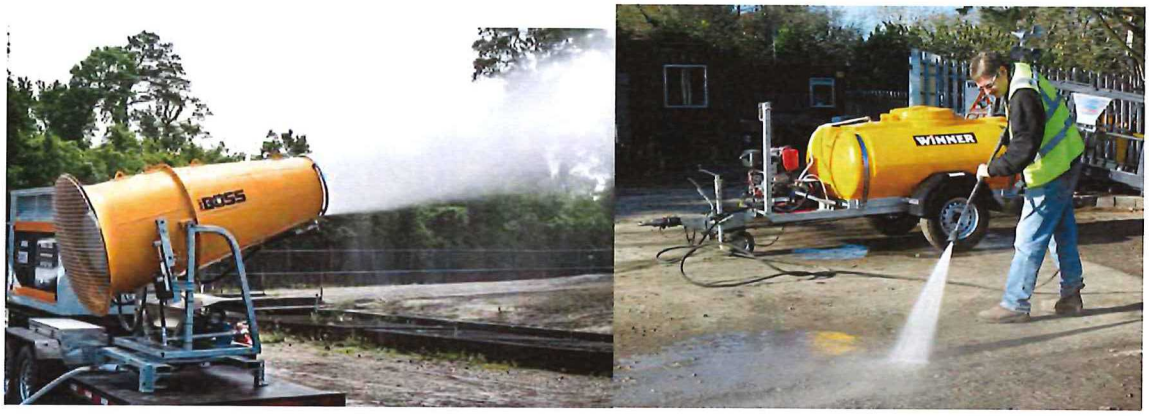
Where possible, complete elements (beams, columns, panels etc.) will be lifted down to ground level, in the jaws of the cruncher, where they can be processed more efficiently. This method will minimise noise emissions and vibration transfer to adjacent properties and thus permit continued working throughout the working day.

The 360° excavator operator will be certificated, skilled and very experienced with this method of demolition.

A Banksman, in radio contact with the 360° excavator operator, will stand at a safe distance to guide and help control the demolition process.

If dust levels within the site are elevated during the course of the works operatives will wear oral/nasal dust masks and ensure arms and legs are covered to minimise exposure to the dust.

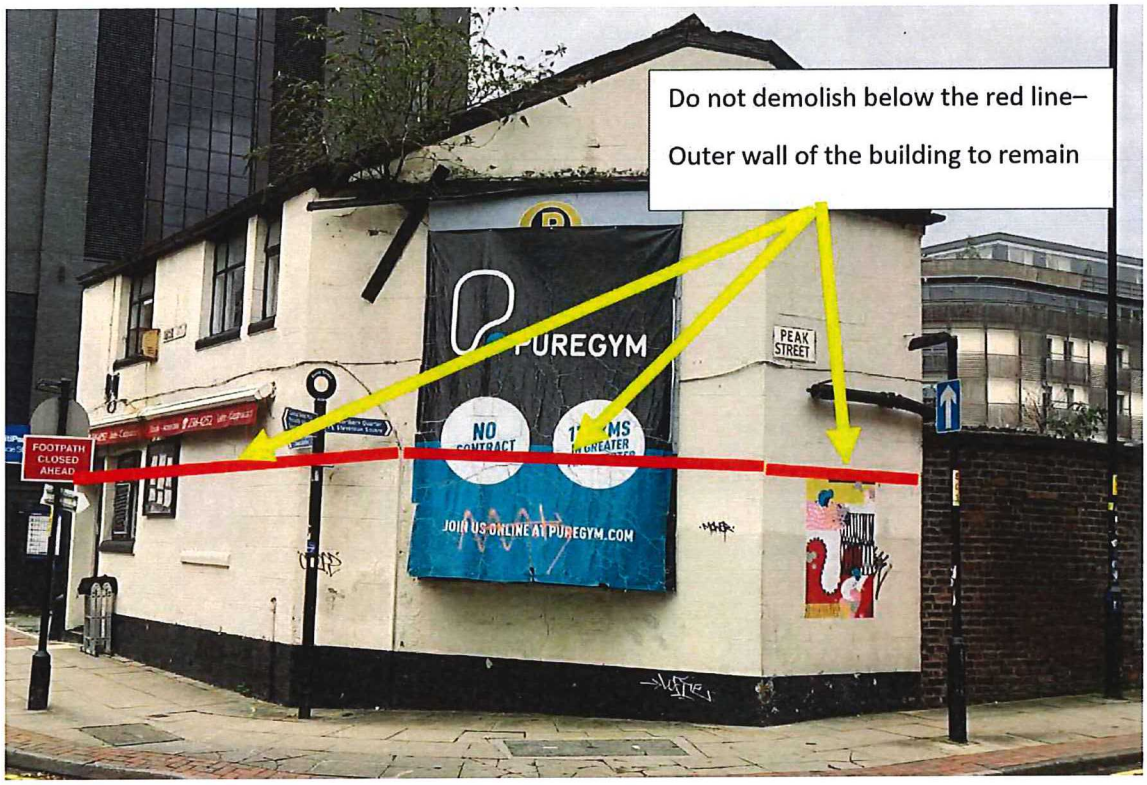
The utilisation of a fine water spray directed at the point of demolition will control dust migration. The quantity of water emitted by the spray will be regulated and controlled to prevent any flooding at ground level.



All materials will be segregated into separate waste streams to remove rubbish, timber and metal products.

Hardcore will be stockpiled on site for subsequent crushing/taken to an offsite crushing facility for recycling. Timber will be sent off site for reuse or pulping. Metal products will be smelted for reuse. By continuously processing materials arising, unobstructed access around a relatively tidy site is maintained. Debris will be taken off site by a licensed carrier with copies of waste tickets retained in the Site Records

NOTE: - ONCE DEMOLITION REACHES FIRST FLOOR LEVEL ALL MECHANICAL DEMOLITION STOPS



The final stage of the demolition will be done using small hand tool (breakers, gorilla bars etc) working off the access scaffold. - **See soft strip Methodology**

Following just below the height of the wall on Peak street the demolished building outer wall will be reduced in height. This height reduction will continue along the perimeter of the building into Ducie street.

Door and window at ground floor level will be sealed and secured using blockwork.



The access scaffold will then be removed and area brush clean.

Noise Management

All operators must wear ear defenders with a minimum standard noise reduction (SNR) of at least 40 dbA whilst operating saws.

This also includes other personnel within the affected area.

Noise assessments must be carried out by supervisors periodically to monitor the level produced.

An exclusion zone must be set up to prevent other persons from entering the high noise zones.

Demolition temporary in nature and over short time period. Will work within following hours:

Monday to Friday: 7.30am to 6.00pm, Saturdays: 8.30am to 2.00pm. On Sundays / Bank holidays no work is permitted. If an extension is required for other weekend working the Local Authority will be contacted.

i.e. All noisy activities will be assessed, including regular monitoring of noise levels both at the site boundary and localised high noise producing works.

Modern and well maintained plant and equipment will be used to minimise noise.

Engagement with surrounding sensitive uses will take place making them aware of the proposals prior to start on site.

Emergency Arrangement Details

Emergency arrangement details	
Emergency Contact Details	Contact details for Paul Cryer (Operations Director – ADM Regeneration) • Mobile 07921 693504 Contact Details for David Price (Operations Director – Highgrove acting for BLG) • Mobile 07884 651825 Contact Details for Chris Collins (Associate Director – TCS acting for BLG) • Mobile 07557 818385
 **Fire/evacuation**	In the event of a fire, the site team will evaluate and report to the muster point.
 **First aid**	The ADM site manager will act as the point of contact for all first aid injuries, all first aid incidents must be recorded in the accident book.
 **Pollution/spill**	In the event of a spill, the site spill kit will be used to control the spill. If a large spill occurs that cannot be controlled/stopped the emergency services must be informed.
Other (e.g. rescue plans)	Emergency rescue at height. An emergency work at height rescue plan must be developed and briefed to the team prior to any work at height.

Details of Wheel Washing

The demolition works will all be carried out in the existing tarmaced car park area and as such we do not expect any mud or slurry to be taken onto the highway.

We have allowed for ad hoc attendance from a road sweeper to attend to the road should any wash down be required.

A gate person will be employed to control vehicle movements and to inspect vehicles before leaving site. Any washing down before leaving site will be carried out using a jet wash and bowser.

Dust Suppression Measures

If dust levels within the site are elevated during the course of the works operatives will wear oral/nasal dust masks and ensure arms and legs are covered to minimise exposure to the dust.

The utilisation of a fine water spray directed at the point of demolition will control dust migration. The quantity of water emitted by the spray will be regulated and controlled to prevent any flooding at ground level.

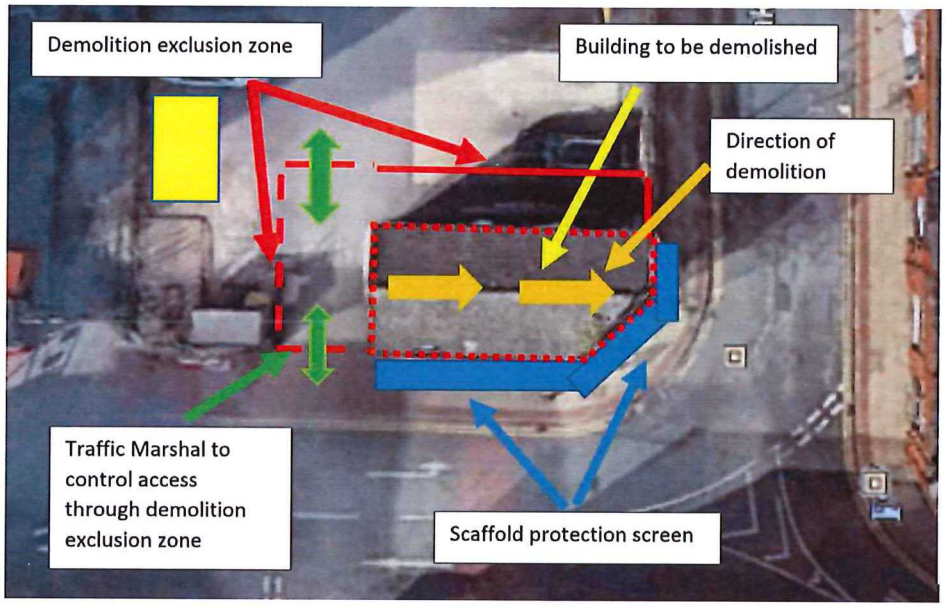
Compound Location

During the course of the works the existing car park operations will be suspended and all public access into the site will be prohibited.

This will be controlled by a dedicated gate person who will control access and egress.

Due to the short duration of these works a mobile welfare unit will be brought onto site for the use of site personnel.

This will be located away from the demolition works adjacent to the hoarding on the Dakota side of the car park (yellow square on the below plan)



Location, removal and recycling of waste

All materials will be segregated into separate waste streams to remove rubbish, timber and metal products.

Hardcore will be stockpiled on site for subsequent crushing/taken to an offsite crushing facility for recycling.

Timber will be sent off site for reuse or pulping.

Metal products will be smelted for reuse.

By continuously processing materials arising, unobstructed access around a relatively tidy site is maintained.

Debris will be taken off site by a licensed carrier with copies of waste tickets retained in the Site Records

Routing strategy and swept path analysis

All deliveries will be directed to site via Great Ancoats Street and onto site

All traffic leaving site will be directed along Peak Street and again back onto Great Ancoats Street

A site-specific swept path analysis has not been done for the site as the size of the vehicles required is restricted to those that have already been using the site during the construction of the Dakota Hotel by GMI Construction.

GMI have advised that 8 wheel 20 tonne wagons can access the site easily and there is sufficient space in the empty car park for vehicle to turn around.

Parking of construction vehicles and staff

All construction vehicles and staff cars will be parked in the existing car park.

The car park will be closed to the public during the course of the works.

Sheeting over of construction vehicles

All demolition wagons leaving site will be sheeted over to prevent dust and debris falling from the vehicles.

A method statement to protect the Rochdale and Ashton Canals from accidental spillages, dust and debris in relation to site clearance, earth moving shall take place or material or machinery brought on site

Environmental Considerations and Minimising the Environmental Impacts

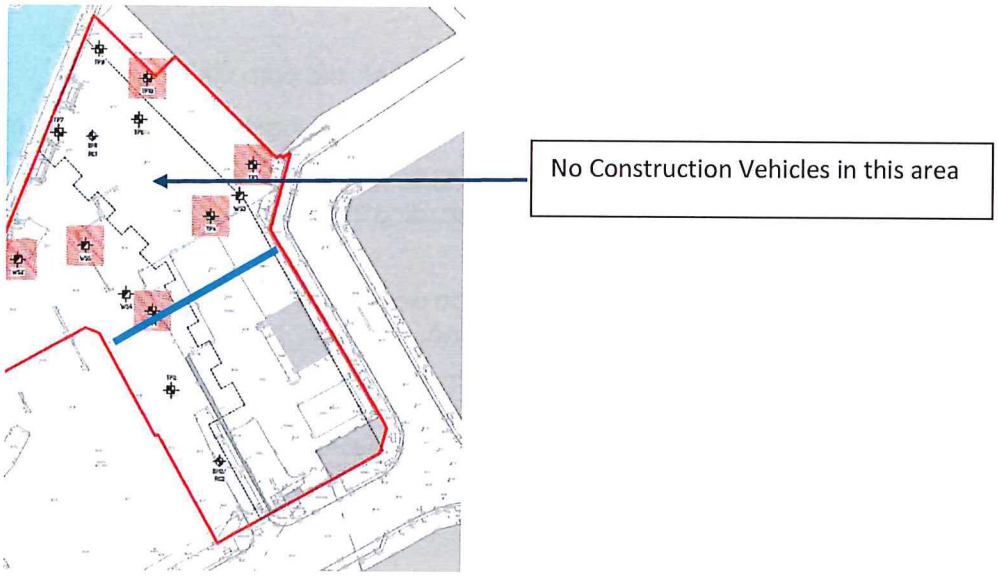
The project team and all its employees recognise the sensitivity of and proximity of the building to be demolished to the Rochdale and Ashton Canal.

As part of the DMP, personnel are made aware of issues which may impact on the environment and the canal in particular and are required to act responsibly.

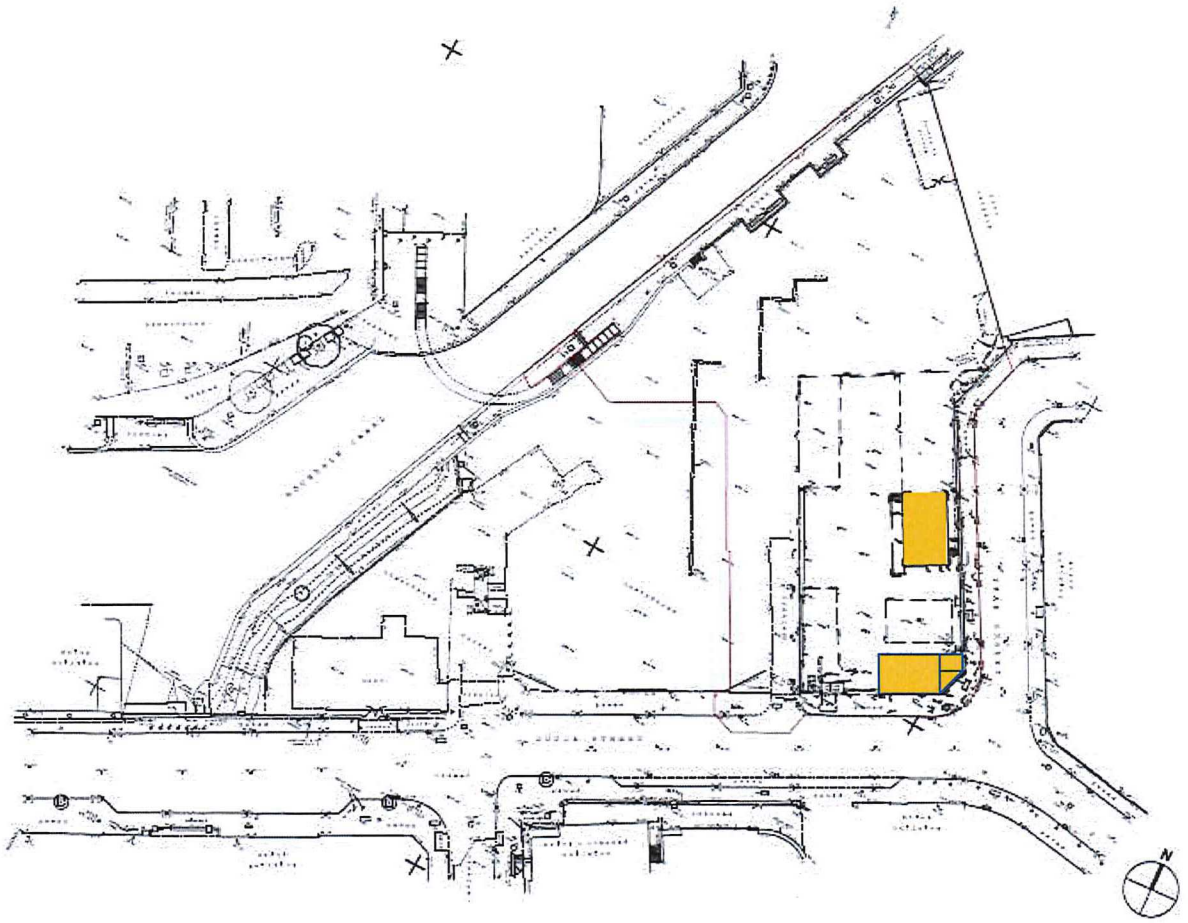
Environmental issues will be communicated to staff and operatives at site induction and specific environmental tool box talks till be delivered with records of attendance maintained.

Specific actions will be;

- Access for vehicles to the Canal end of the existing car park will be prohibited. This will be done by erecting a visible barrier at the location shown on the below plan. The gate person will make all drivers aware of these restrictions.



- Daily inspection of the towpath and inlet hoardings and barriers and all debris generated by the site will be removed.
- Permanent gate person on Ducie Street with a responsibility to constantly check the road and access areas and ensure they are kept clean and tidy
- Mesh hoardings will be debris netted to catch any wind debris
- Scaffolds will be netted.
- Spill Kit to be kept on site



Demolition Phase

CARTWRIGHT PICKARD

Client
BELGRAVIA LIVING

Project
Piccadilly Bash

Building Name
Elder House

Drawing Title
Existing Site Plan

Scale	Drawing Created
1:500 @ A3	25/01/17

Drawing Status	Revision
Planning Application	B

Drawing No.
786-CPA-A-XX-GF-DR-1000

EXHIBIT 2 – PHOTOGRAPHS

7 January 2021 – rear


CAFE
SALFORD
VAN HIRE
For Private & Business Use

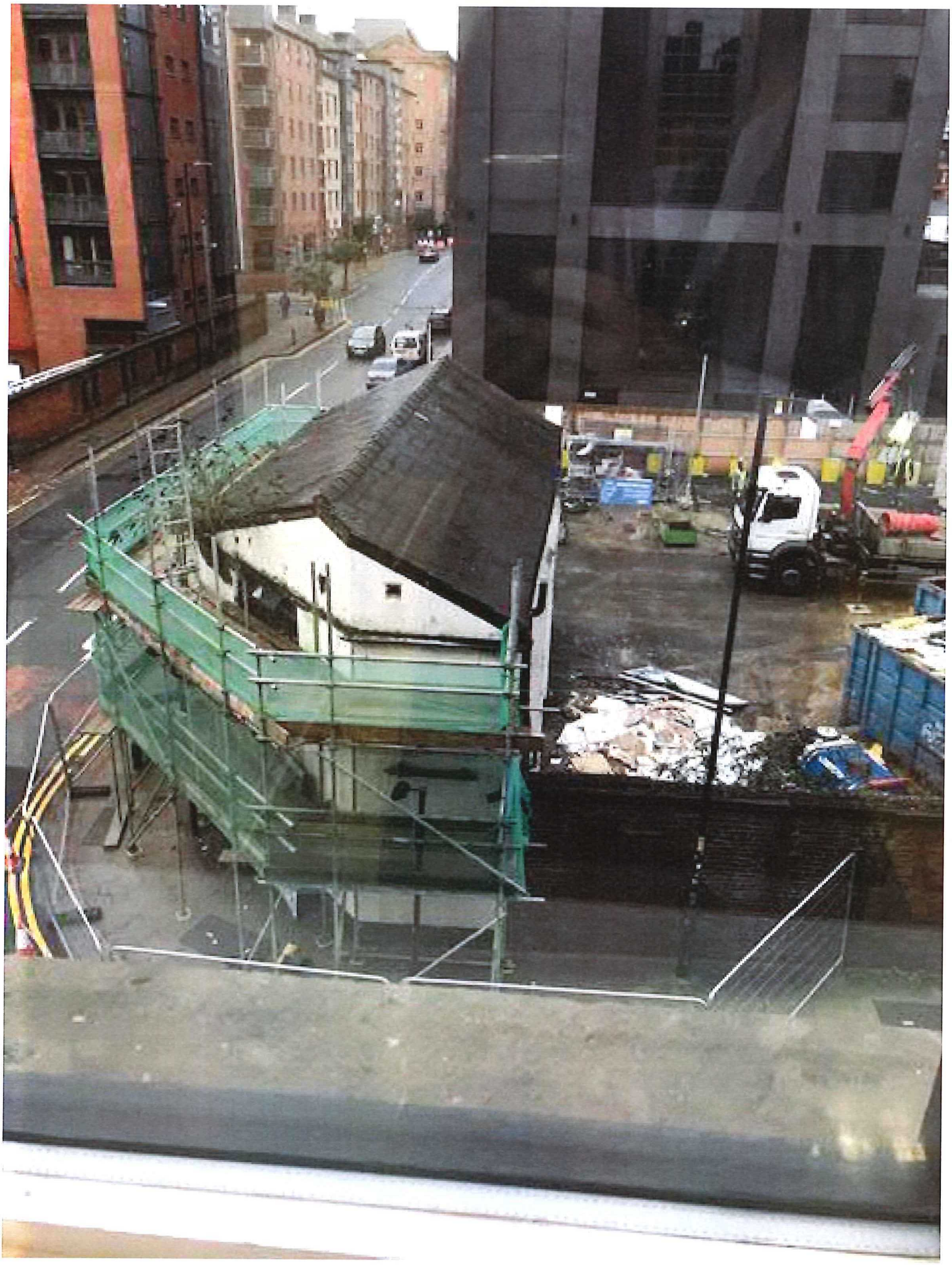
7 January 2021 – roadside


CAFE
FOOTWAY
CLOSED

8 January – progress



8 January 2021 – from Ducie



8 January 2021 – progress 2


23

13 January 2021 – completed works 1


CitiPark

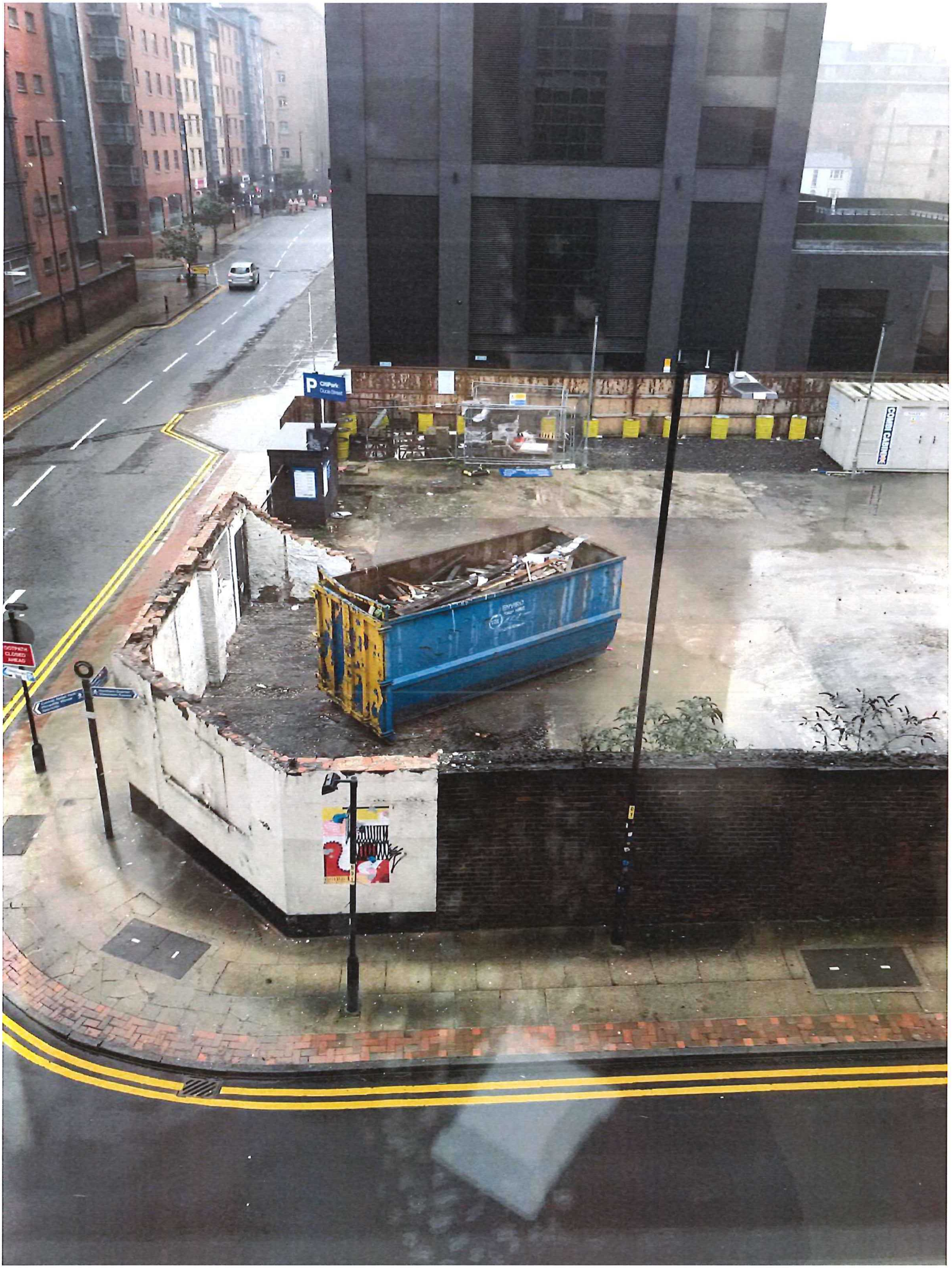
13 January 2021 – completed works 2


CitiPark
Ducie Street
FOOTPATH
CLOSED
AHEAD
Great Ancoats
Street

13 January 2021 - completed works from Ducie


CitiPark
Dupe Street
COMBI CABINS
ADM
REGENERATION
ENVIRO

13 January 2021 – completed works from Ducie 2


P CitiPark
Duke Street

APPENDIX 4

Approval of NMA 128668/NMS/2020

MANCHESTER CITY COUNCIL

Planning

Angela Leckie
Telephone: 0161 234 4651
angela.leckie@manchester.gov.uk

P O Box 532 Town Hall
Manchester M60 2LA

Rachel Poole
Deloitte LLP
2 Hardman Street
Manchester
M3 3HF

Date: 18 December 2020

Dear Sir/Madam,

Application under Section 96a of the Town & Country Planning Act 1990 (as amended) for a Non-Material change to a planning permission
Application No: 128668/NMC/2020
Description: Non material amendment to application ref no 115178/FO/2017 to amend the trigger for submission of information required to discharge planning condition 2 (Approved Dwgs),3 (Materials), 4 (Contaminated Land), 5 (Landscaping), 6 (Construction Managment Plan), 8 (Suds 1), 12 (Noise and ventilation), 17 (Local Labour Agreement) and 20 (Archaeology).
Location: Ducie Street, Manchester, M1 2JL

I refer to your application for a non-material amendment to planning permission reference 115178/FO/2017.

Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The proposed amendments are to conditions only. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and are necessary for the reasons set out below. The amendments to the conditions will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

Reason 2: The amendments to the triggers are required to preserve the consent as due to the pandemic it has not been possible for design development to progress to a level which would allow them to be discharged pre-commencement however this is only agreed on the basis that the permission is amended to a phased delivery and a backstop timescale trigger under which the consent would not be preserved is added.

Therefore I can confirm that the proposed amendments are hereby **approved**.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 115178/FO/2017. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval

115178/FO/2017 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended conditions also now apply:

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

(a) Site Plan 786-CPA-A-XX-GF-DR-A-1000 REV B;

(b) Demolition Phasing Plan stamped as received on 17-12-20;

(c) 786-CPA-XX-01-DR-A-2002_F, 786-CPA-XX-02-DR-A-2003_G, 786-CPA-XX-03-DR-A-2004_D, 786-CPA-XX-04-DR-A-2005_D, 786-CPA-XX-05-DR-A-2006_D, 786-CPA-XX-06-DR-A-2007_D, 786-CPA-XX-07-DR-A-2008_D, 786-CPA-XX-08-DR-A-2009_F, 786-CPA-XX-09-DR-A-2010_F, 786-CPA-XX-B1-DR-A-2000_E, 786-CPA-XX-GF-DR-A-1000_B, 786-CPA-XX-GF-DR-A-2001_H, 786-CPA-XX-GF-DR-A-2100_E, 786-CPA-XX-GF-DR-A-2150, 786-CPA-XX-RF-DR-A-2011_E, 786-CPA-XX-ZZ-DR-A-2500_C, 786-CPA-XX-ZZ-DR-A-2501_D, 786-CPA-XX-ZZ-DR-A-2600_F, 786-CPA-XX-ZZ-DR-A-2610_D, 786-CPA-XX-ZZ-DR-A-2611_E, 786-CPA-XX-ZZ-DR-A-2650_C, 786-CPA-XX-ZZ-DR-A-2651_C, 786-CPA-XX-ZZ-DR-A-2652_C, 786-CPA-XX-ZZ-DR-A-2670_A, 786-CPA-XX-ZZ-DR-A-2701_D, 786-CPA-XX-ZZ-SC-A-1101_M, 786-CPA-XX-ZZ-SC-A-1102_B, 786-CPA-XX-ZZ-DR-A-2700 D and 786-CPA-XX-ZZ-DR-A-2601 F

(d) Waste Management Strategy stamped as received on 12-04-17 and dwg 786-CPA-A-XX-GF-DR-2150 Rev A;

(e) Recommendations in sections, 3, 4,5 and 6 of the Crime Impact Assessment Version A dated 06/01/17; and

(f) Recommendations and measures as detailed in Wardell Armstrong Air Quality Assessment April 2017 and points 11 within the Eider House :Statutory Consultee Comments and Responses document issued on 05-06-17;

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP 1, CC3, H1, H8, CC5 , CC6 , CC7, CC9 , CC10, T1, T2 , EN1, EN2 , EN3 , EN6 , EN 8, EN9, EN11, EN14, EN15, EN 16 , EN17, EN18, EN19, DM 1 and PA1 ,saved Unitary Development Plan polices DC18.1 DC19.1 , DC20 and DC26.1.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development other than demolition the following shall be submitted submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all material to be used on all external elevations of the development. The programme shall included timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining and details of the glazing and a strategy for quality control management; and

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

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) (a) Before the development other than demolition (as detailed in Demolition Phasing Plan stamped as received on 17-12-20) 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 Assessmet shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

(b) 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.

c) When the development other than demolition 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.

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

5) Prior to the commencement of development other than demolition (as detailed in Demolition Phasing Plan stamped as received on 17-12-20), a programme for submission of final details of the public realm works as shown in dwg numbered RF16-383-L03 Rev PO1 shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

(a) Details of the proposed hard landscaping materials;
(b)Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on Ducie Street and abutting the Canal;
(c) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design;

(d) 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;
(e) Details of the proposed street furniture including seating, bins and lighting;
(f) Details of external steps and handrails;and
(h)Details of a signage strategy in relation to way finding within the development and associated public realm; and
(i) A strategy for the planting of street trees within the pavements on Ducie Street and Peak Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance;

and shall then be submitted and approved in writing by the City Council (in consultation with the Canal and Rivers Trust in relation to items a,b,e and f) as local planning authority in accordance with the programme as agreed above

The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

6) For each phase of the development, comprising a demolition phase (Demolition Phasing Plan stamped as received on 17-12-20) and construction phase, a detailed demolition or construction management plan outlining working practices, as relevant to each phase, shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

*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;
*A method statement to protect the Rochdale and Ashton Canals from accidental spillages, dust and debris in relation to site clearance, earth moving shall take place or material or machinery brought on site

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).

8) No development other than Demolition (as detailed in Demolition Phasing Plan stamped as received on 17-12-20) 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 discharge the above drainage condition the following additional information has to be provided:

(a)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 inlets. The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads. A layout with overland flow routes needs to be presented.

(b) Hydraulic calculation of the proposed drainage system;

(c) Construction details of flow control and SuDS attenuation elements;

(d) evidence of agreement by the Canal and Rivers Trust , United Utilities and Environment Agency that they accept the proposal and connections.

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.

The development shall be constructed in accordance with the approved details within an agreed timescale.

12) Before the development other than enabling works comprising demolition ((as detailed in Demolition Phasing Plan stamped as received on 17-12-20) piling and construction of the sub structure commences a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads shall be submitted to and approved in writing by the City Council as local planning authority

The approved noise insulation scheme shall be completed before any of the dwelling units are occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

17) Prior to development other than demolition (as detailed in Demolition Phasing Plan stamped as received on 17-12-20) commencing a local labour agreement relating to the construction phase of development , shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to the commencement of the development, and shall be kept in place thereafter.

Reason - To safeguard local employment opportunities, pursuant to pursuant to policies EC1 of the Core Strategy for Manchester.

20) No development other than demolition (as detailed in Demolition Phasing Plan stamped as received on 17-12-20) shall commence unless and until Archaeological site

investigations have been carried out in accordance with the Written Scheme of Investigation by the University of Salford, dated 06-06-2017.

This allows for

1. A phased programme and methodology of investigation and recording that includes:
- evaluation trenching
- dependent on the above, more detailed archaeological excavation
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. Dissemination of the results commensurate with their significance.
4. Provision for archive deposition of the report and records of the site investigation.

and have the findings of the investigation have been signed off by GMAAS

Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of the heritage interest impacted on by the development and to make information about the archaeological heritage interest publicly accessible. GMAAS will monitor the implementation of the archaeological works on behalf of Manchester Planning Authority

28) No development other than Demolition (as detailed in Demolition Phasing Plan stamped as received on 17-12-20) shall be carried out pursuant to this permission if the contract for the construction and completion of the building hereby permitted has not been let by 17 January 2022 (and evidence provided to the reasonable satisfaction of the LPA) any development activities on the site shall cease and no further development permitted by this planning permission shall be carried out. In this event, no later than 18th February 2022 a scheme shall be submitted to the LPA setting out how the site shall be restored, landscaped and maintained and thereafter the site shall be restored, landscaped and managed in accordance with the scheme that has been approved by the LPA

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.

Should you wish to discuss the matter further, please contact Angela Leckie using the details above.

Yours faithfully,



Julie Roscoe
Director of Planning, Building Control & Licensing

APPENDIX 5

Approval of discharge of condition 6 CDN/20/0779

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Approval of details reserved by condition

Applicant

Belgravia Living Group Ltd
75 Dale Street
Manchester
M1 2HG

Agent (if used)

Rachel Poole
Deloitte Real Estate
2 Hardman Street
Manchester
M3 3HF

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 6 (Construction Management Plan - Demolition (amended phasing of development and condition wording being proposed under application ref no 128668/NMC/2020) attached to application ref no 115178.

Location: Ducie Street Car Park, Ducie Street, Manchester, M1 2JL

Date of application: 1 December 2020

Application number: CDN/20/0779

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Approved** in accordance with the information set out below.

Condition 6 (Construction Management Pla
Condition 6 (Construction Management Plan - Demolition) - On the basis of compliance with the following:

Belgravia Living Group, Demolition Management Plan, Eider House, Ducie Street, Manchester Rev 02

the condition is discharged for the Demolition phase of the development as set out in Demolition Phasing Plan stamped as received on 17-12-20

Date: 18 December 2020

Signed:

Julie Roscoe

Director of Planning, Building Control & Licensing

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

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) 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 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

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

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

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

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

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

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