

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141176/JO/2024
Date registered valid: 7 October 2024
Proposal: Variation to Planning Permission 121099/FO/2018 as amended by 133730/NMC/2022, 136804/NMC/2023, 38154/NMC/2023 and 139443/NMC/2024 consisting of the removal of condition 12 (Public Realm delivery) and amendment of 13 (Landscaping and Highways).
Address: Rammon House, 1 Portugal Street East, Manchester, M1 2WX
Ward(s): Piccadilly Ward

Applicant: Portugal Street East Limited
Agent (if any): Mr Matthew Grindey Day Architectural Ltd
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve subject to Deed of Variation of S106 in respect of planning permission 121099/FO/2018

Date of recommendation:

Application details

Type of application: Variation or Removal of Condition
Development type: Major Dwellings
Date of site visit: 17 October 2024

Standard consultations:
Printed: 15 October 2024 Expired: 5 November 2024

Neighbour notifications
Printed: 14 October 2024 Expired: 4 November 2024

Site notice
Posted: 17 October 2024 Expired: 16 November 2024

Press advert

Published: 22 October 2024

Expired: 21 November 2024

Departure from Development Plan: No

Environmental Statement: RECV

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a 0.88 hectares site bounded by Adair Street, Portugal Street East, the Piccadilly – Ashton-under-Lyne Metrolink line / Fair Street, Longacre Street and warehousing situated between Longacre Street and Heyrod Street. It is close to Piccadilly Station. Prior approval for the demolition of Rammon House which previously stood on the site (application ref no 120090/DEM/2018) was granted in 2018 and has now been implemented.

Consent was granted under application ref no 121099/FO/2018 for the Construction of two residential buildings (Use Class C3) comprising Block 1 (29 storeys) (224 apartments (4 x 1 bed 1 person, 52 x 1 bed 2 person, 64 x 2 bed 3 person and 104 x 2 bed 4 person) 25% 1 bed and 75 % 2 bed) Block 2 (23 storeys) (264 apartments 44 x1 bed 1 person, 44 x 1 bed 2 person, 92 x 2 bed 3 person and 84 x 2 bed 4 person) (33% 1 bed and 67%% 2 bed) with a linked central podium, to deliver 488 units, shared amenity space, 27 car parking spaces, 492 cycle spaces, landscaping (including new public park) , lighting, highways and associated works following demolition of existing buildings and structures.

This consent is now being implemented.

The site lies within the Portugal Street East SRF Area and directly adjacent to Metrolink Infrastructure.

The nearest homes are within Crusader Mill as detailed above to the north of Great Ancoats Street and around the Ashton Canal. There are car parks around the site and a multi-storey car park adjacent to Piccadilly Station.

The site is adjacent to other Strategic Regeneration Framework areas, including; HS2 SRF; Piccadilly Basin SRF; Mayfield SRF; Ancoats & New Islington Neighbourhood Development Framework and Holt Town Regeneration Framework.

Land to the south and east of the site is within the HS2 safeguarding area; however, no part of the safeguard area falls within the residential development boundary. Since the cancellation of HS2 the future of the safeguarded land is not certain.

The site is in Flood Risk Zone 1 (low risk) and is within a critical drainage area.

Description of development

The approved proposals would deliver a substantial public square envisaged in the PSE SRF. It would form part of a public realm network within the HS2 SRF area, connected by pedestrian and cycle friendly routes.

During the determination of the original consent HS2 sought to avoid costly, potentially abortive works within safeguarded land, so a temporary landscaping scheme comprising lawned areas and tree planting was approved for implementation pending resolution of the safeguarding area. Delivery of the permanent scheme was to take place if and when the safeguarding land is no longer required by HS2. The HS2 line to Manchester has now been cancelled and this matter was never resolved.

Consent is sought to remove condition 12 which required the submission of a Programme for the submission of details including confirmation of the period for which the temporary treatment would be in place and to amend the current wording of condition 13 to remove the reference to temporary works.

The wording of the revised condition 13 has been agreed between Officers, HS2 and the applicant prior to submission and aligns with the applicants delivery programme.

The safeguarding in place in relation to the application site is currently under review with the Department for Transport. Prior to submission of this application it was agreed with HS2 at the applicants request, that the conditions could be amended as applied for, to enable the applicant to deliver the permanent scheme rather than potentially a temporary scheme and at a later date the permanent scheme. The applicant is aware that there is still a level of risk that the safeguarded land could be used for the delivery and / or operation of Northern Powerhouse Rail but HS2 no longer object to the carrying out of the potentially abortive works.

The current conditions 12 and 13 are as follows:

12) Final details of the programme for the delivery of the public realm including confirmation of the period for which the temporary treatment of the 'Green' (dwg RFM-XX-00-DR-L-0010 REV P02 as amended by RFM-XX-00-DR-L-0013 REV P01 (Temporary Landscaping Plan)) will be in place and timescales for the full delivery of the details as shown in dwg no RFM-XX-00-DR-L-0003-S4-PL06 as amended by RFM-XX-00-DR-L-0014 REV P01 (Permanent Works Phasing) shall be submitted to an approved in writing by the City Council as Local Planning Authority by Monday 31 March 2025

For the avoidance of doubt the development should be delivered in accordance with the approved programme and should not be occupied unless or until any agreed pre-occupation requirements have been delivered in full.

Reason

To ensure delivery of a satisfactory development in line with the approved scheme, safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and to ensure that a satisfactory measures to enhance biodiversity are incorporated within the development in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

13) Final details of the programme for the delivery of the public realm including confirmation of the period for which the temporary treatment of the 'Green' (dwg RFM-XX-00-DR-L-0010 REV P02 as amended by RFM-XX-00-DR-L-0013 REV P01 (Temporary Landscaping Plan)) will be in place and timescales for the full delivery of the details as shown in dwg no RFM-XX-00-DR-L-0003-S4-PL06 as amended by RFM-XX-00-DR-L-0014 REV P01 (Permanent Works Phasing) shall be submitted to an approved in writing by the City Council as Local Planning Authority by Monday 31 March 2025

For the avoidance of doubt the development should be delivered in accordance with the approved programme and should not be occupied unless or until any agreed pre-occupation requirements have been delivered in full.

Reason

To ensure delivery of a satisfactory development in line with the approved scheme, safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and to ensure that a satisfactory measures to enhance biodiversity are incorporated within the development in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

Consultations & Notification Responses

Publicity – The application was advertised as a major development, affecting the setting of a listed building and accompanied by an Environmental Statement. A site notice was displayed adjacent to the site and occupiers of neighbouring buildings were notified about the development. No representations have been received.

Head of Highways – No objections

HS2 – No objections

Flood Risk Team – Have no objections

TFGM Metrolink – Have no comments

TFGM – Have no objections

Environment Agency – No comments received

Issues

Core Strategy - The following policies are considered to be most relevant to the consideration of this S73 application:

Policy EN 15 Biodiversity and Geological Conservation – there would be no impacts on the levels of enhancement of the sites of biodiversity from the amendments to the conditions. The delivery of the full landscaping scheme as opposed to a temporary solution would have positive impacts in terms of quicker delivery of this enhancement.

Policy SP1 (Spatial Principles),- The amendments to the conditions would have no impact on the positive contribution to neighbourhoods of choice including:- • creation of a well designed places that enhances and create character; • makes a positive contribution to the health, safety and wellbeing of residents; and • protection and enhancement of the built and natural environment that the development will achieve.

Policy DM1 (Development Management) – Positive impacts from the development in terms of design, scale and layout of the building along with associated impacts on residential amenity from loss of privacy and daylight and sunlight considerations and impact on wind conditions and

effects relating to biodiversity, landscape, archaeological or built heritage would not be impacted by the amendments to the conditions. The delivery of the full landscaping scheme as opposed to a temporary solution would have positive impacts in terms of quicker delivery of the significant delivery of green infrastructure including open space, both public and private.

Places for Everyone

Policy JP-G9: A Net Enhancement of Biodiversity and Geodiversity – The delivery of the full landscaping scheme as opposed to a temporary solution would have positive impacts in terms of quicker delivery of biodiversity enhancements.

NPPF

Section 12 'Achieving Well Designed Places' The delivery of the full landscaping scheme as opposed to a temporary solution would have positive impacts in terms of quicker delivery of the positive place making impacts of the public park and associated tree planting.

Principle of the Proposed Removal / Amendment to conditions

The Portugal Street East SRF identifies a need to provide a range of public spaces to provide shared outdoor public amenities for use by residents, employees and the public, to support the high density development in this accessible city centre location. The approved public realm associated with this development is a key space within the SRF Area and the aspiration has always been to see the permanent scheme delivered rather than a temporary scheme. Given the developments with the cancellation of HS2 the likelihood of the delivery of the permanent scheme being abortive works has diminished, as reflected in HS2's support for the amendment to condition 13. It follows that if condition 13 is amended as requested that the need for condition 12 becomes redundant and it can therefore be removed.

The revised condition 13 would be as follows:

Final details of the public realm works and highway works as shown in dwgs numbered RFM-XX-00-DR-L-0003-S4-PL05 and (b)RFM-XX-00-DR-L-0010 REV P02 shall be submitted to and approved in writing by the City Council as Local Planning Authority by Monday 31 March 2025. This shall include:

(i) An implementation timetable; and

(ii) details of the following:

(a) Final details of the 'Green' including any required wind mitigation measures as set out in the Portugal Street East, Manchester: Environmental Statement Volume 1 August 2019 by Deloitte Real Estate;

(b) Details of (a) all hard (to include use of natural stone or other high quality materials) and (b) all soft landscaping works (excluding tree planting) which demonstrably fully consider and promote inclusive access (including older and disabled people);

(c) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include the choice of planting species within the public realm, bat boxes and brick, bird boxes to include input from a qualified ecologist and which demonstrates Biodiversity Net gain across the site;

(d) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design and details of ongoing maintenance;

(e) Details of how surface water from the public realm and from Blocks 1, 2 and 3 would be managed within the public realm through Suds interventions such as infiltration, swales, soakways, rain gardens and permeable surfaces;

(f) Green roof to Block 3;

(g) Location and design of all street furniture including seating, lighting, bins, handrails, recycling bins, play and exercise equipment, boundary treatments, planters and cycle parking provision: all to include features which fully consider and promote inclusive access (which includes older and disabled people);

(h) Street lighting around the site (which includes for consideration of older and disabled people);

(i) Details of a wayfinding strategy to include signage (including for directing cyclists to nearby cycle routes) and any other appropriate methods to ensure the legibility of linkages within the PSE SRF Area with Piccadilly Station, the Metrolink and other adjacent Neighbourhoods (which includes consideration of older and disabled people);

(j) A management strategy for the external amenity areas associated with Blocks 1 and 2 including hours during which these areas would be open to residents;

(k) A building cleaning schedule;

(l) Details of how the design has minimised any potential hazards to the use of the public realm for the safe use of disabled people to include details of: designated routes for pedestrians; cyclists and vehicles; management of cyclists ; kerb edges; crossing and controlled crossing design and location; location of drop kerbs (including level areas between grass and hardstanding); location of rumble strips; location of raised crossings; design and location of any pop up power supplies; location of on site vehicle parking and drop off points; management of mortar cycle parking; provision of clear routes to ensure unrestricted access for all; and

(m) Details of temporary landscaping and boundaries to adjacent plots in line with the phasing within Dwg RFM-XX-00-DR-L-0014 S1 PL04;

(f) A management and maintenance strategy for the public realm and who would be responsible for the day to day management and maintenance of these areas including ensuring ongoing maintenance of provision of access for disabled people.

For the avoidance of doubt the development should be delivered in accordance with the approved implementation programme and should not be occupied until the public realm has been delivered in full.

The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning

authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

Reason - To ensure a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, 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, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

As the Collaboration Agreement that would have ensured that the maintenance of the wider Portugal Street East SRF area was carried out by a Management Company into which all developments / buildings within the SRF Area contributed has not been completed an additional clause (n) that would agree and secure ongoing maintenance of the public realm has been added to condition 13.

Environmental Statement

The original application was supported by an EIA carried out on the basis that the Proposed Development has the potential to give rise to significant effects on the environment.

Given that the proposed amendments are only to amend landscaping conditions it is considered that no review of updates to the original ES are required.

On the above basis the principle of amending the condition would be consistent with Policies EN15, DM1 and SP1 of the Core Strategy, PfE policy JP-G9 and section 12 of the NPPF.

Conclusion

The amended approval would continue to be consistent with Core Strategy policies SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19 and DM1 saved Unitary Development Plan policies DC18.1, 19.1, DC20 and DC26.1.

The amended approval would also be consistent with Places for Everyone Policies JP-Strat, JP-Strat2, JP-S2, JP-S5, JP-S6, JP-S7, JP-H3, JP-H4, JP-G9, JP-P1, JP-P2, JP-C1, JP-C4 and JP-C7

The amended approval would continue to conform to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve subject to Deed of Variation of S106 in respect of planning permission 121099/FO/2018

Article 35 Declaration

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

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The development must be begun not later than 16.03.2024

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

(a) 05301MP 00 1000 (Existing Location Plan) Rev F, 05301 MP 001102 (Proposed Demolition Plan) Rev A and 05301 MP 001201 (Proposed Block Plan) Rev K;

(b) 1284-21-DAY-A-20-0101 Basement GA Site Plan Rev E, 1284-21-DAY-A-20-0102 Ground Floor Site Plan Rev F, 1284-21-DAY-A-20-0103 Roof Site Plan Rev E; 1284-21-DAY-A-20-0104 Block 1 Ground Floor GA Plan Rev F, 1284-21-DAY-A-20-0105 Block 1 1st-2nd GA Plan Rev F, 1284-21-DAY-A-20-0106 Block 1 3rd-28th GA Plan Rev F, 1284-21-DAY-A-20-0107 Rev F, 1284-21-DAY-A-20-0108 Block 1 Roof Level GA Plan Rev F, 1284-21-DAY-A-20-0109 Block 2 Ground Floor GA Plan Rev F, 1284-21-DAY-A-20-0110 Block 2 1st-2nd Floor GA Plan Rev F, 1284-21-DAY-A-20-0111 Block 2 3rd-22nd GA Plan Rev F, 1284-21-DAY-A-20-0112 Block 2 23rd Floor GA Plan Rev F, 1284-21-DAY-A-20-0113 Block 2 Roof Level GA Plan Rev F, 1284-21-DAY-A-20-0114 Block 3 Ground Floor GA Plan Rev E, 1284-21-DAY-A-20-0115 Block 3 First Floor GA Plan Rev E, 1284-21-DAY-A-20-0201 Whole Building - South East Elevation Rev

F, 1284-21-DAY-A-20-0202 Whole Building - North West Elevation Rev F, 1284-21-DAY-A-20-0203 Block 1 - North East Elevation Rev E, 1284-21-DAY-A-20-0204 Block 1 - South West Elevation, 1284-21-DAY-A-20-0205 Block 2 - South West Elevation Rev E, 1284-21-DAY-A-20-0206 Block 2 - North East Elevation Rev E, 1284-21-DAY-A-20-0301 Block 1 - Typical Upper Floor Detail - Bay Study 01 Rev E, 1284-21-DAY-A-20-0302 Block 1 - Typical Base Detail - Bay Study 02 Rev E, 1284-21-DAY-A-20-0303 Block 1 - Typical Crown Detail - Bay Study 03 Rev E, 1284-21-DAY-A-20-0304 Block 2 - Typical Upper Floor Detail - Bay Study 01 Rev E, 1284-21-DAY-A-20-0305 Block 2 - Typical Upper Floor Detail - Bay Study 02 Rev E, 1284-21-DAY-A-20-0306 Block 2 - Typical Base Detail - Bay Study 03 Rev E and 1284-21-DAY-A-20-0307 Block 2 - Typical Crown Detail - Bay Study 04 Rev E; 1284-21-DAY-A-20-0350 Rev B and 1284-21-DAY-A-20-0351 Rev B;

(c) RFM-XX-00-DR-L-0000 (Site Plan) Rev PL01, RFM-XX-00-DR-L-0002 (General Arrangement Plot 1 Phase 1) Rev P01, RFM-XX-00-DR-L-0003 (General Arrangement Plot 1 with SRF) as amended by RFM-XX-00-DR-L-0014 REV P01 (Permanant Works Phasing), Rev PL05, RFM-XX-00-DR-L-0004 SRF Plot Arrangement Rev P01, RFM-XX-00-DR-L-0005 (Boulevard edge constraints) Rev PL02, RFM-XX-00-DR-L-0006 (Illustrative Sections-AA-BB) Rev PL03, RFM-XX-00-DR-L-0007 (Soft Landscape GA) Rev PL05, RFM-XX-00-DR-L-0008 (Illustrative Sections-CC-DD) Rev PL03, RFM-XX-00-DR-L-0009 (Hard Landscape GA) Rev PL03, RFM-XX-00-DR-L-0010 (Tree Removals) Rev PL03, RFM-XX-00-DR-L-8001 (Tree Details) Rev PL02, RF17-475-IN09 (Landscape & Public Realm DAS Chapter) Rev PL02 and RFM-XX-00-DR-L-0010 REV P02 (Temporary Landscaping Plan) as amended by RFM-XX-00-DR-L-0013 REV P01 (Temporary Landscaping Plan) ;

(d) 64313-CUR-00-XX-DR-TP-03004-P01 (Basement Parking Space Dim), 64313-CUR-00-XX-DR-TP-75003-P01 (RampAnalysis) and 64313-CUR-00-XX-DR-TP-75004-P01 (Car Club Spaces)

(e) Portugal Street East, Waste Management Strategy, Curtins Ref: 64313/WMS, Revision: V11 Issue Date: 03 December 2019

(f) Recommendations in sections, 3, 4, 5 and 6 of the Crime Impact Assessment Version C dated 30/08/18; and

(g) Accommodation Schedule in section 2.1 of Day Architects Design Justification Statement Sept 23;

(h) Archaeological Desk-based Assessment, July 2018 Portugal Street East, Manchester by the University of Salford;

(i) Mitigation Measures detailed within table 16.1 of Portugal Street East, Manchester: Environmental Statement Volume 1 August 2019 by Deloitte Real Estate;

(j) Inclusions of measures and targets set out Energy and Environmental Standards Statement, Portugal Street East, Manchester dated 24-08-18 by Vitec;

(k) Local Labour Agreement Statement of Intent stamped as submitted on 10-05-19;

(l) Recommendations or equivalent provision to the same level in relation to Broadband installation within the Vitec Broadband Assessment Statement, Portugal Street East dated 31-01-19;

(m) On going implementation of management measures and recommendations as set out in Portugal Street East SRF Public Realm, Manchester Landscape maintenance schedule by Reform, October 2018 / RFM-XX-00-RP-L-0002-PL01;

(n) Measures and recommendations within Flood Risk Assessment & Surface Water, Drainage Statement, Portugal Street East, Manchester for Portugal Street East Ltd 13th June 2017;

(o) TV reception survey prepared by Astbury's dated 06-06-17 and mitigation measures set out in Deloitte's e-mail dated 14-11-19;

(p) EV Charging numbers as detailed within Deloitte's e-mail dated 04-12-19

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

3) The development shall be implemented in accordance with the following:

The Fairfax Portugal Street East External Materials Schedule January 2024 Issue No. 02, Fairfax Sample Panel Programme and FACADE QUALITY CONTROL MANAGEMENT PLAN The Fairfax March 2024 Revision C; and

The Fairfax, Portugal Street East, Condition 3B: Sample Panels September 2024 Issue No. 01

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

4) The demolition of any buildings not covered by the prior approval granted under application ref no 120090/DEM/2018 is covered by any consent granted in respect of application ref no 121467.

Reason: For the avoidance of doubt 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)

5) The development shall be implemented in accordance with the Statement of Construction Practice Project: The Fairfax, Portugal St East, Manchester, M1 2WX 14/02/22 and Dwg A 00-005 Rev A

Reason: To safeguard Metrolink and HS2 and ensure that the development can be adequately serviced for both routine and emergency purposes post HS2 and pursuant to the provisions Core Strategy policy DM1

6) The consent hereby granted assumes that no infrastructure or services relating to the development would be placed within the envelope shown on Dwg 378479-MMD-02-XX-DR-C-0132 Rev PO1 supplied by Metrolink within their consultation response dated the attached 02-10-19 unless those features are of a temporary nature upon which the operation of the development does not depend.

Reason: to safeguard future modifications to Metrolink as a consequence of the arrival of HS2 at Piccadilly Station pursuant to Core Strategy Policy DM1.

7) The development shall be implemented in accordance with the following:

Dwg RFM-XX-00-DR-L-0019 S2 T02

Reason:

To ensure that an appropriate boundary treatment is installed on the boundary of the Metrolink tramway and that adjacent landscaping is not detrimental to Metrolink Operations and pursuant to Core Strategy Policy DM1.

8) No development shall take place until the developer has submitted details to confirm any impacts on Electro Magnetic Compatibility from the proposed development. Where there are any impacts identified details of any necessary Electro Magnetic Compatibility protection measures that are found to be required as a result of the introduction of the substation shall be submitted to and approved in writing by the City Council as Local Planning Authority before development commences.

Reason: In the interests of safeguarding Metrolink infrastructure pursuant to Core Strategy policy DM1.

9) The development shall be implemented in accordance with the following:

Supplementary ground Appraisal Report, Apex, 10/11/21 and Dwg DAY-XX-XX-DR-A-03-0002 A

the condition is partially discharged and the enabling works comprising demolition can commence so that additional site investigation can be undertaken.

Once demolition is complete and access is available to all areas, it is recommended that a series of trial pits be excavated to allow inspection of inaccessible areas, most notably: Beneath the boiler room of Rammon House, through the buried slab beneath Rammon House; and within footprint of current highways

and

Remediation Strategy Portugal Street East, Manchester Document No.: 1007-ACE-GEO-RS-002 Revision: 001 Date: 2022/05/18 by Apex;

Verification Plan Portugal Street East, Manchester Document Type: Report Document No.: 1007-ACE-GEO-VP-003 Revision: 001 Date: 2022/05/18

As amended by Contaminated Land Question response 09 08 22; and Further Contaminated Land info 26-07-22

Given access constraints, it is recommended that additional investigation (trial pitting or supervised earthworks) be carried out in the following areas post demolition:

- o Beneath existing roads due to be stopped up

- o Within the vicinity of the electricity substation and boiler room in Rammon House

Instead of post-demolition investigations, supervision by the Engineer could be in place during turnover of the made ground in these areas to check for the presence of any contamination via sampling, observations and use of a PID, (accepted).

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

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Section 11 of the National Planning Policy Framework and policy EN18 of the Core Strategy.

10) The development shall be implemented in accordance with the following:

Statement of Construction Practice Project: The Fairfax Portugal St East Manchester M1 2WX
Olympian Homes 14/02/22

and subject to the following:

The Developer should continue to liaise directly with the Network Resilience team regarding temporary traffic management, licensing, hoarding etc; and on the basis that the proposed liaison with Metrolink does take place prior to any hoardings or works being carried out near to Metrolink

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

11) The development shall be carried out in accordance with the following:

Portugal Street East, Piccadilly, Manchester - Written Scheme of Investigation for a Historic Building Survey, Archaeological Watching Brief and Evaluation by Salford Archaeology

GMAAS will monitor the implementation of the archaeological works on behalf of Manchester Planning Authority to ensure that the parts of the condition that relate to pre-commencement of the Archaeological Evaluation are satisfied (part 6 discharged). Once archaeological site works are complete ground works cannot commence unless and until the City Council receives written confirmation from GMAAS to release the site. (Discharge of parts 2-5).

Reason: In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible

12) Remove

13) Final details of the public realm works and highway works as shown in dwgs numbered RFM-XX-00-DR-L-0003-S4-PL05 and (b)RFM-XX-00-DR-L-0010 REV P02 shall be submitted to and approved in writing by the City Council as Local Planning Authority by Monday 31 March 2025. This shall include:

(i) An implementation timetable; and

(ii) details of the following:

(a) Final details of the 'Green' including any required wind mitigation measures as set out in the Portugal Street East, Manchester: Environmental Statement Volume 1 August 2019 by Deloitte Real Estate;

(b) Details of (a) all hard (to include use of natural stone or other high quality materials) and (b) all soft landscaping works (excluding tree planting) which demonstrably fully consider and promote inclusive access (including older and disabled people);

(c) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include the choice of planting species within the public realm, bat boxes and brick, bird boxes to include input from a qualified ecologist and which demonstrates Biodiversity Net gain across the site;

(d) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design and details of ongoing maintenance;

(e) Details of how surface water from the public realm and from Blocks 1, 2 and 3 would be managed within the public realm through Suds interventions such as infiltration, swales, soakways, rain gardens and permeable surfaces;

(f) Green roof to Block 3;

(g) Location and design of all street furniture including seating, lighting, bins, handrails, recycling bins, play and exercise equipment, boundary treatments, planters and cycle parking provision: all to include features which fully consider and promote inclusive access (which includes older and disabled people);

(h) Street lighting around the site (which includes for consideration of older and disabled people);

(i) Details of a wayfinding strategy to include signage (including for directing cyclists to nearby cycle routes) and any other appropriate methods to ensure the legibility of linkages within the PSE SRF Area with Piccadilly Station, the Metrolink and other adjacent Neighbourhoods (which includes consideration of older and disabled people);

(j) A management strategy for the external amenity areas associated with Blocks 1 and 2 including hours during which these areas would be open to residents;

(k) A building cleaning schedule;

(l) Details of how the design has minimised any potential hazards to the use of the

public realm for the safe use of disabled people to include details of: designated routes for pedestrians; cyclists and vehicles; management of cyclists ; kerb edges; crossing and controlled crossing design and location; location of drop kerbs (including level areas between grass and hardstanding); location of rumble strips; location of raised crossings; design and location of any pop up power supplies; location of on site vehicle parking and drop off points; management of mortar cycle parking; provision of clear routes to ensure unrestricted access for all;

(m) Details of temporary landscaping and boundaries to adjacent plots in line with the phasing within Dwg RFM-XX-00-DR-L-0014 S1 PL04; and

(n) A management and maintenance strategy for the public realm and who would be responsible for the day to day management and maintenance of these areas including ensuring ongoing maintenance of provision of access for disabled people.

For the avoidance of doubt the development should be delivered in accordance with the approved implementation programme and should not be occupied until the public realm has been delivered in full.

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

Reason - To ensure a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, 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, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

14) The development shall be implemented in accordance with the following:

Drawings C-26-001 C1, PD-IR-SD-100 , C-26 001 REV P3, C-26 004 REV P2 and C26- 009 REV P1 stamped as received on 17-03-22 with any amendments as set out in Dwgs 1284-21-DAY-A-00-103, C-26-012 REV P1 DRAINAGE STANDARD DETAILS - SHEET 3 , 20-0108 REV E, 20-0108 REV E, 27-301 REV A, 27-302 REV A all stamped as received on 16-05-22;

DRAINAGE CALCULATION document dated 07-02-22;

Stage 1 Blue Roof Design, Portugal Street East, Manchester document dated 16.12.21 and Drawing C-26-012_P1_DRAINAGE CONSTRUCTION DETAILS SHEET 3;

Responses to LLFA Comments 16 May 2022 stamped as received on 30-06-22; and

PORTUGAL STREET EAST MANCHESTER EMAIL stamped as received on 16-05-22

That the LPA are advised that the applicant now owns all land within the site boundary, and evidence is presented "TP1 - TfGM to PSE (undated) signed PSE", which indicates that the drainage arrangement has been agreed with TfGM, including that the drainage will be outside the retaining wall easement area, and that the drainage is designed and located to be unaffected by any potential future ownership reclaim (see CDN/22/0159)

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

15) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- (a) Verification report providing photographic evidence of construction as per design drawings;
- (b) As built construction drawings if different from design construction drawings;
- (c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

16) The development hereby approved shall be carried out in accordance with the Energy and Environmental Standards Statement, Portugal Street East, Manchester dated 24-08-18 by Vitec;

A post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

17) Prior to occupation of the development a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

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

18) The development shall be implemented in accordance with the following:

Insulation measures set out within the Dragonfly Consulting - The Fairfax - Proposed Landlord Controls for Noise - Ground Floor Units document dated 29th March 2023 as amended by Recommendations within the Dragonfly Consulting RG Group 'The Fairfax', Portugal Street East, Manchester Noise Impact Assessment DC3706-R1 June 2022 as amended by Day

Architecture's Acoustic Note (e-mail 04-04-23) and in accordance with the MEP Services , The Fairfax, Façade Ventilation Openings details 26/07/2022

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

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

19) The development shall be implemented in accordance with the following:

E-mail from APEX consulting dated 31-01-22 (Design Statement) stamped as received on 02-03-22

Reason

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

20) Notwithstanding the TV reception survey prepared by Astbury's dated 06-06-17. Following commencement of construction of the hereby approved development, any interference complaint received by the Local Planning Authority shall be investigated to identify whether the reported television interference is caused by the Development hereby permitted. The Local Planning Authority will inform the developer of the television interference complaint received. Once notified, the developer shall instruct a suitably qualified person to investigate the interference complaint within 6 weeks and notify the Local Planning Authority of the results and the proposed mitigation solution. If the interference is deemed to have been caused by the Development, hereby permitted mitigation will be installed as soon as reasonably practicable but no later than 3 months from submission of the initial investigation to the Local Planning Authority. No action shall be required in relation to television interference complaints after the date 12 months from the completion of development.

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

21) The development shall be implemented in accordance with the following:

(a) Employment and Skills Plan for RG Group, For Olympian Homes, The Fairfax, Manchester, (The Fairfax (Formally Rammon House), 1 Portugal Street East, Manchester, M1 2WX)

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

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

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

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

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

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

Details of how 24 hour management of the site in particular in relation to servicing and refuse (storage and removal), parking of maintenance vehicles, details of an ongoing programme of events, activities and classes for residents to include activities within the 'Green' (to include details of how the programme would promote inclusivity), noise management of communal areas and measures to protect Metrolink infrastructure from objects thrown from the roof gardens shall be submitted to and agreed in writing by the City Council as Local Planning Authority.

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

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

Reason - In the interests of residential amenity, the promotion of a sustainable and inclusive community within the development, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

25) The development hereby approved shall be carried out in accordance with Curtins Portugal Street East, Manchester, Interim Travel Plan
Curtins Ref: TPMA64313/ITP Revision: Final Issue Date: 29 August 2018

In this condition a travel plan means a document that includes the following:

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

- vi) measures to identify and promote walking routes connecting Piccadilly Station, the Metrolink, the City Centre and areas towards the Etihad Campus and New Islington;
- vii) details of cycle parking within the public realm

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

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

26) No part of the development shall be occupied unless and until details of a parking management strategy for residents including the final number of disabled parking spaces has been submitted to and approved in writing by the City Council as Local Planning Authority. All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied.

27) Deliveries, servicing and collections associated with the management of the building and ancillary uses within it including waste collections shall not take place outside the following hours:

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

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

28) The development shall be implemented in accordance with the following:

Apex e-mail 17-03-22 Condition 28 : No infiltration on site. All drainage will be positively drained to the public sewerage network.

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

29) 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 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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 area, to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework and to ensure the permanent retention of the accommodation for normal residential purposes

30) On the basis of implementation in accordance with the following:

Dwg A 00-103 Rev A,

UU e-mail PROPOSED DIVERSION OF PUBLIC SEWER AT PORTUGAL STREET EAST, MANCHESTER, M1 2WX- UU Ref 4200046488 16 02 22

and

that the applicant now owns all land within the site boundary, and evidence is presented "TP1 - TfGM to PSE (undated) signed PSE", which indicates that the drainage arrangement has been agreed with TfGM, including that the drainage will be outside the retaining wall easement area, and that the drainage is designed and located to be unaffected by any potential future ownership reclaim

Reason - Pursuant to National Planning Policy Framework policies (PPS 1 (22) and PPS 25 (F8)) and DM1

31) Prior to occupation of the development a servicing strategy for the building which includes details of how servicing access will be maintained to adjacent buildings and an alternative strategy which takes into account potential impacts from associated with the delivery of HS2, shall be submitted to and approved in writing by the local planning authority to include evidence of consultation to seek agreement to the plan with the adjacent building owners and their agents.

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

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

32) The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1

33) The window(s) at ground level, fronting onto Fair Street, Portugal Street East and Heyrod Street Lane shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

34) The development is approved on the basis of the following:

Buildings 2, 3 and 10, Portugal Street East, Manchester M1 2WW, UPDATED LICENSED BAT SURVEY AND ASSESSMENT, December 2021
[ERAP (Consultant Ecologists) Ltd ref: 2021-383]

If during works to demolish the building hereby permitted any sign of the presence of bats is found, then all such works shall cease until a survey of the site has been undertaken by a suitably qualified ecologist and the results have been submitted to and approved by the Council in writing as local planning authority.

Any recommendations for the protection of bats in the submitted document shall be implemented in full and maintained at all time in accordance with the approval of a programme for implementation of any required mitigation by the City Council as Local Planning Authority.

Reason - for the protection of bats and in order to comply with the Habitats Directive and pursuant to Core Strategy Policy EN15.

35) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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

37) Notwithstanding the details contained within condition 2 above, prior to the commencement of highway works, a scheme of highway works and details of footpaths reinstatement shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include the following:

- (a) Final details of associated highway work (as appropriate to Plot A and adjacent public realm within this application) as detailed within Pages 65 to 69 and 91-97 of the Design and Access Statement by Reform August 2019 Rev PL03; and
- (b) Detailed designs in relation to the above to including materials, layout, junction protection, carriageway widths, kerb heights, street lighting, entry treatments, signing, lining and traffic management

The approved scheme shall be implemented and be in place prior to the first occupation.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

38) The development shall be carried out in accordance with the Crime Impact Statement Version C dated 30/08/18. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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

39) The development shall be implemented in accordance with the following:

Day Architectures Letter dated: 6th September 2022 (page 2)

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect future residents from air pollution pursuant to policies SP1 and DM1 of the Core Strategy.

40) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within the communal facilities shall be submitted to and approved in writing by the City Council as local planning authority prior to commencement of those uses. The details of the approved scheme shall be implemented prior to occupancy and shall remain in situ whilst the use or development is in operation.

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (withdrawn but still available via an internet search). It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B) or other relevant guidance. Details should also be provided in relation to replacement air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

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

41) The proposed communal uses within the ground floor and basement hereby approved shall be ancillary to the residential use of the building and not operate as separate planning units or commercial uses for which a separate application for planning consent would be required.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

42) The development shall be implemented in accordance with the following:

Supplementary Ground Appraisal Report Portugal Street East, Manchester Rev 002 dated 11/10/2021 and subject to a UXO Safety Awareness Briefing being given to all relevant personnel involved in earthworks.

If, at any time during development, high risk UXO not previously identified (as part of the approved UXO risk management and mitigation programme / plan approved under 40a) is encountered / found to be present, no further development shall be carried out until a revised and/or additional UXO risk management and mitigation programme / plan is submitted detailing how the high risk UXO not previously identified shall be dealt with, and is approved in writing by the Local Planning Authority. The revised and/or additional UXO risk management and mitigation programme / plan shall be implemented as approved and following completion of mitigation a completion verification report shall be prepared and submitted in writing to the Local

Planning Authority for approval confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.

Reason: To ensure that the risks from unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised to ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO, pursuant to policies EN18 and DM1 of the Core Strategy for Manchester.

43) The development shall be implemented in accordance with the following:

OUTLINE METHOD STATEMENT Demolition of all Buildings, PORTUGAL STREET EAST DEVELOPMENT, Manchester M1 2WX, 29.11.2021 by Demolition Services Limited; and

Statement of Construction Practice Project: The Fairfax, Portugal St East, Manchester M1 2WX by RG Group dated 14/02/22

Reason: To ensure the proposed development does not impede the delivery of High Speed 2, an infrastructure project of national importance.

44) The residential accommodation within Blocks 1, 2 and 3 shall not be occupied unless or until the areas of Public Realm identified as the Proposed Public Park on page 01 of Re-Form Landscape's LANDSCAPE AND PUBLIC REALM Document and in relation to Phase 1 as shown in either dwgs RFM-XX-00-DR-L-0013 REV P01 or RFM-XX-00-DR-L-0014 REV P01 (Permanant Works Phasing)(in line with conditions 12 and 13) has been fully implemented.

Reason

For the avoidance of doubt and to ensure a satisfactory development pursuant to Core Strategy policies SP1, DM1, EN2 and CC6.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environment Agency
Planning Casework Unit
High Speed Two (HS2) Limited
Transport For Greater Manchester
MCC Flood Risk Management

Land Adjacent 52, Heyrod Street, Manchester, M1 2WW
D Silverman Ltd, Heyrod Street, Manchester, M1 2WW
4 Travis Street, Manchester, M1 2NY
Richmond House, Travis Street, Manchester, M1 2NG
Manchester Van Hire, Travis Street, Manchester, M1 2NG
Ground Floor, Aeroworks, Adair Street, Manchester, M1 2NQ
Lower Ground Floor, Aeroworks, Adair Street, Manchester, M1 2NQ
First Floor, Aeroworks, Adair Street, Manchester, M1 2NQ
Thrapston House, Travis Street, Manchester, M1 2NG

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL