

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Gary Jackson
De Trafford Estates Group
Barrington House
Heyes Lane
Alderley Edge
SK9 7LA

Agent (if used)

Mr Tom Flanagan
Paul Butler Associates
31 Blackfriars Road
Salford
Manchester
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Redevelopment of the site with a mixed use development comprising 59 residential apartments (Use Class C3) and a ground floor commercial unit (to include Use Classes A1, A2, A3, A4, B1), with associated car parking and public realm.

Location: Unit 6 , Bentinck Industrial Estate, Bentinck Street, Manchester, M15 4LN

Date of application: 23 January 2017

Application number: 115087/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

In assessing the merits of an application for planning permission officers will seek to work with the applicant in a positive and pro-active manner to seeking solutions to problems arising in relation to dealing with the application. Planning officers have worked with the applicant to overcome problems relating to highways and amenity.

Condition(s) attached to this decision

- 1) The development must be begun not later than the 5 August 2019.

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:

A277_P_01_Rev B - Location Plan

A277_P_02_Rev B	- Block Plan
A277_P_15_Rev B	- Proposed Refuse Strategy Plan
A277_P_16_Rev A	- Proposed Access Plan
A277_P_20_Rev D	- Proposed Ground Floor Plan
A277_P_21_Rev A	- Proposed First-Second Floor Plans
A277_P_22_Rev A	- Proposed Third-Fourth-Seventh-Eighth Floor Plans
A277_P_23_Rev A	- Proposed Fifth-Sixth-Ninth-Tenth Floor Plans
A277_P_24	- Proposed Tenth Floor Plan
A277_P_25_Rev B	- Proposed Roof Plan
A277_P_30_Rev A	- Proposed South (front) & East Elevations
A277_P_31_Rev B	- Proposed North (rear) & West Elevations
A277_P_40_Rev A	- Proposed Sections
A277_P_50_Rev A	- Proposed North Context Elevation
A277_P_51_Rev B	- Proposed East & West Context Elevation
A277_P_52_Rev A	- Proposed South Context Elevation
A277_P_100_Rev A	- Elevation Detail 1 - South
A277_P_101_Rev A	- Elevation Detail 2 - South
A277_P_102_Rev A	- Elevation Detail 3 - South
A277_P_103_Rev A	- Elevation Detail 4 - East
A277_P_104_Rev A	- Elevation Detail 5 - North
A277_P_105_Rev A	- Elevation Detail 6 - North
A277_P_106_Rev A	- Elevation Detail 7 - North
A277_P_107_Rev A	- Elevation Detail 8 - West
A277_P_111_Rev A	- Car Park Entrance Details
CIV101 Rev 3	
CIV102 Rev 3	
CIV103 Rev 1	
CIV104 Rev 2	

Planning and Heritage Statement by Paul Butler Associates dated 20 January 2017;
 Design and Access Statement by Ollier Smurthwaite Architects dated January 2017;
 Noise Impact Assessment by REC Ltd Ref AC100083-1R2 dated 17 January 2017;
 Transport Statement and Appendices by SCP Ref: LB/16030/TS/0;
 Framework Travel Plan by SCP Ref: LK/16030/FTP/0 dated March 2016;
 Preliminary Roost Assessment by Urban Green dated February 2016 (Re-issued Jan 2017);
 Crime Impact Statement Version D: 18.01.17 Ref: 2015/0631/CIS/02;
 Arboricultural Report by Urban Green dated January 2016;
 Pre Construction Signal Reception Impact Survey by Astbury dated 27 July 2015
 Daylight, Sunlight and Overshadowing Assessment by REC Ltd Ref AQ100086R5 dated Jan 17;
 Code for Sustainable Homes Pre Assessment Analysis by Watt Energy and Consulting Engineers Ltd dated 03 February 2016;
 BREEAM Pre Assessment Analysis by Watt Energy and Consulting Engineers Ltd dated February 16;
 Energy and Sustainability Assessment by Watt Energy and Consulting Engineers Ltd dated 21 March 2016;
 Geo-Environmental Site Assessment by REC Ltd Ref 100156P1R0 dated September 2015;
 Archaeological Desk Based Assessment by Paul Butler Associates dated 15 March 2016;
 Wind Engineering Desk Top Study by Buro Happold Engineering ref 034632 dated 19 January 2017 Revision 02;
 Drainage Specification by Roc Consulting dated August 2016;

Drainage Strategy by Rhodes and Partners Ref 18581-DR-02 dated 20.01.2017;
Demolition Method Statement by Total Controlled Demolition dated 11.03.2016;
Air Quality Assessment by Redmore Environmental Ltd Ref 1219-4r1 dated 19 January 2017;
Church Street Churchgate Block E Landscape Scheme by Urban Green dated Jan 2017 Rev D;
Block E, Castlefield Transport Note by SCP ref JI/16030/TN01 dated 20 January 2017.

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

3) Prior to the commencement of development, a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council, as local planning authority. 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 a strategy for quality control management, shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above. The development shall be carried out in accordance with the approved details.

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).

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

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to

remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

5) The development hereby approved shall not commence unless and until a Construction Management Plan, including details of the following, has been submitted to and approved in writing by the City Council as local planning authority:

- *Hours of site opening / operation
- * A Site Waste Management Plan,
- * Air Quality Plan;
- *A plan layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction;
- *The parking of vehicles of site operatives and visitors;
- *Loading and unloading of plant and materials;
- *Storage of plant and materials used in constructing the development;
- *Construction and demolition methods to be used, including the use of cranes;
- *The erection and maintenance of security hoarding;
- *Measures to control the emission of dust and dirt during construction and;
- *A scheme for recycling/disposing of waste resulting from demolition and construction works;
- *Details of and position of any proposed cranes to be used on the site and any lighting;
- *A detailed programme of the works and risk assessments;
- *Temporary traffic management measures to address any necessary bus re-routing and bus stop closures.
- *Details on the timing of construction of scaffolding,
- *A Human Impact Management Plan,
- *Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times.

The approved CMP shall be adhered to throughout the construction period.

Reason - To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG).

6) No site clearance works, including works to trees or shrubs, shall commence between 1 March and 31 August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation that no bird nests are present has been submitted to and approved in writing by the City Council as local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to Policy EN15 of the Core Strategy.

7) Prior to any earthworks taking place on the site, a report including a survey for invasive plant species, including japanese knotweed and himalayan balsam, shall be submitted to and agreed in writing by the City Council as local planning authority. Should any invasive species be found to be present, the report shall include a method

statement detailing avoidance, control and eradication measures to be carried out before development commences.

Reason - The site may contain invasive species requiring treatment, pursuant to Policies EN15 and DM1 of the Core Strategy.

8) No development shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI), prepared by the appointed archaeological contractor. The WSI should be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the site investigation has been completed in accordance with the approved WSI. The WSI shall cover the following:

(a) A phased programme and methodology of site investigation and recording to include:

- evaluation through trial trenching;
- depending upon and informed by the evaluation results a more detailed targeted excavation and historic research, which shall be the subject of a new WSI;

(b) A programme for post investigation assessment to include:

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

(c) Provision for publication and dissemination of the analysis and report on the site investigation, through guided tours, a public open day (if warranted by the remains revealed), a scheme of display and interpretation within the new public realm, a popular publication in the Greater Manchester Past Revealed series, and an academic article or monograph dependent on the significance of the results.

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

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

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in Section 12, Paragraph 141 of the National Planning Policy Framework.

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

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

o Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at

least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;

- o Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- o Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event in any part of a building;
- o Evidence of location and adequate capacity of inlet drainage elements (channels, gullies or SuDS) to convey surface water from the site (including flash flood storms) into the proposed underground storage. 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. 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;
- o Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- o Hydraulic calculation of the proposed drainage system;
- o Construction details of flow control and SuDS elements.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policies EN14 and EN17 of the Core Strategy.

10) 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:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- 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 prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policies EN14 and EN17 of the Core Strategy.

11) No development shall commence until a hard and soft landscape treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. This shall include details of those existing trees to be removed and those existing trees that are to be retained, and details of replacement tree planting to be provided in line with the Manchester Tree Strategy. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

12) Before the development commences, studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:

a) Measure the existing television signal reception within the potential impact area, identified within the Pre-Construction Signal Reception Impact Survey by Astbury TV Aerials Ltd dated 27 July 2015, before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications, and shall include an assessment of the survey results obtained.

b) Assess the impact of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (a) above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

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

13) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Chester Road, the Mancunian Way, the railway and tram lines, and any other actual or potential sources of noise on or near the site including any local commercial or industrial premises, 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.

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

14) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

15) Before development commences a scheme for the extraction of any fumes, vapours and odours from the A3 or A4 premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy DM1 of the Core Strategy for the City of Manchester.

16) 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 policies EC1 of the Core Strategy for Manchester.

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

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

18) The wheels of contractors' vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

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

19) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

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

20) No part of the development shall be occupied until measures/features that are beneficial to wildlife, such as roosting opportunities for bats or the installation of bird nest boxes, have been submitted to and approved in writing by the City Council as local planning authority and those approved measures/features have been incorporated into the development.

Reason - To enhance, restore or create new biodiversity either on-site or adjacent to the site in order to contribute to linkages between valuable or potentially valuable habitat areas, pursuant to Policy EN15 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework

21) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with the approved plans. These facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to transport mode, pursuant to policy T1 of the City of Manchester Core Strategy.

22) The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police and shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

23) The commercial uses hereby approved shall not be open outside hours to be agreed in writing by the City Council as local planning authority.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

24) Before any of the commercial uses hereby approved commence, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

25) No part of the site outside the buildings shall be used other than in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority. No amplified sound or any music shall be produced or played in any part of the site outside the building.

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

26) No part of the development shall be occupied unless and until a car park space suitable for use by disabled persons has been provided in accordance with the

approved drawings. This parking space shall be retained and permanently reserved for use by disabled persons.

Reason - To ensure that adequate provision is made for parking for disabled persons, pursuant to policies CC10 and DM1 of the City of Manchester Core Strategy.

27) Foul and surface water shall be drained on separate systems.

Reason - To secure proper drainage and to manage the risk of flooding and pollution, pursuant to Section 10 of the National Planning Policy Framework and Policy EN14 of the Core Strategy.

28) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination are present is permitted other than with the express written consent of the City Council as 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 approved details.

Reason - To ensure a safe form of development that poses no unacceptable risk of pollution to controlled waters, pursuant to policies DM1 and EN18 of the Core Strategy.

29) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the City Council as local planning authority, which may be given for those parts of the site where it has been demonstrated that there would be 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 pollution to controlled waters, pursuant to policies DM1 and EN18 of the Core Strategy.

30) No loading or unloading shall be carried out on the site outside the hours of:

07:30 to 20:00, Monday to Saturday.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

31) The development hereby approved shall undergo an Uncertified Sustainability Review to demonstrate the achievement of a BREEAM rating of at least 'very good'. A post construction Sustainability Review document demonstrating achievement of a BREEAM rating of at least 'very good' shall be submitted to and approved in writing by the City Council as local planning authority within 3 months of the building hereby approved is first occupied. The Sustainability Review document will provide evidence once the building has been erected that it has been built in accordance with the relevant BREEAM criteria based on the current appropriate BRE manual and has incorporated feasibility measures to minimise the environmental impact and energy use.

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.

32) Before the development hereby approved is completed, 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, shall be 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 - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes and in accordance with Core Strategy policies SP1 and DM1.

33) 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.

34) Before first occupation of the development 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. The approved strategy shall remain in operation in perpetuity.

Reason - In the interests of amenity, pursuant to Core Strategy policy DM1.

35) The development hereby approved shall include a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in the National Planning Policy Framework, saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

36) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development

- ii) a commitment to surveying the travel patterns of staff 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, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

37) Before the development hereby approved is first occupied a scheme to connect the site to the existing local cycle route infrastructure shall be submitted to and approved in writing by the City Council as local planning authority. The development shall subsequently be carried out in accordance with the approved details prior to first occupation.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

38) Before first occupation of the ground floor commercial unit, a shop front and signage strategy shall be submitted to and agreed in writing by the City Council as local planning authority.

Reason - In the interests of visual amenity to enable careful attention to signage details and the level of visual clutter associated with any external seating is required to protect the character and appearance of this building in accordance with policies SP1 and DM1 of the Core Strategy.

39) The car parking spaces hereby approved shall be used only by residents occupying the development hereby approved and by no other persons.

Reason - To ensure that adequate parking is provided for occupiers of the development in the interests of highway safety and amenity, pursuant to Core Strategy policies SP1 and DM1

40) No development shall take place unless and until a Residents' Management Strategy has been submitted to, and approved in writing by, the City Council, as local planning authority. The Residents' Management Strategy shall include details of maintenance, security, energy management, janitorial services, common parts cleaning, exterior services, and building policies in relation to waste disposal, storage and deliveries. The Residents' Management Strategy shall be fully implemented, prior to first occupation of the building, and shall be kept in operation at all times thereafter.

Reason - To ensure the development is managed in the interests of the general amenities of the area, pursuant to policies SP1 and DM1 of the Core Strategy.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

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

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

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

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

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.

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

- o Monday - Friday: 7.30am - 6pm
- o Saturday: 8.30am - 2pm
- o Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase.

Date: 2 May 2017

Signed:



Julie Roscoe
Head of Planning, Building Control & Licensing

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

Notes

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

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

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

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

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

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

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

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

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

Appendix A



**The Coal
Authority**

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

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

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

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

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

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



Job Number:	17.1136	
Project:	Unit 6 Bentinck Street Industrial Estate, Bentinck Street, Hulme, Manchester, M15 4LN (St Georges Gardens) - Revised Scheme	
Client:	De Trafford Estates Group	
Purpose:	This conditions schedule has been prepared to set out the work and actions necessary to comply with the conditions attached to the decision notice for Application No. 120724/JO/2018, which was issued on 20 March 2019.	
Version:	Later versions of this schedule will be issued to provide an update as conditions are complied with.	
Date:	20.05.2021	
Distribution:	Oliver Reeves (OS) Jon Gaskell (JG) Sean Croft (SC)	De Trafford Projects (DTP) De Trafford Construction (DTC) De Trafford Construction (DTC)

Note 1: A red diamond (◆) indicates that the condition must be met before development starts on site (i.e. a pre-commencement condition).

Note 2: A blue circle (●) indicates that the condition must be met before the development is first occupied or used (i.e. a pre-occupation condition).

Note 3: Shaded orange indicates that the condition must be complied with, but no discharge of conditions application is necessary.

Note 4: Green shading indicates that the condition has been discharged (informally by email or by letter).

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
1	The development must be begun not later than the 5 August 2019.	Development to commence by 5 August 2019.	Commence development by 5 August 2019.				No action required unless unable to comply with condition.
2	The development hereby approved shall be carried out in accordance with the following drawings and documents: A277_P_01_Rev B - Location Plan A277_P_02_Rev B - Block Plan A277_P_15_Rev B - Proposed Refuse Strategy Plan A277_P_16_Rev A - Proposed Access Plan L0001 Rev P05 - Ground Floor - General Arrangements 0001 Rev P06 - Proposed Lower Ground Level - GA Plan A277_P_21_Rev A - Proposed First-Second Floor Plans A277_P_22_Rev A - Proposed Third-Fourth-Seventh-Eighth Floor Plans A277_P_23_Rev A - Proposed Fifth-Sixth-Ninth-Tenth Floor Plans A277_P_24 - Proposed Tenth Floor Plan ~~A277_P_25_Rev B - Proposed Roof Plan~~ ~~2011 Rev P07 - North Elevation~~ ~~2012 Rev P08 - East Elevation~~ ~~2013 Rev P08 - South Elevation~~ ~~2014 Rev P07 - West Elevation~~ A277_P_40_Rev A - Proposed Sections A277_P_50_Rev A - Proposed North Context Elevation A277_P_51_Rev B - Proposed East & West Context Elevation A277_P_52_Rev A - Proposed South Context Elevation	Development to be carried out in accordance with approved drawings and documents. Lift overruns NMA approved 11 September 2019. Updated elevations to include: 0001 Rev C03 - Proposed Level 11 - GA Plan; 0001 Rev C01 - Proposed Roof Level - GA Plan; 2001 Rev C06 - Block E1 Roof Elevations 1 of 2; 2002 Rev C06 - Block E1 Roof Elevations 2 of 2; 2011 Rev C05 - North Elevation; 2012 Rev C06 - East Elevation; 2013 Rev C05 - South Elevation; 2014 Rev C04 - West Elevation; NMA 125926/NMC/2020 for changes	Contractor to carry out development in accordance with approved drawings and documents.				No action required unless unable to comply with condition.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	A277_P_100_Rev A - Elevation Detail 1 - South A277_P_101_Rev A - Elevation Detail 2 - South A277_P_102_Rev A - Elevation Detail 3 - South A277_P_103_Rev A - Elevation Detail 4 - East A277_P_104_Rev A - Elevation Detail 5 - North 5001 Rev P01 - Window Study - Section 01 5003 Rev P01 - Window Study - Section 03 A277_P_107_Rev A - Elevation Detail 8 - West A277_P_111_Rev A - Car Park Entrance Details CIV101 Rev 3 CIV102 Rev 3 CIV103 Rev 1 CIV104 Rev 2 Planning and Heritage Statement by Paul Butler Associates dated 20 January 2017; Design and Access Statement by Ollier Smurthwaite Architects dated January 2017; Noise Impact Assessment by REC Ltd Ref AC100083-1R2 dated 17 January 2017; Transport Statement and Appendices by SCP Ref: LB/16030/TS/0; Framework Travel Plan by SCP Ref: LK/16030/FTP/0 dated March 2016; Preliminary Roost Assessment by Urban Green dated February 2016 (Re-issued Jan 2017); Crime Impact Statement Version D: 18.01.17 Ref: 2015/0631/CIS/02; Arboricultural Report by Urban Green dated January 2016; Pre Construction Signal Reception Impact Survey by Astbury dated 27 July 2015 Daylight, Sunlight and Overshadowing Assessment by REC Ltd Ref AQ100086R5 dated Jan 17; Code for Sustainable Homes Pre Assessment Analysis by Watt Energy and Consulting Engineers Ltd dated 03 February 2016; BREEAM Pre Assessment Analysis by Watt Energy and Consulting Engineers Ltd dated February 16; Energy and Sustainability Assessment by Watt Energy and Consulting Engineers Ltd dated 21 March 2016; Geo-Environmental Site Assessment by REC Ltd Ref 100156P1R0 dated September 2015; REC Remediation Strategy reference 103785P4R0 dated June 2018; Archaeological Desk Based Assessment by Paul Butler Associates dated 15 March 2016; An Archaeological Watching Brief and Evaluation Trenching by Archaeological Research Services Ltd, report no 2018/119;	to the external lighting approved on 2 March 2020. Updated drawings include: Dwg no. WECE/184/E/30 Rev T7 Dwg no. P138-2431-L					

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	Wind Engineering Desk Top Study by Buro Happold Engineering ref 034632 dated 19January 2017 Revision 02; Drainage Specification by Roc Consulting dated August 2016; Drainage Strategy by Rhodes and Partners Ref 18581-DR-02 dated 20.01.2017; The RIBA Stage 3 Drainage Strategy Design document by RoC Consulting dated 18 May 2018; The RIBA Stage 5 Drainage Strategy Design Calculations document by RoC Consulting ref SGG-ROC-XX-XX-CA-C-0001 dated 18 May 2018; The information contained within the Lynsay Ewart's email to Lucy Harrison of 7 January 2019 with regard to drainage; Drawing number C-60 N received with Lynsay Ewart's email to Lucy Harrison of 7 January 2019; Demolition Method Statement by Total Controlled Demolition dated 11.03.2016; Air Quality Assessment by Redmore Environmental Ltd Ref 1219-4r1 dated 19 January 2017; Church Street Churchgate Block E Landscape Scheme by Urban Green dated Jan 2017 Rev D; Block E, Castlefield Transport Note by SCP ref JI/16030/TN01 dated 20 January 2017; Japanese Knotweed Control Limited document version 2 received by the City Council as local planning authority on 25 May 2018 Appendix E Proforma Waste Management Strategy; Waste Management Strategy drawing number SGG0JMA-ZZ-LG-DR-A-00-4004 P01; Service and Vehicle Access drawing number SGG-JMA-ZZ-LG-DR-A-90-0003 P01; Foundation Works Risk Assessment Report Churchgate Block E & E2 dated 18.05.2018 prepared by RoC Consulting; External Lighting Specification and Images Schedule; ~~Drawing number WECE/184/E/30 Rev T5; and~~ ~~Drawing number P138-2431-H.~~ Drawing number WECE/184/E/30 Rev T7 Drawing number P138-2431-L						
3 (♦)	Prior to the commencement of development, a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council, as local planning authority. 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 a strategy for quality control management, shall then be submitted to and approved in writing by the City Council as local planning authority in accordance	DTC provided a programme for the issue of samples and specifications of materials (rev 02, dated 16th October 2018). Under previous condition discharge application the materials approved in principle at desktop samples meeting on 27/11/18 (JMA offices), with exception of the Standing Seam.	PBA to submit the updated 'sample submission programme', envelope extract, and alternative 'Dutch Seam' brochure to MCC as part of condition discharge application.	DTC and JMA		Submitted 24 July 2019	Discharged Planners confirmed materials acceptable (subject to quality control) at the site meeting held on 30 September 2019. PBA submitted the Mock Up Review document for comment on 07/10/2019.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	with the programme as agreed above. The development shall be carried out in accordance with the approved details.	Revised Mock Up Elevation confirmed (dwg no. 7001 rev P03) confirmed acceptable by Lucy Harrison in email 19/12/18.	Samples of materials to be made available on site for inspection by MCC as per the programme timescales.				Site meeting to review the corner detail held on 9 December 2019. Comments received from Lucy Harrison on 10 December 2019 regarding brick slips - DTC to review use of pistol bricks. Confirmation pistol bricks can be used from supplier. Photos of samples of pistol bricks issued to planners on 16 January 2020. Lucy Harrison confirmed that pistol bricks acceptable on 30.01.2020. Benchmark panel to be signed off prior to discharge of condition - PBA requested site meeting with planners w/c 23/03/2020 to view benchmark. Awaiting response. Lucy Harrison confirmed benchmark could be reviewed via photos / videos due to COVID. DTC to provide further photos / a video of agreed benchmark details to be reviewed. Lucy Harrison confirmed the external elevation materials to the building and the benchmark control areas shown on the photographs submitted with your email of 9 June 2020 are acceptable (email dated 24.06.2020). Carolyn Parry confirmed condition 3 discharged in email dated 10/07/2020. Colour change of GF perforated cladding to black confirmed acceptable in email from Lucy Harrison (01.12.2020).
4	The development shall be carried out in accordance with the REC	The development is to be carried out	PBA to submit	REC		Submitted on the Planning Portal	Discharged

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
Previously P.C and previous submission accepted.	Remediation Strategy reference 103785P4R0 dated June 2018 and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.	in accordance with the agreed Remediation Strategy by REC, ref. 103785P4R0. RS has spoken to REC and the report cannot be finalised and submitted until the levels have been tested. Therefore, this element of landscaping works needs completing and submitting 8 weeks prior to PC. 30.01.20 PBA discussed with REC timescales for verification submission as the condition wording does not specifically refer to pre-occupation. REC confirmed if not specified as pre-occ requirement then allows occupation, but should aim to provide verification asap. REC confirmed in email that the remediation strategy and condition did not include a timescale for submission (07.02.2020).	Completion/Verification Report to MCC as part of condition discharge application. PBA to discuss with planners to confirm condition discharge of the verification report is not required prior to occupation. PBA currently chasing planners by email / phone to discuss.			on 11 December 2020.	Confirmed in decision letter dated 11.02.2021 (ref CDN/20/0845)
5 Previously P.C and previous submission accepted.	Construction at the site shall be carried out in accordance with: - the Noise and Vibration Management Plan, dated 9 August 2018, - the St. Georges Gardens: Construction Method Statement, dated April 2018, - the Site Logistics and Traffic Management Plan, dated May 2018, all received by the City Council as local planning authority on 10 August 2018; and - contractors shall liaise with the Contractor Engagement Group for the St George's area with a view to preventing contractor parking/highway issues.		DTC to ensure the development is carried out in accordance with the approved construction management information.	DTC			No action required unless unable to comply with condition.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
6	No site clearance works , including works to trees or shrubs, shall commence between 1 March and 31 August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation that no bird nests are present has been submitted to and approved in writing by the City Council as local planning authority.	Site clearance to take place outside bird nesting season if possible. If not possible a bird nest survey will need to be undertaken to rule out the presence of nesting birds.		DTC			No action required unless unable to comply with condition.
7 <i>Previously P.C and previous submission accepted.</i>	Any invasive plant species found to be present on the site shall be dealt with in accordance with the Japanese Knotweed Control Limited document version 2 received by the City Council as local planning authority on 25 May 2018 before development commences.		DTC to ensure site managed in accordance with the approved invasive species report.	DTC			No action required unless unable to comply with condition.
8 <i>Previously P.C and previous submission accepted.</i>	Surface water drainage for the development shall be carried out in accordance with the following information: - The RIBA Stage 3 Drainage Strategy Design document by RoC Consulting dated 18 May 2018; - The RIBA Stage 5 Drainage Strategy Design Calculations document by RoC - Consulting ref SGG-ROC-XX-XX-CA-C-0001 dated 18 May 2018; - The information contained within the Lynsay Ewart's email to Lucy Harrison of 7 January 2019 with regard to drainage; - Drawing number C-60 N received with Lynsay Ewart's email to Lucy Harrison of 7 January 2019.		DTC to ensure the development is in accordance with the approved surface water drainage information.	DTC			No action required unless unable to comply with condition.
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: - Verification report providing photographic evidence of construction as per design drawings; - As built construction drawings if different from design construction drawings; - 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.	Completion of a drainage report confirming the drainage has been built in accordance with Design. ROC to produce report in line with the condition for discharge Being carried out W/C 20.01.20 by ROC. JG to chase issue of this report.	PBA to submit details of the implementation, maintenance and management of the sustainable drainage scheme to MCC as part of condition discharge application.	ROC		Submitted 19 August 2020	Discharged Comments received from Lucy Harrison 21.09.2020. Updated As Built Report issued to MCC 24.11.2020 – PBA chasing sign off. Comments from Carolyn Parry (re unit 5) 07.01.2021 requesting further detail on maintenance i.e specify who will be responsible. PBA to confirm FM contractor to be responsible.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							Confirmed acceptable in email from Lucy Harrison on 21.01.2021
10 (♦)	No development shall commence until a hard and soft landscape treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. This shall include details of those existing trees to be removed and those existing trees that are to be retained, and details of replacement tree planting to be provided in line with the Manchester Tree Strategy. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.	Details of landscaping were provided in Landscape Scheme by Urban Green (dated June 2017) as part of the application submission. Landscape scheme to be finalised by DEP/ DT.	PBA to submit scheme prepared by DEP. DTC to ensure landscaping scheme to be implemented no later than 12 months from the date buildings are first occupied. Any tree / shrub that is Removed / dies / damaged within 5 years of planting, will be replaced with a tree / shrub of the same size and species.	DEP / DTC		Submitted 24 July 2019 Roof landscaping scheme submitted 21 October 2019. Updated level 0 GA (with external lighting changes) submitted 18 Dec 2018. (GA rev P18). Updated roof landscape (following VE) submitted 14 Feb 2020. (Roof GA rev P07 & Roof Planting Plan rev P03). Latest Level 0 and Roof Level drawings (including wildlife features) issued when chasing for sign off on 17.03.2020: - SGG-DEP-00-00-DR-L-0 001 Rev P19 – Ground Floor General Arrangement - SGG-DEP-00-00-DR-L-0 003 Rev P07 – Ground Floor Planting Plan - SGG-DEP-00-11-DR-L-0 001 Rev P07 – Level 11 Roof Garden GA - SGG-DEP-00-11-DR-L-0 300 Rev P03 – Level 11 Roof Garden Planting Plan	Not discharged ~~Planner raised concern regarding boundary treatment and permeability. DEP contacted on 27.05.2020 to provide justification / access plan for Mer Gardens schemes.~~ Planner confirmed materials are acceptable (email dated 01.07.2020), with the exception of the proposed strip of decorative gravel (S10) adjacent to the on-street parking spaces – amended drawing provided 09.07.2020. Planner also confirmed requirement for contribution to replacement tree planting required. DT to confirm in agreement. Planner requested reinstatement of pavements with high quality material. PBA seeking to agree an alternative. Lucy confirmed ‘Marshall's Perfecta’ paving would be acceptable to replace the public footpaths around the site, subject to agreeing a suitable timescale for implementation. Lucy Harrison email 21.12.20 stated: <i>“As with condition 21 of planning permission 120725/JO/2018, the landscape scheme shown in drawing number SGG-DEP-00-00-DR-L-0001 Revision P06 is acceptable providing a financial contribution (amount to be agreed with the local planning authority)</i>

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							towards the provision of off-site tree planting is made by the applicant. The details shall be implemented not later than 12 months from the date the buildings are first occupied." Condition cannot be fully discharged until financial contribution for replacement trees is finalised. De Trafford to review quantum of trees and provide a draft Unilateral Undertaking.
11 (●) / within a month of practical completion <i>Previously P.C and previous submission accepted.</i>	A study that assesses the impact of the development on television signal reception within the potential impact area identified in the Pre-Construction Signal Reception Impact Survey by Astbury TV Aerials Ltd dated 27 July 2015 shall be submitted to and approved in writing by the City Council as local planning authority within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner , and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the Pre-Construction Signal Reception Impact Survey by Astbury TV Aerials Ltd dated 27 July 2015. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.	To appoint Astbury/ other to conduct an assessment of impact to television reception which is to be submitted and approved within one month of completion of development or before development is first occupied (whichever is sooner). TV reception impact - Arrange a TV survey to confirm there is no unacceptable impact. Measures to maintain pre-existing reception must be carried out before the either before the building is first occupied or within one month of the study being submitted ~~MAY IMPACT OCCUPATION AS TAKES 1 MONTH TO APPROVE AND CANNOT BE SUBMITTED PRIOR TO PC.~~ ~~NEEDS ADDING TO RISK REGISTER Submit ASAP.~~ Astbury have issued the report for submission.	PBA to submit post construction impact assessment to MCC as part of condition discharge application. DTC to ensure measures identified within the report are implemented either before the building is first occupied or within one month of the study being submitted to MCC (whichever is earlier).	DeTP		Submitted 18 March 2020	Discharged Confirmed in email dated 24.06.2020
12 (●) <i>Previously P.C and previous submission accepted.</i>	The development hereby approved shall be carried out in accordance with the recommendations within the submitted Noise Impact Assessment for Block E by REC, dated 7 September 2017, ref. AC100083-1R4. Upon completion of the development and before the any of the	To appoint REC to prepare a verification report. MAY IMPACT OCCUPATION AS MAY REQUIRE PC BEFORE REPORT CAN BE SUBMITTED.	PBA to submit verification report to MCC as part of condition discharge application.	DeTC		Submitted 19 August 2020	Discharged Confirmed in Lucy Harrison's email 11.11.2020

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	apartments are first occupied, a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted to and approved by the City Council as local planning authority. The report shall give the results of post-completion testing to confirm that the required internal noise criteria is met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. The development shall then be implemented in accordance with those details before the development is first occupied.	- RS to discuss with Cundall to ensure the acoustics are acceptable inside ideally prior to PC. (may be subject to Stone) Enquiry Issued to Cundall on 06.01.20 Chased 20.01.20 RS / JG to chase issue of report.					
13 (●) for A3 / A4 uses	Before any A3 or A4 use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority.	Acoustic consultant to undertake a noise break out survey and prepare a scheme of acoustic treatment. Any A3 or A4 uses to be acoustically insulated in accordance with the approved details before the use commences.	PBA to submit noise break out survey and scheme of acoustic treatment to MCC as part of condition discharge application. End Operator?			Submitted 19 August 2020	Not discharged Comments from the EHO received 11.11.2020: The EHO has commented <i>that the report submitted relies on modelling software to provide limits for the A3/A4 use which is not sufficient as this method does not highlight errors in craftsmanship within the structure etc. Additional testing of the unoccupied unit, using white/pink noise, should be undertaken and further confirmation of the limit should be obtained once the unit is occupied.</i> Additional testing will need to be carried out once the end user is known and the unit is fitted out in order to discharge condition prior to an A3 / A4 use commencing.
14 (●)	Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.	Acoustic consultant to prepare scheme of acoustic insulation. Any external plant needs acoustically treated Acoustician to review the requirement in the condition and produce response. Cundall reviewed condition and responded stating no further action required. DETC confirmed no plant proposed	PBA to confirm in covering letter that no externally mounted ancillary equipment is proposed as part of condition discharge application.	Cundall		Submitted 18 March 2020	Discharged Confirmed in email dated 14 May 2020 on the basis that no external equipment proposed.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
		28.01.2020.					
15 (●) For A3 / A4 uses Previously P.C but varied to P.O.	Before any A3 or A4 use hereby approved commences, a scheme for the extraction of any fumes, vapours and odours from the A3 or A4 premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.	If use of the commercial unit requires ventilation and extraction systems then details need to be provided by ventilation specialist.	PBA to submit details to MCC as part of condition discharge application. Otherwise PBA to confirm that no ventilation/extract system is necessary.	End operator?			Not discharged
16 (●) For commercial unit Previously P.C and previous submission accepted.	The use of the commercial unit hereby approved shall not commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.	JMA have prepared Waste Management Strategy drawing number SGG0JMA-ZZ-LG-DR-A-00-4004 P01 and the Service and Vehicle Access drawing number SGG-JMA-ZZ-LG-DR-A-90-0003 P01. However more detail on collection frequency, and the bins required may be required depending on end operator.	Waste Management information to be submitted when finalised.	End operator?			Not discharged
17 Previously P.C and previous submission accepted.	The details of the approved scheme for the disposal of refuse from the residential uses , including Appendix E Proforma, the Waste Management Strategy drawing number SGG0JMA-ZZ-LG-DR-A-00-4004 P01 and the Service and Vehicle Access drawing number SGG-JMA-ZZ-LG-DR-A-90-0003 P01, shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.		DTC to ensure the development is in accordance with the approved waste management information.				No action required unless unable to comply with condition.
18	The details of an emergency telephone contact number for the construction site manager shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.		Contractor to ensure emergency telephone contact number is displayed on publicly accessible location on the site.				No action required unless unable to comply with condition.
19 (●)	No part of the development shall be occupied until measures/features that are beneficial to wildlife , such as roosting opportunities for bats or the installation of bird nest boxes, have been submitted to and approved in writing by the City Council as local planning authority and those approved measures/features have been incorporated into the development .	Urban Green prepared the Preliminary Roost Assessment submitted with the application. No wildlife recommendations included in original report. To liaise with Urban Green to provide a note making recommendations of	PBA to submit details of wildlife measures/features to MCC as part of condition discharge application. DTC to ensure			Submitted 18 March 2020 Information submitted: SGG-DEP-00-11-DR-L-0001 Revision P07 SGG-DEP-00-00-DR-L-0001	Discharged Confirmed in email dated 14 May 2020

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
		wildlife measures / features to be incorporated. DEP prepared a Ground Level and Roof Level Landscape Scheme to include wildlife features, and a summary note of Landscape Design response to Ecological Guidance. J.G confirmed these documents to be submitted as part of condition discharge application.	measures/features are incorporated into the development.			Revision P19 SGG-DEP-00-00-DR-L-0003 Revision P07 SGG-DEP-00-11-DR-L-0300 Revision P03; and The Landscape Architect's Report by DEP Landscape Architecture dated 14.02.20	
20 (●)	No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with the approved plans. These facilities shall then be retained and permanently reserved for bicycle parking.	Space/facilities for bicycle parking are identified on approved drawing 0001 Rev P06.	DTC to ensure cycle parking facilities provided prior to occupation.	DTC			No action required unless unable to comply with condition.
21 (●)	The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police and shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.	Secured by design accreditation is provided by Greater Manchester Police (GMP). Trackers are now updated and mostly signed off apart from site visit much closer to completion. RS is chasing Julia Hall to assist with confirmation The letter of comfort and updated tracker provided by GMP are to be submitted with the application. It was agreed with Lucy Harrison this condition would be submitted separately noting the anticipated date of inspection by GMP. The certificate would then be submitted with a view to the condition being signed off on receipt / asap.	DTC to ensure that development accords with recommendations of CIS (Version D: 18.01.2017, Ref: 2015/0631/CIS/02). GMP to undertake site inspection following completion of development and to issue certificate. PBA to issue certificate to MCC as part of discharge of condition application. PBA to discuss with planners if the condition can be partially signed off to allow occupation on the basis of a letter of comfort provided by GMP, with the certificate to follow once the development is complete. PBA currently chasing the planners to discuss this.	DTC / PBA		Submitted 27 May 2020	Discharged SbD Certificate issued to MCC on 30.11.2020. Lucy Harrison email dated 21.12.20 stated: <i>"Condition 21 is discharged on the basis that the development has achieved the Secured By Design Gold Award dated 27 November 2020".</i>

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
22 (●) Of commercial uses	The commercial uses hereby approved shall not be open outside hours to be agreed in writing by the City Council as local planning authority before the uses first commence.	PBA had set out the opening hours for various proposed uses within the application forms of original application.	PBA to agree opening hours for various uses as part of condition discharge application.	End Operator?			Not discharged
23 (●)	No part of the site outside the buildings shall be used other than in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority. No amplified sound or any music shall be produced or played in any part of the site outside the building.	PBA to provide in the covering letter a details of when the roof garden will be open (e.g 7am - 11pm) and that it will be managed by the concierge etc Condition requires that no amplified sound or music is to be played. Times to be agreed internally for sign off following advice of PBA. If managing operator is appointed early enough, they are to provide a pack on how the site will be managed - otherwise submit a standard set of hours. RS to confirm if management pack will be available for submission?	PBA to submit management pack / times of use for roof garden to MCC. End user to ensure no amplified sound or music is produced or played in any part of the site outside of the building.	DT		Submitted 18 March 2020	Discharged Confirmed in email 14 May 2020 on the basis that no part of the site outside the buildings shall be used outside the hours of 07:00 and 23:00 daily, with access to the roof being controlled by the managing agent for the scheme.
24 (●)	No part of the development shall be occupied unless and until a car park space suitable for use by disabled persons has been provided in accordance with the approved drawings. This parking space shall be retained and permanently reserved for use by disabled persons.		DTC to ensure disabled car parking space is provided in accordance with approved drawings.				No action required unless unable to comply with condition.
25	Foul and surface water shall be drained on separate systems.		DTEG/Contractor to ensure that foul and surface water is drained on separate systems.				No action required unless unable to comply with condition.
26	No infiltration of surface water drainage into the ground where adverse concentrations of land contamination are present is permitted other than with the express written consent of the City Council as 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 approved details.	To discuss with ROC the requirements to discharge the condition.	PBA to action as necessary.	ROC			No action required unless infiltration of surface water drainage into the ground where adverse concentrations of land contamination are present is required.
27	No loading or unloading shall be carried out on the site outside the hours of:						No action required unless unable to comply with condition.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	07:30 to 20:00, Monday to Saturday.						
28	The development hereby approved shall undergo an Uncertified Sustainability Review to demonstrate the achievement of a BREEAM rating of at least 'very good'. A post construction Sustainability Review document demonstrating achievement of a BREEAM rating of at least 'very good' shall be submitted to and approved in writing by the City Council as local planning authority within 3 months of the building hereby approved is first occupied. The Sustainability Review document will provide evidence once the building has been erected that it has been built in accordance with the relevant BREEAM criteria based on the current appropriate BRE manual and has incorporated feasibility measures to minimise the environmental impact and energy use.	To liaise with WECE regarding preparation of Sustainability Review Document. Post construction sustainability review document from Phil Garlick within 3 months post PC. Requested details on when this can be carried out from Phil Garlick. Phil Garlick confirmed this can be carried out when external works and ext. lighting in the vicinity of the unit completed on site. Also the roof over the unit and it's landscaping. DT have indicated June 2020 for this. Around a week required after his final site visit in June to complete the report. JG to chase Phil Garlic on timescales for issuing report.	PBA to submit Sustainability Review Document to MCC as part of condition discharge application.	DeTC	Tbc	BREEAM Assessment took place 25.11.2020. Virtually complete (except for a few final points of information) ready for the Construction Phase Assessment to be finalised. BREEAM Report still to be completed. Have to install/complete a couple of items and provide the photographic evidence before the BREEAM Assessor will complete the report to enable it to be issued to the planners. PBA to submit BREEAM report to MCC as part of a condition discharge application once received.	Discharged See decision letter CDN/21/0245 dated 20.05.2021
29	Before the development hereby approved is completed, 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, shall be 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. Implemented in full within six months of the date of this decision letter.	NMA application (128455/NMC/2020) to vary timescales approved on 26.11.2020. Works to be completed within 6 months of the date of the decision letter (by 26.05.2021).	DTC to ensure approved works completed by 26.05.2021, in accordance with approved details.	PBA		Submitted 24 July 2019	Discharged In email dated 24/6/20 the planner requested a plan clearly showing the proposed materials for the public footway reinstatement on Chester Road and Arundel Street (the materials should be natural stone or other high quality materials and preferably tie in with the landscape materials used on the rest of the scheme). PBA responded to agree alternative material and for this to be agreed via s278 not a condition – chasing a response. Planners have confirmed the Chester Road footpath material is acceptable, and not tied into pre-occupation <i>subject to agreeing a</i>

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							<i>suitable timescale.</i> NMA to amend timescales approved on 26.11.2020. Lucy previously agreed Curtins drawing number 05100-P11 (email dated 13.08.20). Lucy Harrison email 21.12.20 stated: <i>"Condition 29 is discharged on the basis that the details relating to the reinstatement of the pavements around the site shown in drawing number SGG-DEP-00-00-DR-L-0001 Rev C06 Ground Floor - General Arrangements and Curtins drawing number 05100-P11 are fully implemented by 26.05.2021."</i>
30	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).						No action required unless unable to comply with condition.
31 (●)	Before first occupation of the development 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. The approved strategy shall remain in operation in perpetuity.	Maintenance strategy for public realm, already submitted. Awaiting response from Lucy. PBA to chase.	PBA to submit maintenance strategy prepared by DEP to MCC as part of condition discharge application.	DTC		Submitted 24 July 2019	Discharged PBA confirmed a maintenance contractor will be appointed for the management of the access road, and highlight a strategy document has already been submitted. Lucy Harrison email 21.12.20 stated :

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							<i>"Condition 31 is discharged on the basis that the development is maintained in accordance with the St Georges Gardens Public Realm Maintenance Schedule dated October 2020."</i>
32 (●) <i>Previously P.C and previous submission accepted.</i>	The scheme of illumination (including the External Lighting Specification and Images Schedule, drawing number ~~WECE/184/E/30 Rev T5 and P138-2431-H~~ ~~WECE/184/E/30 Rev T7 and P138-2431-L~~) shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.	NMA application 125925/NMC/2020 for changes to the lighting layout was approved on 2 March 2020.	DTC to ensure the approved lighting scheme is implemented prior to occupation.	DTC			No action required unless unable to comply with condition.
33 (●)	Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes: i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development ii) a commitment to surveying the travel patterns of staff 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.	SCP provided a Travel Plan (Ref: LK/16030/FTP/0, March 2016) as part of application submission. Curtins prepared a joint TP relating to Sky Gardens, City Gardens and Block E1. TP to be updated to reflect reduction in car parking as per S.73 approval. RS has requested SCP update their travel plan to reflect the latest parking provision. 04.02.20	PBA to resubmit Travel Plan to MCC as part of discharge of condition application. Within 6 months of the first use of the development a revised Travel Plan (prepared by SCP) will need to be prepared and submitted to MCC.	PBA/RS		Submitted 27 May 2020	Not discharged Additional information provided in response to comments received. Lucy Harrison email 21.12.20 stated: <i>The pre-occupation part of this condition is met on the basis that the Travel Plan reference LB/17198/TP/4 dated September 2020 incorporates the following points:</i> • a management plan for the cycle storage to ensure it remains available for use (not full of old abandoned bikes); • the travel plan should remain in place for the lifetime of the development; and • proposal for a representative sample survey of both residents and employees at the commercial units. Travel Plan was updated to address the above comments and issued to MCC planners on

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							12.01.2021. Awaiting confirmation of MCC sign off.
34 (NMA letter dated 26.11.2020 – see comments).	Before the development hereby approved is first occupied a scheme to connect the site to the existing local cycle route infrastructure shall be submitted to and approved in writing by the City Council as local planning authority. The development shall subsequently be carried out in accordance with the approved details ~~prior to first occupation~~ within six months of the date of this decision letter.	SCP provided a Cycle Linkage scheme (Ref: SCP-16030-SK01) to MCC as part of application submission. NMA application (128455/NMC/2020) to vary timescales approved on 26.11.2020. Works to be completed within 6 months of the date of the decision letter (by 26.05.2021).	PBA to submit s.278 drawing to MCC as part of condition discharge application. DTC to implement works by 26.11.2021 in accordance with approved details.	SCP/ PBA / DTC		Submitted 18 March 2020	Discharged Revised drawings submitted to Council. Lucy confirmed details are acceptable on 13 August 2020, subject to being carried out in accordance with a timescale to be agreed with the LPA. Timescale tbc. NMA to amend timescales approved on 26.11.2020. Lucy had previously agreed drawing SGG-DEP-00-00-DR-L-0001 Rev C06 Ground Floor - General Arrangements (email dated 13.08.20). PBA to confirm with MCC that this condition is now discharged on the basis the works are implemented by 26.05.2021 Lucy Harrison email 21.12.20 stated: <i>Condition 34 is discharged on the basis that the details relating to the cycle route shown in drawing number SGG-DEP-00-00-DR-L-0001 Rev C06 Ground Floor - General Arrangements and Curtins drawing number 05100-P11 are fully implemented by 26.05.2021.</i>
35 (●)	Before first occupation of the ground floor commercial unit , a shop front and signage strategy shall be submitted to and agreed in writing by the City Council as local planning authority.	End User to prepare shopfront and signage strategy. DT to liaise with end user to provide this strategy.	PBA to submit shopfront and signage strategy to MCC as part of condition discharge application.	End user?			Not discharged

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
36	The car parking spaces hereby approved shall be used only by residents occupying the development hereby approved and by no other persons.		DTEG/Management Company to ensure parking spaces are only used by residents.				No action required unless unable to comply with condition.
37 (●) Previously a P.C but altered to a P.O.	The development hereby approved shall not be occupied unless and until a Residents' Management Strategy has been submitted to, and approved in writing by, the City Council, as local planning authority. The Residents' Management Strategy shall include details of maintenance, security, energy management, janitorial services, common parts cleaning, exterior services, and building policies in relation to waste disposal, storage and deliveries. The Residents' Management Strategy shall be fully implemented, prior to first occupation of the building, and shall be kept in operation at all times thereafter.	Managing agent to prepare the Residents' Management Strategy.	PBA to submit Residents' management Strategy to MCC as part of condition discharge application.	PBA / RS		Submitted 19 August 2020	Discharged Comments received from Carolyn (on Unit 5). PBA responded and are chasing for sign off. Lucy Harrison email 21.12.20 stated: <i>Condition 37 is discharged on the basis that the development is managed in accordance with the St George's Gardens Management Strategy by De Trafford received by the City Council as local planning authority on 19 August 2020.</i>
38	The ground floor commercial unit hereby approved shall operate as a single unit only and shall not be subdivided into separate units						No action required unless unable to comply with condition.
39	The consent hereby granted is for a new building that is fully accessible into and throughout, including for those whose mobility is impaired		DTC to ensure development is fully accessible.				No action required unless unable to comply with condition.

Dated 19 March 2018

THE COUNCIL OF THE CITY OF MANCHESTER

- and -

ROY ORDMAN and BERNADETTE ANTHONY ORDMAN

-and –

BLACKCROFT PROPERTIES LIMITED

-and-

DE TRAFFORD BLOCK E CHURCHGATE LIMITED

AGREEMENT

pursuant to Section 106 Town and Country Planning Act 1990
relating to Unit 5, Bentinck Street Industrial Estate
in the City of Manchester

City Solicitor
Manchester City Council
P O Box 532
Town Hall
Albert Square
Manchester M60 2LA
L/BH/EVD3001/3520

THIS AGREEMENT is made the 19th day of March 2018
BETWEEN

- (1) **THE COUNCIL OF THE CITY OF MANCHESTER** of Town Hall, Albert Square, Manchester ("the Council")
- (2) **ROY ORDMAN and BERNADETTE ANTHONY ORDMAN** of 22 The Coppice, Hale Barns, Altrincham, WA15 0DU (the "Owners" which expression shall include the successors in title and assigns of the Owners)
- (3) **BLACKCROFT PROPERTIES LIMITED** (company registration number 09957707) whose registered office is situated at Suite 2, 30 The Downs, Altrincham, WA14 2PX (the "First Beneficiary" which expression shall include the successors in title and assigns of the First Beneficiary)
- (4) **DE TRAFFORD BLOCK E CHURCHGATE LIMITED** (company registration number 09558618) whose registered office is situated at Barrington House, Heyes Lane, Alderley Edge, Cheshire, SK9 7LA (the "Second Beneficiary" which expression shall include the successors in title and assigns of the Second Beneficiary)

WHEREAS

- A. The Council is the local planning authority for the purposes of the Act for the area in which the Land is situated and is minded to grant the Planning Permission subject to the completion of this Agreement
- B. The Owners are the registered proprietors with title absolute of the leasehold of the Land registered under title number GM537430 at the Land Registry
- C. The Council own the freehold of the Land registered under title number GM880709 at the Land Registry but are not entering into the Planning Obligations contained in the First Schedule
- D. The First Beneficiary is interested in the Land by virtue of an option to purchase contained in an agreement dated 24 November 2016 and made between the Owners (1) and the First Beneficiary (2)
- E. The Second Beneficiary is interested in the Land by virtue of a sale agreement dated 7 April 2017 made between the First Beneficiary (1) the Second Beneficiary (2) and Gary Thomas Jackson (3)

- F The Second Beneficiary has submitted the Application to the Council and the parties have agreed to enter into this Agreement in order to secure the planning obligations contained in this Agreement
- G. The Council resolved on 14 December 2017 that it was minded to grant the Planning Permission subject to the prior completion of this Agreement
- H The Council has recognised the difficulty faced by lower income groups in buying homes within the Administrative Boundaries of Manchester and the planning purpose of this Agreement is to increase the provision of affordable housing within the Administrative Boundaries of Manchester The Owners have agreed to make provision for affordable housing in the manner hereinafter appearing. The Council is satisfied that the obligations in this Agreement are;
- (a) necessary to make the Development acceptable in planning terms (including where appropriate, obligations necessary to mitigate the adverse impacts of the Development in accordance with the development plan for the area and other material considerations);
 - (b) directly related to the Development, and
 - (c) fairly and reasonably related in scale and kind to the Development
- OR
- (d) will secure other planning benefits;

NOW THIS DEED WITNESSETH as follows:

1. In this Agreement unless the context otherwise requires the following words and expressions and phrases shall have the meanings hereby ascribed to them

“Act”	shall mean the Town and Country Planning Act 1990 (as amended)
“Administrative Boundaries of Manchester”	shall mean all the wards that together comprise the city of Manchester
“Affordable Housing”	shall have the meaning given to it in the Policy and in the NPPF Annex 2 Glossary as may be amended or any replacement of the same

“Affordable Housing
Contribution”

shall mean the contribution towards the provision of Affordable Housing within the Administrative Boundaries of Manchester in the sum of £50,000 (fifty thousand pounds) and for the purpose of any other costs and expenses in connection with or incidental to the same

“Agreement”

shall mean this agreement

“Application”

shall mean the application for planning permission received by the Council under reference number 116881/FO/2017

“Beneficiaries”

shall mean the First Beneficiary and Second Beneficiary together

“Commencement Date”

shall mean the date upon which the Development is commenced by the carrying out of a material operation as defined in section 56 of the Act other than site clearance, demolition work, investigations for purpose of assessing ground conditions, remedial work in respect of contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements and “Commence Development”, “Commencement” and “Commencement of Development” shall have the corresponding meaning

“Commencement Notice”

means written notice given by the Owners to the Council within 14 days of Commencement stating that Commencement has taken place and specifying the date of Commencement

“Development”	shall mean the development of the Land pursuant to the Planning Permission and substantially comprising of the erection of a new eleven storey building to accommodate 79 (seventy nine) residential apartments (Use Class C3) together with associated roof terrace, car parking, landscaping, boundary treatment and public realm following demolition of the existing building on the site
“Dwelling”	shall mean any residential apartment constructed pursuant to the Planning Permission and Dwellings shall be construed accordingly
“Inflation”	shall mean the number of the General Index of Retail Prices (All Items) for the specified month produced by the Office for National Statistics
“Inflation Increase”	shall mean the amount calculated by way of the formula contained in paragraph 13 of this Agreement
“Land”	shall mean the land against which this Agreement by Deed may be enforced and being all that land on the south west side of Hulme Hall road, Hulme, Manchester as shown edged red on the attached plan
“Management Fee”	shall mean 15% of the planning application fee which equates to £3,357.60 to be used for the purpose of management and monitoring of this Agreement and the Planning Obligations contained herein
“Occupation”	shall mean beneficial occupation of a Dwelling permitted by the Planning Permission but not

	including occupation for construction, fit-out or decoration, marketing, display or in relation to security operations and "Occupied" and "Occupy" shall be construed accordingly
"Planning Obligations"	shall mean the obligations of the Owners and the Beneficiaries specified in the First Schedule to this Agreement
"Planning Permission"	shall mean full planning permission under the Act for the Development to be granted pursuant to the Application
"Policy"	shall mean "Providing for Housing Choice-Supplementary Planning Document and Planning Guidance" adopted on 2 September 2008 as the same may be amended or replaced
"Stakeholder"	shall mean the Council's City Treasurer and his authorised officers
"Stakeholder Account"	shall mean an account held by the Council's City Treasurer and his authorised officers at Barclays Bank plc in which the monies paid under the Planning Obligations are held
"Working Day"	shall mean any day apart from Saturday and Sunday, Christmas Day, Good Friday and any statutory Bank Holiday

2. A reference in this Agreement to an act of Parliament or to any order, regulation, statutory instrument or the like shall include a reference to any amendment or re-enactment of the same.
3. Words importing the masculine gender include the feminine gender and vice versa and words in the singular include the plural and vice versa and words importing individuals shall be treated as importing corporations and vice versa

4. Any headings or side notes are for ease of reference only and shall not affect the construction of this Agreement.
- 5 Where in this Agreement reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule or recital in this Agreement.
6. If any party to this Agreement comprises more than one party then that party shall be jointly and severally liable under this Agreement PROVIDED THAT the First Beneficiary and Second Beneficiary shall not be liable for any obligations in this Agreement unless and until they have acquired any part of the Land from the Owners
- 7 Words denoting an obligation on a party to this Agreement to do any act matter or thing include an obligation to procure that it be done and words placing a party to this Agreement under a restriction include an obligation not to permit or allow infringement of that restriction.
8. This Agreement is made in pursuance of Section 106 of the Act, Section 111 of the Local Government Act 1972, Section 1 of the Localism Act 2011 and all other powers and enactments which may give validity hereto and facilitate the enforcement of the obligations and provisions herein contained.
- 9
The Owners consent to their interest in the Land being bound by this Agreement and covenant with the Council in the terms set out in the First Schedule to this Agreement, those covenants being planning obligations under section 106 of the Act and enforceable by the Council;
- 9.1 Subject to the proviso in clause 6 the Beneficiaries acknowledge that their interests in the Land will be bound by and held subject to the Planning Obligations.
- 10 The Second Beneficiary covenants with the Council to pay to the Council on the date hereof such sum as notified in respect of the Council's legal costs in connection with this Agreement Receipt by the Council of the payment of such sum shall not create any lawyer-client type contractual relationship between the Council and the Second Beneficiary nor absolve the Second Beneficiary from

any liability or obligation imposed upon them by the terms of this Agreement or by statute or at common law.

11. The Second Beneficiary covenants with the Council to pay to the Council on the date hereof the Management Fee in the sum of £3,357 60 (three thousand three hundred and fifty seven pounds and sixty pence).
12. The Council covenants with the Owners to issue the Planning Permission on the date hereof.
13. The amount payable under the Planning Obligations shall be increased by the application of the formula $A = B \times (C / D)$ provided that (C / D) shall always be greater than or equal to 1 and with the following definitions
A is the sum actually payable
(1) on the date as determined by the application of paragraph 2 of the First Schedule and
(2) on the date as determined by the application of paragraph 3 of the First Schedule
B is in respect of (1) above £25,000 (twenty five thousand pounds) and in respect of (2) above £25,000 (twenty five thousand pounds)
C is in respect of (1) above Inflation as shown in the relevant index published last before the date as determined by the application of paragraph 2 of the First Schedule and in respect of (2) above: Inflation as shown in the relevant index published last before the date as determined by the application of paragraph 3 of the First Schedule
D is Inflation for the month in which this Agreement is dated
14. Nothing herein contained or implied shall prejudice or affect the rights, powers, duties and obligations of the Council in exercise of its functions as a local authority and the rights, powers, duties and obligations of the Council under all public and private statutes, byelaws, orders and regulations may be fully and effectually exercised in relation to the Land or any part thereof and any works executed thereon as if this Agreement had not been executed by the Council and in particular nothing in this Agreement shall restrict the Council and any other

- authority from exercising powers of compulsory purchase in respect of any part of the Land
15. No failure or delay by the Council to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same, or of some other right, power or remedy.
- 16 In respect of the sums payable by the Owners to the Council under the Planning Obligations, the Council covenants with the Owners
- 16.1 to pay such sums into the Stakeholder Account and hold such sums therein until the withdrawal of such sums as may be required for the purposes specified in the Planning Obligations
- 16.2 to use such sums withdrawn from the Stakeholder Account solely and exclusively for the purposes specified in the Planning Obligations
- 16.3 to repay to the Owners (here meaning the party or parties who shall have actually paid such sum) such amount of the sums which have not been expended excluding any such sums in respect of which though not yet expended the Council has contractually committed to expend in accordance with the provisions of this Agreement within 10 (ten) years of the Commencement Date or date of receipt by the Council of such payment (and where payment is made by instalments the date of receipt shall be deemed to be the date upon which the last instalment is received), whichever is the later, together with interest at the Bank of England base rate from time to time from the date of expiration of this ten year period (the "retention period") to the date of refund
- 16 4 Upon receipt by the Council of a written request from the Owners received within the final year of the retention period to provide a written statement summarising what the sums received have been spent on and detailing any sums remaining unexpended within 21 days of the Councils receipt of such a request provided that the number of such requests shall not exceed four
- 17 No person who is not a party to this Agreement may enforce any terms hereof pursuant to the Contracts (Rights of Third Parties) Act 1999 provided that this

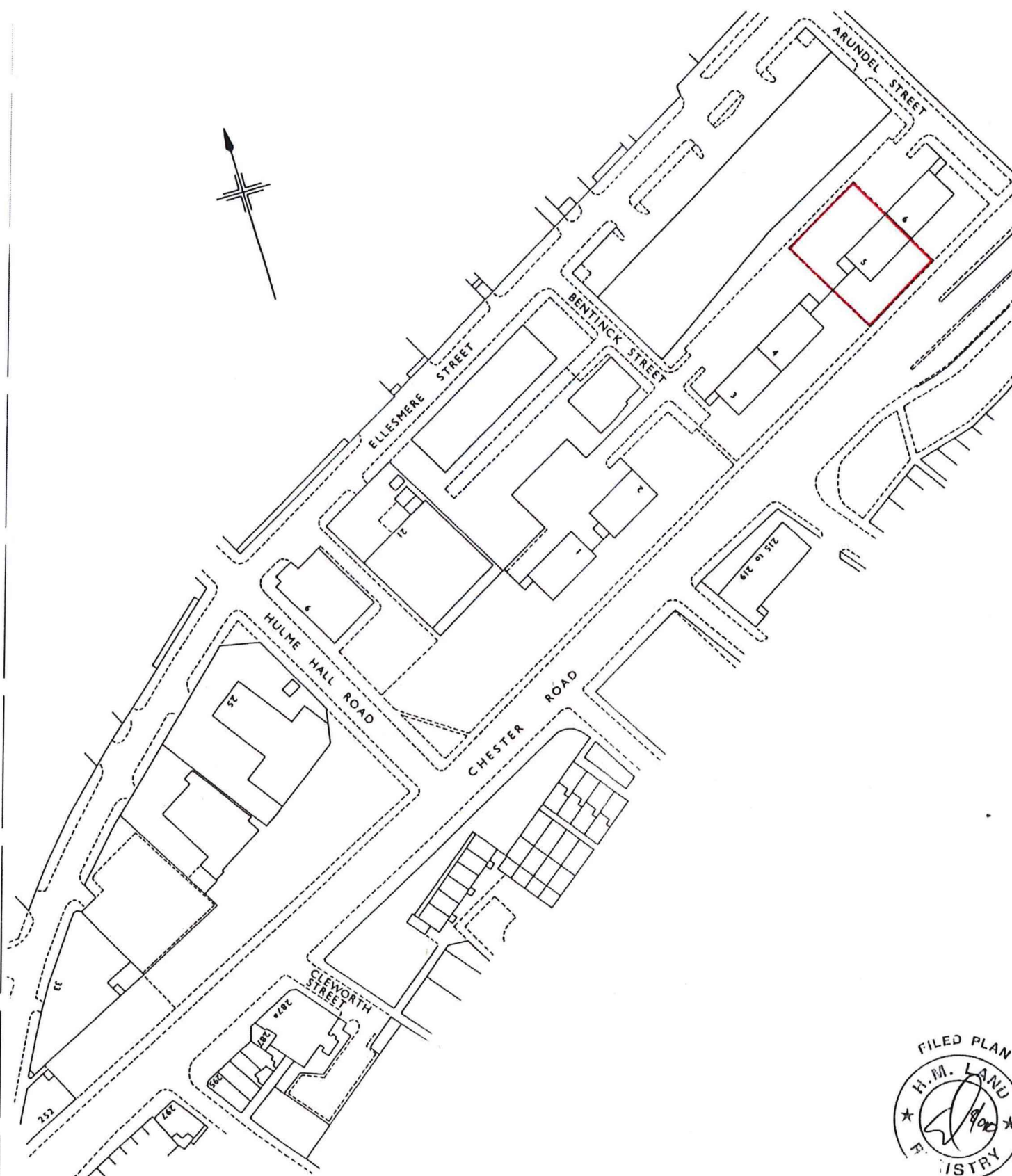
clause shall not affect any right of action of any person to whom this Agreement has been lawfully assigned or becomes vested in law.

18. If any provision of this Agreement shall be prohibited by or adjudged by a court to be unlawful, void or unenforceable such provision shall to the extent required be severed from this Agreement and rendered ineffective as far as possible without modifying the remaining provisions of this Agreement and shall not in any way affect any other circumstances or the validity or enforcement of this Agreement
19. Any approval given by the Council under this Agreement or for the purposes of this Agreement shall not be deemed to be approval for any other purpose whatsoever
20. Nothing in this Agreement prohibits or limits the right to develop any part of the Land in accordance with a planning permission, other than the Planning Permission, granted after the date of this Agreement, whether or not pursuant to an appeal.
21. The Owners agree with the Council to give the Council written notice as soon as practicable of any change in ownership of any of their interest in the Land occurring before all the Planning Obligations under this Agreement have been discharged such notice to give details of the transferee's full name and registered office (if a company or usual address if not) together with the area of the Land or unit of occupation purchased by reference to a plan.
22. The provisions of this Agreement (other than this clause which shall be of immediate effect) shall be of no effect until this Agreement has been dated.
23. This Agreement shall be governed by and interpreted in accordance with the laws of England
24. This Agreement shall cease to have effect (insofar only as it has not already been complied with) if the Planning Permission shall be quashed, revoked or otherwise withdrawn or (without the consent of the Owner) it is modified by any statutory procedure or expires prior to the Commencement of Development
25. No person shall be liable for any breach of any of the planning obligations or other provisions of this Deed after it shall have parted with its entire interest in

the Land but without prejudice to liability for any subsisting breach arising prior to parting with such interest

26. This Deed shall not be enforceable against owner-occupiers or tenants of Dwellings constructed pursuant to the Planning Permission nor against those deriving title from them.
27. This Agreement shall be registered by the Council in the Council's Register of Local Land Charges immediately on completion thereof.
28. For the purpose of noting this Agreement on the title of the Owners registered under title number GM537430 at the Land Registry the Owners will on the date hereof provide the Council with a completed Form AN1 (or any replacement of this form) together with either a cheque made payable to the Land Registry to cover the requisite fee or alternatively with the Owners' solicitor's completed Land Registry account key number details inserted in the form. The Council will arrange for the AN1 (or any replacement of this form) to be registered at the Land Registry and the Owners will supply the Council with a copy of the amended registers as soon as reasonably practicable following their receipt by the Owners from the Land Registry
29. If any sum payable to the Council under the terms of this Agreement is not paid at the time specified herein the party responsible for making the payment shall pay to the Council interest on such sum calculated on a daily basis and compounded quarterly from the due date until payment at the rate of 4% per annum over Barclays Bank plc base rate from time to time in force and such amount shall be recoverable by action as a liquidated sum
30. The Council will upon the written request of the Owners at any time after the Planning Obligations under this Agreement have been fulfilled or determined issue written confirmation thereof and thereafter cancel all related entries in the Register of Local Land Charges
31. All correspondence in connection with this Agreement shall be sent to the Council at the following address or such other address as may be notified from time to time Planning and Building Control Department, Ref 116881/FO/2017, Manchester City Council, PO Box 532, Town Hall, Manchester, M60 2LA.

H.M. LAND REGISTRY		TITLE NUMBER
		GM537430
ORDNANCE SURVEY PLAN REFERENCE	SJ 8297 SE	Scale 1 1250
COUNTY GREATER MANCHESTER	MANCHESTER DISTRICT	© Crown Copyright



IN WITNESS whereof this Agreement has been executed as a deed in the manner hereinafter appearing and delivered the day and year first before written.

FIRST SCHEDULE

THE PLANNING OBLIGATIONS

The Owners and the Beneficiaries covenant with the Council:

1. To serve the Commencement Notice;
2. not to Commence Development, nor to allow nor to permit the same, until they have paid to the Council on or before the Commencement Date 50% of the Affordable Housing Contribution together with any Inflation Increase.
3. Not to Occupy, nor to allow nor to permit Occupation until they have paid to the Council on or before first Occupation of any of the Dwellings the remaining 50% of the Affordable Housing Contribution together with any Inflation Increase.

SECOND SCHEDULE

The Council covenants with the Owners:

that the Affordable Housing Contribution received pursuant to the provisions of the First Schedule shall be used by the Council in such manner as the Council in its absolute discretion considers appropriate for the provision of Affordable Housing within the Administrative Boundaries of Manchester.

THE COMMON SEAL of THE COUNCIL OF THE
CITY OF MANCHESTER was hereunto affixed in
pursuance of an Order of the Council of the said City:

Authorised Signatory



01095031

SIGNED AS A DEED by ROY ORDMAN

in the presence of



Witness signature



Witness name

Lloyd Kennedy

Witness address

Barrington House, Heyes Lane, Alderley Edge
Cheshire SK9 7LA

SIGNED AS A DEED by BERNADETTE ANTHONY ORDMAN

in the presence of



Witness signature



Witness name

Lloyd Kennedy

Witness address

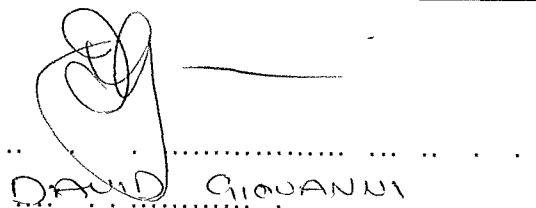
Barrington House, Heyes Lane, Alderley Edge
Cheshire SK9 7LA

EXECUTED AS A DEED by BLACKCROFT PROPERTIES LIMITED

acting by a director

DIRECTOR

Signature



Name (in block capitals)

DAVID GIOVANNI

IN THE PRESENCE OF

Signature:



Name (in block capitals)

LAURA MEAR

Address

18... Little .. Bolton... Terrace.

Salford. MS. SBD

Occupation

Admin...

EXECUTED AS A DEED by DE TRAFFORD BLOCK E CHURCHGATE LIMITED

acting by a director

DIRECTOR

Signature

Name (in block capitals)

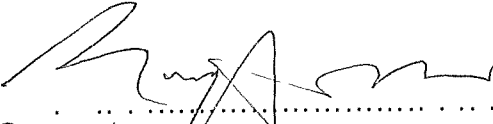
IN THE PRESENCE OF

Signature:

Name (in block capitals)

Address

Occupation


.....
GARY JACKSON.....

NEANS.
.....
NATASHA EVANS.....
DE TRAFFORD, BARRINGTON
HOUSE, HEYES LANE, SK9 7LA -
EXECUTIVE ASSISTANT.



Job Number:	17.1136	
Project:	Unit 6 Bentinck Street Industrial Estate, Bentinck Street, Hulme, Manchester, M15 4LN (St Georges Gardens) - Revised Scheme	
Client:	De Trafford Estates Group	
Purpose:	This conditions schedule has been prepared to set out the work and actions necessary to comply with the conditions attached to the decision notice for Application No. 120724/JO/2018, which was issued on 20 March 2019.	
Version:	Later versions of this schedule will be issued to provide an update as conditions are complied with.	
Date:	20.05.2021	
Distribution:	Oliver Reeves (OS) Jon Gaskell (JG) Sean Croft (SC) De Trafford Projects (DTP) De Trafford Construction (DTC) De Trafford Construction (DTC)	

Note 1: A red diamond (◆) indicates that the condition must be met before development starts on site (i.e. a pre-commencement condition).

Note 2: A blue circle (●) indicates that the condition must be met before the development is first occupied or used (i.e. a pre-occupation condition).

Note 3: Shaded orange indicates that the condition must be complied with, but no discharge of conditions application is necessary.

Note 4: Green shading indicates that the condition has been discharged (informally by email or by letter).

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
1	The development must be begun not later than the 5 August 2019.	Development to commence by 5 August 2019.	Commence development by 5 August 2019.				No action required unless unable to comply with condition.
2	The development hereby approved shall be carried out in accordance with the following drawings and documents: A277_P_01_Rev B - Location Plan A277_P_02_Rev B - Block Plan A277_P_15_Rev B - Proposed Refuse Strategy Plan A277_P_16_Rev A - Proposed Access Plan L0001 Rev P05 - Ground Floor - General Arrangements 0001 Rev P06 - Proposed Lower Ground Level - GA Plan A277_P_21_Rev A - Proposed First-Second Floor Plans A277_P_22_Rev A - Proposed Third-Fourth-Seventh-Eighth Floor Plans A277_P_23_Rev A - Proposed Fifth-Sixth-Ninth-Tenth Floor Plans A277_P_24 - Proposed Tenth Floor Plan A277_P_25_Rev B - Proposed Roof Plan 2011 Rev P07 - North Elevation 2012 Rev P08 - East Elevation 2013 Rev P08 - South Elevation 2014 Rev P07 - West Elevation A277_P_40_Rev A - Proposed Sections A277_P_50_Rev A - Proposed North Context Elevation A277_P_51_Rev B - Proposed East & West Context Elevation A277_P_52_Rev A - Proposed South Context Elevation	Development to be carried out in accordance with approved drawings and documents. Lift overruns NMA approved 11 September 2019. Updated elevations to include: 0001 Rev C03 - Proposed Level 11 - GA Plan; 0001 Rev C01 - Proposed Roof Level - GA Plan; 2001 Rev C06 - Block E1 Roof Elevations 1 of 2; 2002 Rev C06 - Block E1 Roof Elevations 2 of 2; 2011 Rev C05 - North Elevation; 2012 Rev C06 - East Elevation; 2013 Rev C05 - South Elevation; 2014 Rev C04 - West Elevation; NMA 125926/NMC/2020 for changes	Contractor to carry out development in accordance with approved drawings and documents.				No action required unless unable to comply with condition.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	A277_P_100_Rev A - Elevation Detail 1 - South A277_P_101_Rev A - Elevation Detail 2 - South A277_P_102_Rev A - Elevation Detail 3 - South A277_P_103_Rev A - Elevation Detail 4 - East A277_P_104_Rev A - Elevation Detail 5 - North 5001 Rev P01 - Window Study - Section 01 5003 Rev P01 - Window Study - Section 03 A277_P_107_Rev A - Elevation Detail 8 - West A277_P_111_Rev A - Car Park Entrance Details CIV101 Rev 3 CIV102 Rev 3 CIV103 Rev 1 CIV104 Rev 2 Planning and Heritage Statement by Paul Butler Associates dated 20 January 2017; Design and Access Statement by Ollier Smurthwaite Architects dated January 2017; Noise Impact Assessment by REC Ltd Ref AC100083-1R2 dated 17 January 2017; Transport Statement and Appendices by SCP Ref: LB/16030/TS/0; Framework Travel Plan by SCP Ref: LK/16030/FTP/0 dated March 2016; Preliminary Roost Assessment by Urban Green dated February 2016 (Re-issued Jan 2017); Crime Impact Statement Version D: 18.01.17 Ref: 2015/0631/CIS/02; Arboricultural Report by Urban Green dated January 2016; Pre Construction Signal Reception Impact Survey by Astbury dated 27 July 2015 Daylight, Sunlight and Overshadowing Assessment by REC Ltd Ref AQ100086R5 dated Jan 17; Code for Sustainable Homes Pre Assessment Analysis by Watt Energy and Consulting Engineers Ltd dated 03 February 2016; BREEAM Pre Assessment Analysis by Watt Energy and Consulting Engineers Ltd dated February 16; Energy and Sustainability Assessment by Watt Energy and Consulting Engineers Ltd dated 21 March 2016; Geo-Environmental Site Assessment by REC Ltd Ref 100156P1R0 dated September 2015; REC Remediation Strategy reference 103785P4R0 dated June 2018; Archaeological Desk Based Assessment by Paul Butler Associates dated 15 March 2016; An Archaeological Watching Brief and Evaluation Trenching by Archaeological Research Services Ltd, report no 2018/119;	to the external lighting approved on 2 March 2020. Updated drawings include: Dwg no. WECE/184/E/30 Rev T7 Dwg no. P138-2431-L					

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	Wind Engineering Desk Top Study by Buro Happold Engineering ref 034632 dated 19January 2017 Revision 02; Drainage Specification by Roc Consulting dated August 2016; Drainage Strategy by Rhodes and Partners Ref 18581-DR-02 dated 20.01.2017; The RIBA Stage 3 Drainage Strategy Design document by RoC Consulting dated 18 May 2018; The RIBA Stage 5 Drainage Strategy Design Calculations document by RoC Consulting ref SGG-ROC-XX-XX-CA-C-0001 dated 18 May 2018; The information contained within the Lynsay Ewart's email to Lucy Harrison of 7 January 2019 with regard to drainage; Drawing number C-60 N received with Lynsay Ewart's email to Lucy Harrison of 7 January 2019; Demolition Method Statement by Total Controlled Demolition dated 11.03.2016; Air Quality Assessment by Redmore Environmental Ltd Ref 1219-4r1 dated 19 January 2017; Church Street Churchgate Block E Landscape Scheme by Urban Green dated Jan 2017 Rev D; Block E, Castlefield Transport Note by SCP ref JI/16030/TN01 dated 20 January 2017; Japanese Knotweed Control Limited document version 2 received by the City Council as local planning authority on 25 May 2018 Appendix E Proforma Waste Management Strategy; Waste Management Strategy drawing number SGG0JMA-ZZ-LG-DR-A-00-4004 P01; Service and Vehicle Access drawing number SGG-JMA-ZZ-LG-DR-A-90-0003 P01; Foundation Works Risk Assessment Report Churchgate Block E & E2 dated 18.05.2018 prepared by RoC Consulting; External Lighting Specification and Images Schedule; ~~Drawing number WECE/184/E/30 Rev T5; and~~ ~~Drawing number P138-2431-H.~~ Drawing number WECE/184/E/30 Rev T7 Drawing number P138-2431-L						
3 (♦)	Prior to the commencement of development, a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council, as local planning authority. 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 a strategy for quality control management, shall then be submitted to and approved in writing by the City Council as local planning authority in accordance	DTC provided a programme for the issue of samples and specifications of materials (rev 02, dated 16th October 2018). Under previous condition discharge application the materials approved in principle at desktop samples meeting on 27/11/18 (JMA offices), with exception of the Standing Seam.	PBA to submit the updated 'sample submission programme', envelope extract, and alternative 'Dutch Seam' brochure to MCC as part of condition discharge application.	DTC and JMA		Submitted 24 July 2019	Discharged Planners confirmed materials acceptable (subject to quality control) at the site meeting held on 30 September 2019. PBA submitted the Mock Up Review document for comment on 07/10/2019.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	with the programme as agreed above. The development shall be carried out in accordance with the approved details.	Revised Mock Up Elevation confirmed (dwg no. 7001 rev P03) confirmed acceptable by Lucy Harrison in email 19/12/18.	Samples of materials to be made available on site for inspection by MCC as per the programme timescales.				Site meeting to review the corner detail held on 9 December 2019. Comments received from Lucy Harrison on 10 December 2019 regarding brick slips - DTC to review use of pistol bricks. Confirmation pistol bricks can be used from supplier. Photos of samples of pistol bricks issued to planners on 16 January 2020. Lucy Harrison confirmed that pistol bricks acceptable on 30.01.2020. Benchmark panel to be signed off prior to discharge of condition - PBA requested site meeting with planners w/c 23/03/2020 to view benchmark. Awaiting response. Lucy Harrison confirmed benchmark could be reviewed via photos / videos due to COVID. DTC to provide further photos / a video of agreed benchmark details to be reviewed. Lucy Harrison confirmed the external elevation materials to the building and the benchmark control areas shown on the photographs submitted with your email of 9 June 2020 are acceptable (email dated 24.06.2020). Carolyn Parry confirmed condition 3 discharged in email dated 10/07/2020. Colour change of GF perforated cladding to black confirmed acceptable in email from Lucy Harrison (01.12.2020).
4	The development shall be carried out in accordance with the REC	The development is to be carried out	PBA to submit	REC		Submitted on the Planning Portal	Discharged

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
Previously P.C and previous submission accepted.	Remediation Strategy reference 103785P4R0 dated June 2018 and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.	in accordance with the agreed Remediation Strategy by REC, ref. 103785P4R0. RS has spoken to REC and the report cannot be finalised and submitted until the levels have been tested. Therefore, this element of landscaping works needs completing and submitting 8 weeks prior to PC. 30.01.20 PBA discussed with REC timescales for verification submission as the condition wording does not specifically refer to pre-occupation. REC confirmed if not specified as pre-occ requirement then allows occupation, but should aim to provide verification asap. REC confirmed in email that the remediation strategy and condition did not include a timescale for submission (07.02.2020).	Completion/Verification Report to MCC as part of condition discharge application. PBA to discuss with planners to confirm condition discharge of the verification report is not required prior to occupation. PBA currently chasing planners by email / phone to discuss.			on 11 December 2020.	Confirmed in decision letter dated 11.02.2021 (ref CDN/20/0845)
5 Previously P.C and previous submission accepted.	Construction at the site shall be carried out in accordance with: - the Noise and Vibration Management Plan, dated 9 August 2018, - the St. Georges Gardens: Construction Method Statement, dated April 2018, - the Site Logistics and Traffic Management Plan, dated May 2018, all received by the City Council as local planning authority on 10 August 2018; and - contractors shall liaise with the Contractor Engagement Group for the St George's area with a view to preventing contractor parking/highway issues.		DTC to ensure the development is carried out in accordance with the approved construction management information.	DTC			No action required unless unable to comply with condition.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
6	No site clearance works , including works to trees or shrubs, shall commence between 1 March and 31 August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation that no bird nests are present has been submitted to and approved in writing by the City Council as local planning authority.	Site clearance to take place outside bird nesting season if possible. If not possible a bird nest survey will need to be undertaken to rule out the presence of nesting birds.		DTC			No action required unless unable to comply with condition.
7 <i>Previously P.C and previous submission accepted.</i>	Any invasive plant species found to be present on the site shall be dealt with in accordance with the Japanese Knotweed Control Limited document version 2 received by the City Council as local planning authority on 25 May 2018 before development commences.		DTC to ensure site managed in accordance with the approved invasive species report.	DTC			No action required unless unable to comply with condition.
8 <i>Previously P.C and previous submission accepted.</i>	Surface water drainage for the development shall be carried out in accordance with the following information: - The RIBA Stage 3 Drainage Strategy Design document by RoC Consulting dated 18 May 2018; - The RIBA Stage 5 Drainage Strategy Design Calculations document by RoC - Consulting ref SGG-ROC-XX-XX-CA-C-0001 dated 18 May 2018; - The information contained within the Lynsay Ewart's email to Lucy Harrison of 7 January 2019 with regard to drainage; - Drawing number C-60 N received with Lynsay Ewart's email to Lucy Harrison of 7 January 2019.		DTC to ensure the development is in accordance with the approved surface water drainage information.	DTC			No action required unless unable to comply with condition.
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: - Verification report providing photographic evidence of construction as per design drawings; - As built construction drawings if different from design construction drawings; - 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.	Completion of a drainage report confirming the drainage has been built in accordance with Design. ROC to produce report in line with the condition for discharge Being carried out W/C 20.01.20 by ROC. JG to chase issue of this report.	PBA to submit details of the implementation, maintenance and management of the sustainable drainage scheme to MCC as part of condition discharge application.	ROC		Submitted 19 August 2020	Discharged Comments received from Lucy Harrison 21.09.2020. Updated As Built Report issued to MCC 24.11.2020 – PBA chasing sign off. Comments from Carolyn Parry (re unit 5) 07.01.2021 requesting further detail on maintenance i.e specify who will be responsible. PBA to confirm FM contractor to be responsible.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							Confirmed acceptable in email from Lucy Harrison on 21.01.2021
10 (♦)	No development shall commence until a hard and soft landscape treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. This shall include details of those existing trees to be removed and those existing trees that are to be retained, and details of replacement tree planting to be provided in line with the Manchester Tree Strategy. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.	Details of landscaping were provided in Landscape Scheme by Urban Green (dated June 2017) as part of the application submission. Landscape scheme to be finalised by DEP/ DT.	PBA to submit scheme prepared by DEP. DTC to ensure landscaping scheme to be implemented no later than 12 months from the date buildings are first occupied. Any tree / shrub that is Removed / dies / damaged within 5 years of planting, will be replaced with a tree / shrub of the same size and species.	DEP / DTC		Submitted 24 July 2019 Roof landscaping scheme submitted 21 October 2019. Updated level 0 GA (with external lighting changes) submitted 18 Dec 2018. (GA rev P18). Updated roof landscape (following VE) submitted 14 Feb 2020. (Roof GA rev P07 & Roof Planting Plan rev P03). Latest Level 0 and Roof Level drawings (including wildlife features) issued when chasing for sign off on 17.03.2020: - SGG-DEP-00-00-DR-L-0 001 Rev P19 – Ground Floor General Arrangement - SGG-DEP-00-00-DR-L-0 003 Rev P07 – Ground Floor Planting Plan - SGG-DEP-00-11-DR-L-0 001 Rev P07 – Level 11 Roof Garden GA - SGG-DEP-00-11-DR-L-0 300 Rev P03 – Level 11 Roof Garden Planting Plan	Not discharged ~~Planner raised concern regarding boundary treatment and permeability. DEP contacted on 27.05.2020 to provide justification / access plan for Mer Gardens schemes.~~ Planner confirmed materials are acceptable (email dated 01.07.2020), with the exception of the proposed strip of decorative gravel (S10) adjacent to the on-street parking spaces – amended drawing provided 09.07.2020. Planner also confirmed requirement for contribution to replacement tree planting required. DT to confirm in agreement. Planner requested reinstatement of pavements with high quality material. PBA seeking to agree an alternative. Lucy confirmed ‘Marshall's Perfecta’ paving would be acceptable to replace the public footpaths around the site, subject to agreeing a suitable timescale for implementation. Lucy Harrison email 21.12.20 stated: <i>“As with condition 21 of planning permission 120725/JO/2018, the landscape scheme shown in drawing number SGG-DEP-00-00-DR-L-0001 Revision P06 is acceptable providing a financial contribution (amount to be agreed with the local planning authority)</i>

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							towards the provision of off-site tree planting is made by the applicant. The details shall be implemented not later than 12 months from the date the buildings are first occupied." Condition cannot be fully discharged until financial contribution for replacement trees is finalised. De Trafford to review quantum of trees and provide a draft Unilateral Undertaking.
11 (●) / within a month of practical completion <i>Previously P.C and previous submission accepted.</i>	A study that assesses the impact of the development on television signal reception within the potential impact area identified in the Pre-Construction Signal Reception Impact Survey by Astbury TV Aerials Ltd dated 27 July 2015 shall be submitted to and approved in writing by the City Council as local planning authority within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner , and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the Pre-Construction Signal Reception Impact Survey by Astbury TV Aerials Ltd dated 27 July 2015. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.	To appoint Astbury/ other to conduct an assessment of impact to television reception which is to be submitted and approved within one month of completion of development or before development is first occupied (whichever is sooner). TV reception impact - Arrange a TV survey to confirm there is no unacceptable impact. Measures to maintain pre-existing reception must be carried out before the either before the building is first occupied or within one month of the study being submitted ~~MAY IMPACT OCCUPATION AS TAKES 1 MONTH TO APPROVE AND CANNOT BE SUBMITTED PRIOR TO PC.~~ ~~NEEDS ADDING TO RISK REGISTER Submit ASAP.~~ Astbury have issued the report for submission.	PBA to submit post construction impact assessment to MCC as part of condition discharge application. DTC to ensure measures identified within the report are implemented either before the building is first occupied or within one month of the study being submitted to MCC (whichever is earlier).	DeTP		Submitted 18 March 2020	Discharged Confirmed in email dated 24.06.2020
12 (●) <i>Previously P.C and previous submission accepted.</i>	The development hereby approved shall be carried out in accordance with the recommendations within the submitted Noise Impact Assessment for Block E by REC, dated 7 September 2017, ref. AC100083-1R4. Upon completion of the development and before the any of the	To appoint REC to prepare a verification report. MAY IMPACT OCCUPATION AS MAY REQUIRE PC BEFORE REPORT CAN BE SUBMITTED.	PBA to submit verification report to MCC as part of condition discharge application.	DeTC		Submitted 19 August 2020	Discharged Confirmed in Lucy Harrison's email 11.11.2020

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	apartments are first occupied, a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted to and approved by the City Council as local planning authority. The report shall give the results of post-completion testing to confirm that the required internal noise criteria is met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. The development shall then be implemented in accordance with those details before the development is first occupied.	- RS to discuss with Cundall to ensure the acoustics are acceptable inside ideally prior to PC. (may be subject to Stone) Enquiry Issued to Cundall on 06.01.20 Chased 20.01.20 RS / JG to chase issue of report.					
13 (●) for A3 / A4 uses	Before any A3 or A4 use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority.	Acoustic consultant to undertake a noise break out survey and prepare a scheme of acoustic treatment. Any A3 or A4 uses to be acoustically insulated in accordance with the approved details before the use commences.	PBA to submit noise break out survey and scheme of acoustic treatment to MCC as part of condition discharge application. End Operator?			Submitted 19 August 2020	Not discharged Comments from the EHO received 11.11.2020: The EHO has commented <i>that the report submitted relies on modelling software to provide limits for the A3/A4 use which is not sufficient as this method does not highlight errors in craftsmanship within the structure etc. Additional testing of the unoccupied unit, using white/pink noise, should be undertaken and further confirmation of the limit should be obtained once the unit is occupied.</i> Additional testing will need to be carried out once the end user is known and the unit is fitted out in order to discharge condition prior to an A3 / A4 use commencing.
14 (●)	Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.	Acoustic consultant to prepare scheme of acoustic insulation. Any external plant needs acoustically treated Acoustician to review the requirement in the condition and produce response. Cundall reviewed condition and responded stating no further action required. DETC confirmed no plant proposed	PBA to confirm in covering letter that no externally mounted ancillary equipment is proposed as part of condition discharge application.	Cundall		Submitted 18 March 2020	Discharged Confirmed in email dated 14 May 2020 on the basis that no external equipment proposed.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
		28.01.2020.					
15 (●) For A3 / A4 uses Previously P.C but varied to P.O.	Before any A3 or A4 use hereby approved commences, a scheme for the extraction of any fumes, vapours and odours from the A3 or A4 premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.	If use of the commercial unit requires ventilation and extraction systems then details need to be provided by ventilation specialist.	PBA to submit details to MCC as part of condition discharge application. Otherwise PBA to confirm that no ventilation/extract system is necessary.	End operator?			Not discharged
16 (●) For commercial unit Previously P.C and previous submission accepted.	The use of the commercial unit hereby approved shall not commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.	JMA have prepared Waste Management Strategy drawing number SGG0JMA-ZZ-LG-DR-A-00-4004 P01 and the Service and Vehicle Access drawing number SGG-JMA-ZZ-LG-DR-A-90-0003 P01. However more detail on collection frequency, and the bins required may be required depending on end operator.	Waste Management information to be submitted when finalised.	End operator?			Not discharged
17 Previously P.C and previous submission accepted.	The details of the approved scheme for the disposal of refuse from the residential uses , including Appendix E Proforma, the Waste Management Strategy drawing number SGG0JMA-ZZ-LG-DR-A-00-4004 P01 and the Service and Vehicle Access drawing number SGG-JMA-ZZ-LG-DR-A-90-0003 P01, shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.		DTC to ensure the development is in accordance with the approved waste management information.				No action required unless unable to comply with condition.
18	The details of an emergency telephone contact number for the construction site manager shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.		Contractor to ensure emergency telephone contact number is displayed on publicly accessible location on the site.				No action required unless unable to comply with condition.
19 (●)	No part of the development shall be occupied until measures/features that are beneficial to wildlife , such as roosting opportunities for bats or the installation of bird nest boxes, have been submitted to and approved in writing by the City Council as local planning authority and those approved measures/features have been incorporated into the development .	Urban Green prepared the Preliminary Roost Assessment submitted with the application. No wildlife recommendations included in original report. To liaise with Urban Green to provide a note making recommendations of	PBA to submit details of wildlife measures/features to MCC as part of condition discharge application. DTC to ensure			Submitted 18 March 2020 Information submitted: SGG-DEP-00-11-DR-L-0001 Revision P07 SGG-DEP-00-00-DR-L-0001	Discharged Confirmed in email dated 14 May 2020

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
		wildlife measures / features to be incorporated. DEP prepared a Ground Level and Roof Level Landscape Scheme to include wildlife features, and a summary note of Landscape Design response to Ecological Guidance. J.G confirmed these documents to be submitted as part of condition discharge application.	measures/features are incorporated into the development.			Revision P19 SGG-DEP-00-00-DR-L-0003 Revision P07 SGG-DEP-00-11-DR-L-0300 Revision P03; and The Landscape Architect's Report by DEP Landscape Architecture dated 14.02.20	
20 (●)	No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with the approved plans. These facilities shall then be retained and permanently reserved for bicycle parking.	Space/facilities for bicycle parking are identified on approved drawing 0001 Rev P06.	DTC to ensure cycle parking facilities provided prior to occupation.	DTC			No action required unless unable to comply with condition.
21 (●)	The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police and shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.	Secured by design accreditation is provided by Greater Manchester Police (GMP). Trackers are now updated and mostly signed off apart from site visit much closer to completion. RS is chasing Julia Hall to assist with confirmation The letter of comfort and updated tracker provided by GMP are to be submitted with the application. It was agreed with Lucy Harrison this condition would be submitted separately noting the anticipated date of inspection by GMP. The certificate would then be submitted with a view to the condition being signed off on receipt / asap.	DTC to ensure that development accords with recommendations of CIS (Version D: 18.01.2017, Ref: 2015/0631/CIS/02). GMP to undertake site inspection following completion of development and to issue certificate. PBA to issue certificate to MCC as part of discharge of condition application. PBA to discuss with planners if the condition can be partially signed off to allow occupation on the basis of a letter of comfort provided by GMP, with the certificate to follow once the development is complete. PBA currently chasing the planners to discuss this.	DTC / PBA		Submitted 27 May 2020	Discharged SbD Certificate issued to MCC on 30.11.2020. Lucy Harrison email dated 21.12.20 stated: <i>"Condition 21 is discharged on the basis that the development has achieved the Secured By Design Gold Award dated 27 November 2020".</i>

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
22 (●) Of commercial uses	The commercial uses hereby approved shall not be open outside hours to be agreed in writing by the City Council as local planning authority before the uses first commence.	PBA had set out the opening hours for various proposed uses within the application forms of original application.	PBA to agree opening hours for various uses as part of condition discharge application.	End Operator?			Not discharged
23 (●)	No part of the site outside the buildings shall be used other than in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority. No amplified sound or any music shall be produced or played in any part of the site outside the building.	PBA to provide in the covering letter a details of when the roof garden will be open (e.g 7am - 11pm) and that it will be managed by the concierge etc Condition requires that no amplified sound or music is to be played. Times to be agreed internally for sign off following advice of PBA. If managing operator is appointed early enough, they are to provide a pack on how the site will be managed - otherwise submit a standard set of hours. RS to confirm if management pack will be available for submission?	PBA to submit management pack / times of use for roof garden to MCC. End user to ensure no amplified sound or music is produced or played in any part of the site outside of the building.	DT		Submitted 18 March 2020	Discharged Confirmed in email 14 May 2020 on the basis that no part of the site outside the buildings shall be used outside the hours of 07:00 and 23:00 daily, with access to the roof being controlled by the managing agent for the scheme.
24 (●)	No part of the development shall be occupied unless and until a car park space suitable for use by disabled persons has been provided in accordance with the approved drawings. This parking space shall be retained and permanently reserved for use by disabled persons.		DTC to ensure disabled car parking space is provided in accordance with approved drawings.				No action required unless unable to comply with condition.
25	Foul and surface water shall be drained on separate systems.		DTEG/Contractor to ensure that foul and surface water is drained on separate systems.				No action required unless unable to comply with condition.
26	No infiltration of surface water drainage into the ground where adverse concentrations of land contamination are present is permitted other than with the express written consent of the City Council as 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 approved details.	To discuss with ROC the requirements to discharge the condition.	PBA to action as necessary.	ROC			No action required unless infiltration of surface water drainage into the ground where adverse concentrations of land contamination are present is required.
27	No loading or unloading shall be carried out on the site outside the hours of:						No action required unless unable to comply with condition.

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
	07:30 to 20:00, Monday to Saturday.						
28	The development hereby approved shall undergo an Uncertified Sustainability Review to demonstrate the achievement of a BREEAM rating of at least 'very good'. A post construction Sustainability Review document demonstrating achievement of a BREEAM rating of at least 'very good' shall be submitted to and approved in writing by the City Council as local planning authority within 3 months of the building hereby approved is first occupied. The Sustainability Review document will provide evidence once the building has been erected that it has been built in accordance with the relevant BREEAM criteria based on the current appropriate BRE manual and has incorporated feasibility measures to minimise the environmental impact and energy use.	To liaise with WECE regarding preparation of Sustainability Review Document. Post construction sustainability review document from Phil Garlick within 3 months post PC. Requested details on when this can be carried out from Phil Garlick. Phil Garlick confirmed this can be carried out when external works and ext. lighting in the vicinity of the unit completed on site. Also the roof over the unit and it's landscaping. DT have indicated June 2020 for this. Around a week required after his final site visit in June to complete the report. JG to chase Phil Garlic on timescales for issuing report.	PBA to submit Sustainability Review Document to MCC as part of condition discharge application.	DeTC	Tbc	BREEAM Assessment took place 25.11.2020. Virtually complete (except for a few final points of information) ready for the Construction Phase Assessment to be finalised. BREEAM Report still to be completed. Have to install/complete a couple of items and provide the photographic evidence before the BREEAM Assessor will complete the report to enable it to be issued to the planners. PBA to submit BREEAM report to MCC as part of a condition discharge application once received.	Discharged See decision letter CDN/21/0245 dated 20.05.2021
29	Before the development hereby approved is completed, 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, shall be 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. Implemented in full within six months of the date of this decision letter.	NMA application (128455/NMC/2020) to vary timescales approved on 26.11.2020. Works to be completed within 6 months of the date of the decision letter (by 26.05.2021).	DTC to ensure approved works completed by 26.05.2021, in accordance with approved details.	PBA		Submitted 24 July 2019	Discharged In email dated 24/6/20 the planner requested a plan clearly showing the proposed materials for the public footway reinstatement on Chester Road and Arundel Street (the materials should be natural stone or other high quality materials and preferably tie in with the landscape materials used on the rest of the scheme). PBA responded to agree alternative material and for this to be agreed via s278 not a condition – chasing a response. Planners have confirmed the Chester Road footpath material is acceptable, and not tied into pre-occupation <i>subject to agreeing a</i>

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							<i>suitable timescale.</i> NMA to amend timescales approved on 26.11.2020. Lucy previously agreed Curtins drawing number 05100-P11 (email dated 13.08.20). Lucy Harrison email 21.12.20 stated: <i>"Condition 29 is discharged on the basis that the details relating to the reinstatement of the pavements around the site shown in drawing number SGG-DEP-00-00-DR-L-0001 Rev C06 Ground Floor - General Arrangements and Curtins drawing number 05100-P11 are fully implemented by 26.05.2021."</i>
30	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).						No action required unless unable to comply with condition.
31 (●)	Before first occupation of the development 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. The approved strategy shall remain in operation in perpetuity.	Maintenance strategy for public realm, already submitted. Awaiting response from Lucy. PBA to chase.	PBA to submit maintenance strategy prepared by DEP to MCC as part of condition discharge application.	DTC		Submitted 24 July 2019	Discharged PBA confirmed a maintenance contractor will be appointed for the management of the access road, and highlight a strategy document has already been submitted. Lucy Harrison email 21.12.20 stated :

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							<i>"Condition 31 is discharged on the basis that the development is maintained in accordance with the St Georges Gardens Public Realm Maintenance Schedule dated October 2020."</i>
32 (●) <i>Previously P.C and previous submission accepted.</i>	The scheme of illumination (including the External Lighting Specification and Images Schedule, drawing number WECE/184/E/30 Rev T5 and P138-2431-H WECE/184/E/30 Rev T7 and P138-2431-L) shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.	NMA application 125925/NMC/2020 for changes to the lighting layout was approved on 2 March 2020.	DTC to ensure the approved lighting scheme is implemented prior to occupation.	DTC			No action required unless unable to comply with condition.
33 (●)	Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes: i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development ii) a commitment to surveying the travel patterns of staff 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.	SCP provided a Travel Plan (Ref: LK/16030/FTP/0, March 2016) as part of application submission. Curtins prepared a joint TP relating to Sky Gardens, City Gardens and Block E1. TP to be updated to reflect reduction in car parking as per S.73 approval. RS has requested SCP update their travel plan to reflect the latest parking provision. 04.02.20	PBA to resubmit Travel Plan to MCC as part of discharge of condition application. Within 6 months of the first use of the development a revised Travel Plan (prepared by SCP) will need to be prepared and submitted to MCC.	PBA/RS		Submitted 27 May 2020	Not discharged Additional information provided in response to comments received. Lucy Harrison email 21.12.20 stated: <i>The pre-occupation part of this condition is met on the basis that the Travel Plan reference LB/17198/TP/4 dated September 2020 incorporates the following points:</i> • a management plan for the cycle storage to ensure it remains available for use (not full of old abandoned bikes); • the travel plan should remain in place for the lifetime of the development; and • proposal for a representative sample survey of both residents and employees at the commercial units. Travel Plan was updated to address the above comments and issued to MCC planners on

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
							12.01.2021. Awaiting confirmation of MCC sign off.
34 (NMA letter dated 26.11.2020 – see comments).	Before the development hereby approved is first occupied a scheme to connect the site to the existing local cycle route infrastructure shall be submitted to and approved in writing by the City Council as local planning authority. The development shall subsequently be carried out in accordance with the approved details ~~prior to first occupation~~ within six months of the date of this decision letter.	SCP provided a Cycle Linkage scheme (Ref: SCP-16030-SK01) to MCC as part of application submission. NMA application (128455/NMC/2020) to vary timescales approved on 26.11.2020. Works to be completed within 6 months of the date of the decision letter (by 26.05.2021).	PBA to submit s.278 drawing to MCC as part of condition discharge application. DTC to implement works by 26.11.2021 in accordance with approved details.	SCP/ PBA / DTC		Submitted 18 March 2020	Discharged Revised drawings submitted to Council. Lucy confirmed details are acceptable on 13 August 2020, subject to being carried out in accordance with a timescale to be agreed with the LPA. Timescale tbc. NMA to amend timescales approved on 26.11.2020. Lucy had previously agreed drawing SGG-DEP-00-00-DR-L-0001 Rev C06 Ground Floor - General Arrangements (email dated 13.08.20). PBA to confirm with MCC that this condition is now discharged on the basis the works are implemented by 26.05.2021 Lucy Harrison email 21.12.20 stated: <i>Condition 34 is discharged on the basis that the details relating to the cycle route shown in drawing number SGG-DEP-00-00-DR-L-0001 Rev C06 Ground Floor - General Arrangements and Curtins drawing number 05100-P11 are fully implemented by 26.05.2021.</i>
35 (●)	Before first occupation of the ground floor commercial unit , a shop front and signage strategy shall be submitted to and agreed in writing by the City Council as local planning authority.	End User to prepare shopfront and signage strategy. DT to liaise with end user to provide this strategy.	PBA to submit shopfront and signage strategy to MCC as part of condition discharge application.	End user?			Not discharged

Condition No.	Condition	Comments	Action	Responsibility	Target Sub Date	Date Submitted	Condition Discharge
36	The car parking spaces hereby approved shall be used only by residents occupying the development hereby approved and by no other persons.		DTEG/Management Company to ensure parking spaces are only used by residents.				No action required unless unable to comply with condition.
37 (●) Previously a P.C but altered to a P.O.	The development hereby approved shall not be occupied unless and until a Residents' Management Strategy has been submitted to, and approved in writing by, the City Council, as local planning authority. The Residents' Management Strategy shall include details of maintenance, security, energy management, janitorial services, common parts cleaning, exterior services, and building policies in relation to waste disposal, storage and deliveries. The Residents' Management Strategy shall be fully implemented, prior to first occupation of the building, and shall be kept in operation at all times thereafter.	Managing agent to prepare the Residents' Management Strategy.	PBA to submit Residents' management Strategy to MCC as part of condition discharge application.	PBA / RS		Submitted 19 August 2020	Discharged Comments received from Carolyn (on Unit 5). PBA responded and are chasing for sign off. Lucy Harrison email 21.12.20 stated: <i>Condition 37 is discharged on the basis that the development is managed in accordance with the St George's Gardens Management Strategy by De Trafford received by the City Council as local planning authority on 19 August 2020.</i>
38	The ground floor commercial unit hereby approved shall operate as a single unit only and shall not be subdivided into separate units						No action required unless unable to comply with condition.
39	The consent hereby granted is for a new building that is fully accessible into and throughout, including for those whose mobility is impaired		DTC to ensure development is fully accessible.				No action required unless unable to comply with condition.

Dated 19 March 2018

THE COUNCIL OF THE CITY OF MANCHESTER

- and -

ROY ORDMAN and BERNADETTE ANTHONY ORDMAN

-and –

BLACKCROFT PROPERTIES LIMITED

-and-

DE TRAFFORD BLOCK E CHURCHGATE LIMITED

AGREEMENT

pursuant to Section 106 Town and Country Planning Act 1990
relating to Unit 5, Bentinck Street Industrial Estate
in the City of Manchester

City Solicitor
Manchester City Council
P O Box 532
Town Hall
Albert Square
Manchester M60 2LA
L/BH/EVD3001/3520

THIS AGREEMENT is made the 19th day of March 2018
BETWEEN

- (1) **THE COUNCIL OF THE CITY OF MANCHESTER** of Town Hall, Albert Square, Manchester ("the Council")
- (2) **ROY ORDMAN and BERNADETTE ANTHONY ORDMAN** of 22 The Coppice, Hale Barns, Altrincham, WA15 0DU (the "Owners" which expression shall include the successors in title and assigns of the Owners)
- (3) **BLACKCROFT PROPERTIES LIMITED** (company registration number 09957707) whose registered office is situated at Suite 2, 30 The Downs, Altrincham, WA14 2PX (the "First Beneficiary" which expression shall include the successors in title and assigns of the First Beneficiary)
- (4) **DE TRAFFORD BLOCK E CHURCHGATE LIMITED** (company registration number 09558618) whose registered office is situated at Barrington House, Heyes Lane, Alderley Edge, Cheshire, SK9 7LA (the "Second Beneficiary" which expression shall include the successors in title and assigns of the Second Beneficiary)

WHEREAS

- A. The Council is the local planning authority for the purposes of the Act for the area in which the Land is situated and is minded to grant the Planning Permission subject to the completion of this Agreement
- B. The Owners are the registered proprietors with title absolute of the leasehold of the Land registered under title number GM537430 at the Land Registry
- C. The Council own the freehold of the Land registered under title number GM880709 at the Land Registry but are not entering into the Planning Obligations contained in the First Schedule
- D. The First Beneficiary is interested in the Land by virtue of an option to purchase contained in an agreement dated 24 November 2016 and made between the Owners (1) and the First Beneficiary (2)
- E. The Second Beneficiary is interested in the Land by virtue of a sale agreement dated 7 April 2017 made between the First Beneficiary (1) the Second Beneficiary (2) and Gary Thomas Jackson (3)

- F The Second Beneficiary has submitted the Application to the Council and the parties have agreed to enter into this Agreement in order to secure the planning obligations contained in this Agreement
- G. The Council resolved on 14 December 2017 that it was minded to grant the Planning Permission subject to the prior completion of this Agreement
- H The Council has recognised the difficulty faced by lower income groups in buying homes within the Administrative Boundaries of Manchester and the planning purpose of this Agreement is to increase the provision of affordable housing within the Administrative Boundaries of Manchester The Owners have agreed to make provision for affordable housing in the manner hereinafter appearing. The Council is satisfied that the obligations in this Agreement are;
- (a) necessary to make the Development acceptable in planning terms (including where appropriate, obligations necessary to mitigate the adverse impacts of the Development in accordance with the development plan for the area and other material considerations);
 - (b) directly related to the Development, and
 - (c) fairly and reasonably related in scale and kind to the Development
- OR
- (d) will secure other planning benefits;

NOW THIS DEED WITNESSETH as follows:

1. In this Agreement unless the context otherwise requires the following words and expressions and phrases shall have the meanings hereby ascribed to them

“Act”	shall mean the Town and Country Planning Act 1990 (as amended)
“Administrative Boundaries of Manchester”	shall mean all the wards that together comprise the city of Manchester
“Affordable Housing”	shall have the meaning given to it in the Policy and in the NPPF Annex 2 Glossary as may be amended or any replacement of the same

“Affordable Housing Contribution”	shall mean the contribution towards the provision of Affordable Housing within the Administrative Boundaries of Manchester in the sum of £50,000 (fifty thousand pounds) and for the purpose of any other costs and expenses in connection with or incidental to the same
“Agreement”	shall mean this agreement
“Application”	shall mean the application for planning permission received by the Council under reference number 116881/FO/2017
“Beneficiaries”	shall mean the First Beneficiary and Second Beneficiary together
“Commencement Date”	shall mean the date upon which the Development is commenced by the carrying out of a material operation as defined in section 56 of the Act other than site clearance, demolition work, investigations for purpose of assessing ground conditions, remedial work in respect of contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements and “Commence Development”, “Commencement” and “Commencement of Development” shall have the corresponding meaning
“Commencement Notice”	means written notice given by the Owners to the Council within 14 days of Commencement stating that Commencement has taken place and specifying the date of Commencement

“Development”	shall mean the development of the Land pursuant to the Planning Permission and substantially comprising of the erection of a new eleven storey building to accommodate 79 (seventy nine) residential apartments (Use Class C3) together with associated roof terrace, car parking, landscaping, boundary treatment and public realm following demolition of the existing building on the site
“Dwelling”	shall mean any residential apartment constructed pursuant to the Planning Permission and Dwellings shall be construed accordingly
“Inflation”	shall mean the number of the General Index of Retail Prices (All Items) for the specified month produced by the Office for National Statistics
“Inflation Increase”	shall mean the amount calculated by way of the formula contained in paragraph 13 of this Agreement
“Land”	shall mean the land against which this Agreement by Deed may be enforced and being all that land on the south west side of Hulme Hall road, Hulme, Manchester as shown edged red on the attached plan
“Management Fee”	shall mean 15% of the planning application fee which equates to £3,357.60 to be used for the purpose of management and monitoring of this Agreement and the Planning Obligations contained herein
“Occupation”	shall mean beneficial occupation of a Dwelling permitted by the Planning Permission but not

	including occupation for construction, fit-out or decoration, marketing, display or in relation to security operations and "Occupied" and "Occupy" shall be construed accordingly
"Planning Obligations"	shall mean the obligations of the Owners and the Beneficiaries specified in the First Schedule to this Agreement
"Planning Permission"	shall mean full planning permission under the Act for the Development to be granted pursuant to the Application
"Policy"	shall mean "Providing for Housing Choice-Supplementary Planning Document and Planning Guidance" adopted on 2 September 2008 as the same may be amended or replaced
"Stakeholder"	shall mean the Council's City Treasurer and his authorised officers
"Stakeholder Account"	shall mean an account held by the Council's City Treasurer and his authorised officers at Barclays Bank plc in which the monies paid under the Planning Obligations are held
"Working Day"	shall mean any day apart from Saturday and Sunday, Christmas Day, Good Friday and any statutory Bank Holiday

2. A reference in this Agreement to an act of Parliament or to any order, regulation, statutory instrument or the like shall include a reference to any amendment or re-enactment of the same.
3. Words importing the masculine gender include the feminine gender and vice versa and words in the singular include the plural and vice versa and words importing individuals shall be treated as importing corporations and vice versa

4. Any headings or side notes are for ease of reference only and shall not affect the construction of this Agreement.
- 5 Where in this Agreement reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule or recital in this Agreement.
6. If any party to this Agreement comprises more than one party then that party shall be jointly and severally liable under this Agreement PROVIDED THAT the First Beneficiary and Second Beneficiary shall not be liable for any obligations in this Agreement unless and until they have acquired any part of the Land from the Owners
- 7 Words denoting an obligation on a party to this Agreement to do any act matter or thing include an obligation to procure that it be done and words placing a party to this Agreement under a restriction include an obligation not to permit or allow infringement of that restriction.
8. This Agreement is made in pursuance of Section 106 of the Act, Section 111 of the Local Government Act 1972, Section 1 of the Localism Act 2011 and all other powers and enactments which may give validity hereto and facilitate the enforcement of the obligations and provisions herein contained.
- 9
The Owners consent to their interest in the Land being bound by this Agreement and covenant with the Council in the terms set out in the First Schedule to this Agreement, those covenants being planning obligations under section 106 of the Act and enforceable by the Council;
- 9.1 Subject to the proviso in clause 6 the Beneficiaries acknowledge that their interests in the Land will be bound by and held subject to the Planning Obligations.
- 10 The Second Beneficiary covenants with the Council to pay to the Council on the date hereof such sum as notified in respect of the Council's legal costs in connection with this Agreement Receipt by the Council of the payment of such sum shall not create any lawyer-client type contractual relationship between the Council and the Second Beneficiary nor absolve the Second Beneficiary from

any liability or obligation imposed upon them by the terms of this Agreement or by statute or at common law.

11. The Second Beneficiary covenants with the Council to pay to the Council on the date hereof the Management Fee in the sum of £3,357 60 (three thousand three hundred and fifty seven pounds and sixty pence).
12. The Council covenants with the Owners to issue the Planning Permission on the date hereof.
13. The amount payable under the Planning Obligations shall be increased by the application of the formula $A = B \times (C / D)$ provided that (C / D) shall always be greater than or equal to 1 and with the following definitions
A is the sum actually payable
(1) on the date as determined by the application of paragraph 2 of the First Schedule and
(2) on the date as determined by the application of paragraph 3 of the First Schedule
B is in respect of (1) above £25,000 (twenty five thousand pounds) and in respect of (2) above £25,000 (twenty five thousand pounds)
C is in respect of (1) above Inflation as shown in the relevant index published last before the date as determined by the application of paragraph 2 of the First Schedule and in respect of (2) above: Inflation as shown in the relevant index published last before the date as determined by the application of paragraph 3 of the First Schedule
D is Inflation for the month in which this Agreement is dated
14. Nothing herein contained or implied shall prejudice or affect the rights, powers, duties and obligations of the Council in exercise of its functions as a local authority and the rights, powers, duties and obligations of the Council under all public and private statutes, byelaws, orders and regulations may be fully and effectually exercised in relation to the Land or any part thereof and any works executed thereon as if this Agreement had not been executed by the Council and in particular nothing in this Agreement shall restrict the Council and any other

- authority from exercising powers of compulsory purchase in respect of any part of the Land
15. No failure or delay by the Council to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same, or of some other right, power or remedy.
- 16 In respect of the sums payable by the Owners to the Council under the Planning Obligations, the Council covenants with the Owners
- 16.1 to pay such sums into the Stakeholder Account and hold such sums therein until the withdrawal of such sums as may be required for the purposes specified in the Planning Obligations
- 16.2 to use such sums withdrawn from the Stakeholder Account solely and exclusively for the purposes specified in the Planning Obligations
- 16.3 to repay to the Owners (here meaning the party or parties who shall have actually paid such sum) such amount of the sums which have not been expended excluding any such sums in respect of which though not yet expended the Council has contractually committed to expend in accordance with the provisions of this Agreement within 10 (ten) years of the Commencement Date or date of receipt by the Council of such payment (and where payment is made by instalments the date of receipt shall be deemed to be the date upon which the last instalment is received), whichever is the later, together with interest at the Bank of England base rate from time to time from the date of expiration of this ten year period (the "retention period") to the date of refund
- 16 4 Upon receipt by the Council of a written request from the Owners received within the final year of the retention period to provide a written statement summarising what the sums received have been spent on and detailing any sums remaining unexpended within 21 days of the Councils receipt of such a request provided that the number of such requests shall not exceed four
- 17 No person who is not a party to this Agreement may enforce any terms hereof pursuant to the Contracts (Rights of Third Parties) Act 1999 provided that this

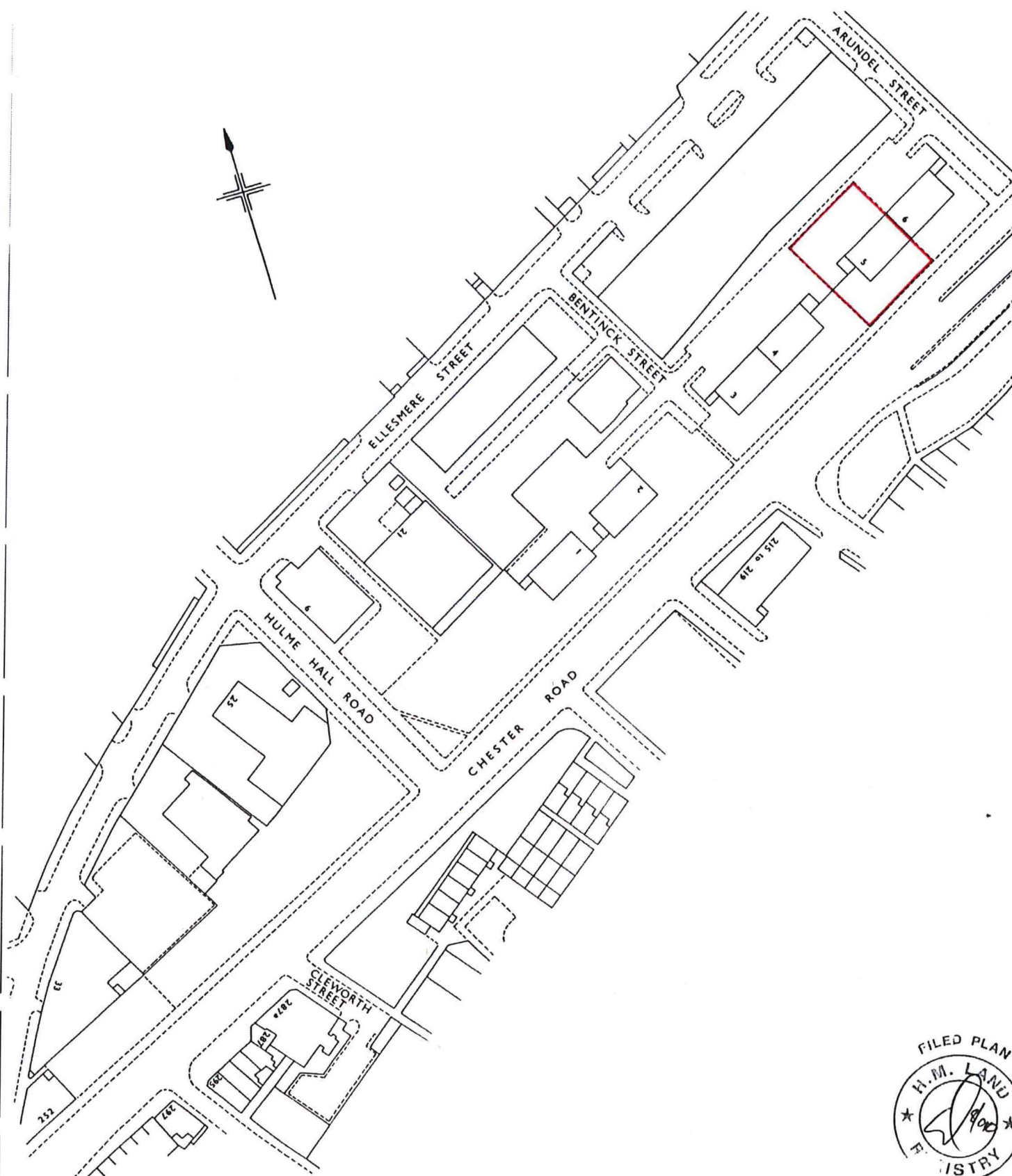
clause shall not affect any right of action of any person to whom this Agreement has been lawfully assigned or becomes vested in law.

18. If any provision of this Agreement shall be prohibited by or adjudged by a court to be unlawful, void or unenforceable such provision shall to the extent required be severed from this Agreement and rendered ineffective as far as possible without modifying the remaining provisions of this Agreement and shall not in any way affect any other circumstances or the validity or enforcement of this Agreement
19. Any approval given by the Council under this Agreement or for the purposes of this Agreement shall not be deemed to be approval for any other purpose whatsoever
20. Nothing in this Agreement prohibits or limits the right to develop any part of the Land in accordance with a planning permission, other than the Planning Permission, granted after the date of this Agreement, whether or not pursuant to an appeal.
21. The Owners agree with the Council to give the Council written notice as soon as practicable of any change in ownership of any of their interest in the Land occurring before all the Planning Obligations under this Agreement have been discharged such notice to give details of the transferee's full name and registered office (if a company or usual address if not) together with the area of the Land or unit of occupation purchased by reference to a plan.
22. The provisions of this Agreement (other than this clause which shall be of immediate effect) shall be of no effect until this Agreement has been dated.
23. This Agreement shall be governed by and interpreted in accordance with the laws of England
24. This Agreement shall cease to have effect (insofar only as it has not already been complied with) if the Planning Permission shall be quashed, revoked or otherwise withdrawn or (without the consent of the Owner) it is modified by any statutory procedure or expires prior to the Commencement of Development
25. No person shall be liable for any breach of any of the planning obligations or other provisions of this Deed after it shall have parted with its entire interest in

the Land but without prejudice to liability for any subsisting breach arising prior to parting with such interest

26. This Deed shall not be enforceable against owner-occupiers or tenants of Dwellings constructed pursuant to the Planning Permission nor against those deriving title from them.
27. This Agreement shall be registered by the Council in the Council's Register of Local Land Charges immediately on completion thereof.
28. For the purpose of noting this Agreement on the title of the Owners registered under title number GM537430 at the Land Registry the Owners will on the date hereof provide the Council with a completed Form AN1 (or any replacement of this form) together with either a cheque made payable to the Land Registry to cover the requisite fee or alternatively with the Owners' solicitor's completed Land Registry account key number details inserted in the form. The Council will arrange for the AN1 (or any replacement of this form) to be registered at the Land Registry and the Owners will supply the Council with a copy of the amended registers as soon as reasonably practicable following their receipt by the Owners from the Land Registry
29. If any sum payable to the Council under the terms of this Agreement is not paid at the time specified herein the party responsible for making the payment shall pay to the Council interest on such sum calculated on a daily basis and compounded quarterly from the due date until payment at the rate of 4% per annum over Barclays Bank plc base rate from time to time in force and such amount shall be recoverable by action as a liquidated sum
30. The Council will upon the written request of the Owners at any time after the Planning Obligations under this Agreement have been fulfilled or determined issue written confirmation thereof and thereafter cancel all related entries in the Register of Local Land Charges
31. All correspondence in connection with this Agreement shall be sent to the Council at the following address or such other address as may be notified from time to time Planning and Building Control Department, Ref 116881/FO/2017, Manchester City Council, PO Box 532, Town Hall, Manchester, M60 2LA.

H.M. LAND REGISTRY		TITLE NUMBER
		GM537430
ORDNANCE SURVEY PLAN REFERENCE	SJ 8297 SE	Scale 1 1250
COUNTY GREATER MANCHESTER	MANCHESTER DISTRICT	© Crown Copyright



IN WITNESS whereof this Agreement has been executed as a deed in the manner hereinafter appearing and delivered the day and year first before written.

FIRST SCHEDULE

THE PLANNING OBLIGATIONS

The Owners and the Beneficiaries covenant with the Council:

1. To serve the Commencement Notice;
2. not to Commence Development, nor to allow nor to permit the same, until they have paid to the Council on or before the Commencement Date 50% of the Affordable Housing Contribution together with any Inflation Increase.
3. Not to Occupy, nor to allow nor to permit Occupation until they have paid to the Council on or before first Occupation of any of the Dwellings the remaining 50% of the Affordable Housing Contribution together with any Inflation Increase.

SECOND SCHEDULE

The Council covenants with the Owners:

that the Affordable Housing Contribution received pursuant to the provisions of the First Schedule shall be used by the Council in such manner as the Council in its absolute discretion considers appropriate for the provision of Affordable Housing within the Administrative Boundaries of Manchester.

THE COMMON SEAL of THE COUNCIL OF THE
CITY OF MANCHESTER was hereunto affixed in
pursuance of an Order of the Council of the said City:

Authorised Signatory



01095031

SIGNED AS A DEED by ROY ORDMAN

in the presence of



Witness signature



Witness name

Lloyd Kennedy

Witness address

Barrington House, Heyes Lane, Alderley Edge
Cheshire SK9 7LA

SIGNED AS A DEED by BERNADETTE ANTHONY ORDMAN

in the presence of



Witness signature



Witness name

Lloyd Kennedy

Witness address

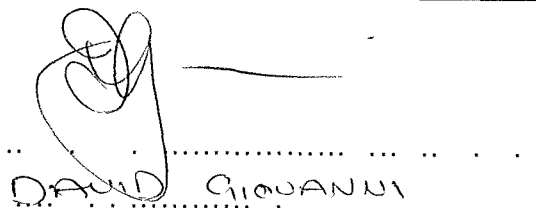
Barrington House, Heyes Lane, Alderley Edge
Cheshire SK9 7LA

EXECUTED AS A DEED by BLACKCROFT PROPERTIES LIMITED

acting by a director

DIRECTOR

Signature



Name (in block capitals)

DAVID GIOVANNI

IN THE PRESENCE OF

Signature:



Name (in block capitals)

LAURA MEAR

Address

18... Little .. Bolton... Terrace.

Salford. MS. SBD

Occupation

Admin...

EXECUTED AS A DEED by DE TRAFFORD BLOCK E CHURCHGATE LIMITED

acting by a director

DIRECTOR

Signature

Name (in block capitals)

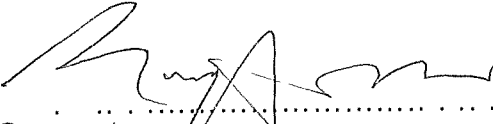
IN THE PRESENCE OF

Signature:

Name (in block capitals)

Address

Occupation


.....
GARY JACKSON.....

NEANS.
.....
NATASHA EVANS.....
DE TRAFFORD, BARRINGTON
HOUSE, HEYES LANE, SK9 7LA -
EXECUTIVE ASSISTANT.

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

Approval of details reserved by condition

Applicant

Mr Gary Jackson
De Trafford
Brooke Court
Lower Meadow Road
Wilmslow
SK9 3ND

Agent (if used)

Ms Lynsay Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 10 (parking management), 13 (travel plan) and 18 (Secured by Design) attached to previously approved planning application 120725/JO/2018

Location: Unit 5, Bentinck Street Industrial Estate, Bentinck Street, Manchester, M15 4LN

Date of application: 17 June 2020

Application number: CDN/20/0401

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.

Date: 21 December 2020

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

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

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

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

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

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

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

Approval of details reserved by condition

Applicant

Mr Gary Jackson
De Trafford
Brooke Court
Lower Meadow Road
Wilmslow
Cheshire
SK9 3ND

Agent (if used)

Lynsay Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 4 (contaminated land verification report) attached to previously approved planning application 120725/JO/2018

Location: Unit 5 Bentinck Street Industrial Estate, Bentinck Street, Manchester, M15 4LN

Date of application: 18 December 2020

Application number: CDN/20/0844

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 4

The following information has been submitted for approval in respect of condition 4:

- The 18 page verification letter by enSAFE dated 8 December 2020

The information is considered to be acceptable and condition 4 will be formerly discharged so long as the development is carried out in accordance with the submitted information.

Date: 12 February 2021

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

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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.

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

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

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

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

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

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

Partial approval of details reserved by condition

Applicant

Mr Gary Jackson
De Trafford Estates Group
Barrington House
Heyes Lane
Stockport
SK9 7LA

Agent (if used)

Ms Lynsay Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3, 4, 5, 7, 11, 12, 16, 17, 19, 21, 23, 25, 26, 28 and 30 attached to previously approved planning application 116881/FO2017

Location: Unit 5 Bentinck Street Industrial Estate, Bentinck Street, Manchester, M15 4LN

Date of application: 31 May 2018

Application number: CDN/18/0375

Part 2 – Particulars of decision (1)

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

Condition 5

The following information has been submitted for approval in respect of condition 5:

- The RIBA Stage 3 Drainage Strategy Design document by RoC Consulting, ref. PW/NAK/3523 RIBA STAGE 3 DRAINAGE, dated 18 May 2018
- The information contained within the agent's email of 10 July 2018 with regard to drainage
- Drawings C-60 N and DR111 Rev 1, received with the agent's email of 10 July 2018

The information is considered to be acceptable and condition 5 will be formally discharged so long as the development is carried out in accordance with the submitted information.

Condition 7

The following information has been submitted for approval in respect of condition 7:

- The Written Scheme of Investigation, dated April 2018
- The Archaeological Watching Brief and Evaluation Trenching report, ARS Ltd Report No. 2018/119, submitted via email on 4 October 2018

The information is considered to be acceptable and condition 7 will be formally discharged so long as the development is carried out in accordance with the submitted information.

Condition 11

The following information has been submitted for approval in respect of condition 11:

- the Noise and Vibration Management Plan, dated 9 August 2018
- the St. Georges Gardens: Construction Method Statement, dated April 2018
- the Site Logistics and Traffic Management Plan, dated May 2018

all received with the agent's email of 10 August 2018

- the agent's email of 20 July 2018 regarding contractor parking

The information is considered to be acceptable and condition 11 will be formally discharged so long as the development is carried out in accordance with the submitted information.

Condition 16

The following information has been submitted for approval in respect of condition 16:

- The St. Georges Gardens: Construction Method Statement, dated April 2018, in relation to Local Labour.

The information is considered to be acceptable and condition 16 will be formally discharged so long as the development is carried out in accordance with the submitted information.

Condition 17

The following information has been submitted for approval in respect of condition 17:

- The Foundation Works Risk Assessment Report by RoC Consulting, ref: AS/JS/3523/FM/rs-130516, dated 18 May 2018.

The information is considered to be acceptable and condition 17 will be formally discharged so long as the development is carried out in accordance with the submitted information.

Condition 23

No further information is required for this condition as it has been stated that there will be no externally mounted plant equipment included within the scheme. Should this change, full and detailed information as requested by condition 23 will need to be submitted for approval.

Condition 25

Condition 25 will be discharged on the basis that any Japanese knotweed that is found at the site shall be managed in accordance with the Japanese Knotweed Control Limited document Version 2, submitted via email on 26 June 2018.

Condition 26

The following information has been submitted for approval in respect of condition 26

- The information submitted with the agent's email of 7 January 2019, specifically the External Lighting Specification and Images Schedule and drawing WECE/184/E/ Rev T5.

The information is considered to be acceptable and condition 26 will be formally discharged so long as the development is carried out in accordance with the submitted information.

Part 2 – Particulars of decision (2)

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

Condition 3

Condition 3 is not discharged as further information is required, as detailed in recent correspondence between the LPA and the applicant's agent.

Condition 4

Condition 4 is partially discharged on the basis that the development shall be carried out in accordance with the agreed Remediation Strategy by REC, ref. 103785P4R0, dated June 2018.

A Completion/Verification Report still needs to be submitted to and approved in writing by the City Council as local planning authority before the condition can be fully discharged.

Condition 12

Condition 12 is partially discharged on the basis that the pre-development condition survey has been submitted and is acceptable. The next condition survey, to be undertaken once all the construction/fit-out works are complete, still needs to be submitted and approved in writing by the Local Planning Authority before the condition can be fully discharged.

Condition 19

Condition 19 is not discharged as further information is required, as detailed in recent correspondence between the LPA and the applicant's agent.

Condition 21

Condition 21 is not discharged as further information is required, as detailed in recent correspondence between the LPA and the applicant's agent.

Condition 28

Part a) only of Condition 28 is discharged on the basis that the Pre-Construction Signal Reception Impact Survey by Astbury, dated 27 July 2015, has been submitted and is acceptable. The condition will not be fully discharged until the information required for part b) of the condition is submitted and approved, as per the requirements of condition 28.

Condition 30

Condition 30 is not discharged on the basis that the information requested by the condition has not been submitted to date.

Date: 29 March 2019

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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

Notes

1. This decision relates 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. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

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

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

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

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

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

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

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

Approval of details reserved by condition

Applicant

Mr Gary Jackson
De Trafford
Brooke Court
Lower Meadow Road
Wilmslow
Cheshire
SK9 3ND

Agent (if used)

Lynsay Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 6 (drainage), 22 (acoustics) and 30 (residents management strategy) associated with planning permission ref. 120725/JO/2018

Location: Unit 5 Bentinck Street Industrial Estate, Bentinck Street, Manchester, M15 4LN

Date of application: 19 August 2020

Application number: CDN/20/0538

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

The following information has been submitted for approval in respect of condition 6:

The Summary Report of As Built Drainage by Roc Consulting, ref. SGG-ROC-ZZ-00-RP-C-DR01, dated 19 February 2020, received via email on 24 November 2020

The letter from De Trafford regarding drainage maintenance, dated 13 January 2021, received via email on 13 January 2021

The information is considered to be acceptable and condition 6 will be formerly discharged so long as the development is carried out in accordance with the submitted information.

Condition 22

The following information has been submitted for approval in respect of condition 22:

The Acoustic Verification Report by Cundall, ref. SGG-CDL-XX-XX-RP-AS-45204, dated 23 October 2020, received via email on 26 October 2020

The information is considered to be acceptable and condition 22 will be formerly discharged so long as the development is carried out in accordance with the submitted information.

Condition 30

The following information has been submitted for approval in respect of condition 30:

The St George's Gardens: Management Strategy by De Trafford, received by the Local Planning Authority on 19 August 2020

Drawings

SGG-JMA-ZZ LG-DR-A-00 4004 A Ref C02
SGG-REDS-00-GF-DR-X-0048 Rev C02

received via the agent's email of 2 October 2020

The information is considered to be acceptable and condition 30 will be formerly discharged so long as the development is carried out in accordance with the submitted information.

Date: 25 January 2021

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

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

Approval of details reserved by condition

Applicant

Mr Gary Jackson
De Trafford
Brooke Court
Lower Meadow Road
Wilmslow
Cheshire
SK9 3ND

Agent (if used)

Lynsay Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 12 (carriageways/footways survey) attached to previously approved planning application 120725/JO/2018

Location: Unit 5 Bentinck Street Industrial Estate , Bentinck Street, Manchester, M15 4LN

Date of application: 25 March 2021

Application number: CDN/21/0246

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 12

The following information has been submitted for approval in respect of condition 12:

- The drawing titled 'St George's Dilapidation Survey of adjacent road network', Drawing RS01
- 8 no. videos showing the survey results from various locations, received by the Local Planning Authority on 14 April 2021

The information is considered to be acceptable and condition 12 will be formerly discharged on the basis that the post construction survey has revealed that no repair works are needed to the highways surrounding the site.

Date: 22 April 2021

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

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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.

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

Approval of details reserved by condition

Applicant

Mr Gary Jackson
De Trafford
Brooke Court
Lower Meadow Road
Wilmslow
Cheshire
SK9 3ND

Agent (if used)

Lynsay Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 28 (BREEAM) attached to planning permission 120724/JO/2018

Location: Unit 6 Bentinck Street Industrial Estate, Bentinck Street, Manchester, M15 4LN

Date of application: 25 March 2021

Application number: CDN/21/0245

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 28 BREEAM

Condition 28 (BREEAM)

Condition 28 is discharged on the basis of the Final BREEAM 2014 New Construction Report Rev 1.7 by Sustainability Built Ltd dated 6 February 2021.

Date: 20 May 2021

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

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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.

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

Approval of details reserved by condition

Applicant

Mr Gary Jackson
De Trafford
Brooke Court
Lower Meadow Road
Wilmslow
Cheshire
SK9 3ND

Agent (if used)

Lynsay Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 4 (ground contamination) attached to planning permission 120724/JO/2018

Location: Unit 6 Bentinck Street Industrial Estate, Bentinck Street, Manchester, M15 4LN

Date of application: 18 December 2020

Application number: CDN/20/0845

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.

4 - Ground Contamination

Condition 4 - Ground Contamination

Condition 4 is discharged on the basis of the EnSafe letter to De Trafford Estates Group dated 8 December 2020.

Date: 11 February 2021

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

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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.

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

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

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

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

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