

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

Partial approval of details reserved by condition

Applicant

John Graham Construction Ltd
C/o Agent

Agent (if used)

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Manchester
M3 7FB

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 10 (tree removal), 13 (BNG), 15(a) (local labour), 16 (archaeology), 17 (demolition management plan), 18 (CEMP), 20(a) (contamination), 22 (drainage), 24 (off site Highways works), 25 (EV charging), 26 (Deliveries and Servicing), 32(a) (External Lighting), 33(a) (Acoustic Insulation), 34(a) (acoustics), 36(a) (waste storage and disposal), 37(a) (air quality), 40(a) (energy strategy), 41(a) and (b) (TV reception) attached to planning permission 138126/00/2023

Location: University Of Manchester, Fallowfield Campus, Wilmslow Road, Manchester, M14 6HD

Date of application: 11 March 2025

Application number: CDN/25/0230

Part 2 – Particulars of decision (a)

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 15 a) - Local Labour

Following the provision of further information on 1st April 2025 the submitted information is acceptable to deal with and agree for part a) of condition 15.

In order to discharge condition 15 in full the following information is required to be submitted for approval:

"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) 'the measures proposed to recruit local people including apprenticeships' and (ii) 'mechanisms for the implementation and delivery of the Local

Benefit Proposal' of part a) of condition 15 shall be submitted for approval in writing by the City Council as Local Planning Authority".

Condition 16- Archaeology

The submitted information is considered acceptable to satisfy condition 16 and is therefore discharged.

Condition 22 - Drainage

The submitted drainage information is acceptable, the development shall be carried out in accordance with the agreed details.

Condition 36 a) Waste Storage

The submitted information together with the email received on the 10th April 2025 is acceptable. The agreed details shall be installed as part of the development and retained thereafter as required under part b) of condition 36.

Condition 37 a) (air quality)

The submitted information is sufficient to allow the discharge of part a) of condition 37.

As noted in condition 37 part b) will need to be complied with prior to the occupation of any relevant phase of development. Part b) states: "Prior to occupation of the relevant phase of development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation. "

Condition 40 a) Energy Strategy

The submitted information is acceptable in order to comply with part a) of condition 40.

Condition 41 a) and b) TV reception

The submitted information is considered acceptable in order to comply with the requirements of parts a) and b) of condition 41 with the requirements of part c) being required to be complied within one month of practical completion or at any other time if requested..

Part c) on condition 41 states:

"c) Assess the impact of the development on television signal reception within the potential impact area identified in above within one month of the practical completion of the relevant phase of development or before the relevant phase of development is first occupied, whichever is the sooner, and at any other time during the construction of the relevant phase of 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 (b) above. "

Part 2 – Particulars of decision (b)

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 10 - Tree Removal

Additional assessment has occurred. Three trees require further survey for Bats (T177, T191 and T201) as identified within this assessment.

This condition can not be discharged at this time until the further surveys are undertaken to determine how bats may need to be safeguarded as required by condition 10.

Condition 13 - Biodiversity Net Gain

This condition can not be discharged at the current time.

The submitted information has been assessed. Proposals have been provided in-line with the requirements of the conditions, all habitat creation and enhancement proposals are considered to be reasonable, realistic and achievable and the wildlife proposals adequate.

Whilst the Council raises no concerns with the wildlife proposals but there are issues that require further information with regards to the habitat management proposal prior to this condition being able to be discharged, these are:

- detail of the timetable for habitat enhancement of the retained woodland is missing;
- Confirmation on the likelihood of creating a ground layer indicative of ancient woodland within 30 years and achieving a target of 3 for disturbance levels.

Condition 17 - Demolition Plan

Insufficient information has been provided to discharge condition 17.

It is unclear whether vehicles will egress via the southern Wilmslow Road access (just north of Furness Rd), or whether this will provide access only. There are concerns regarding vehicles egressing at this location due to the proximity of the signal-controlled pedestrian crossing facility.

A swept-path assessment is requested in consideration of the largest anticipated construction vehicle.

All requirements for licensing, hoarding, scaffolding, skips and any associated temporary pedestrian/traffic management arrangements, including Section 50, will need discussion and agreement with the council's Highway Network Management and Licensing teams

(Email -highwaylicences@manchester.gov.uk & highwaynetworkmanagement@manchester.gov.uk).

Condition 17 cannot yet be discharged due to outstanding swept path assessment and confirmation on access/egress points.

Condition 18 -CEMP

The submitted information is not sufficient to discharge condition 18. The following is still required:

- A noise management plan is referred to within the document but has not been submitted for review.
- A vibration risk assessment is referred to within the document but has not been submitted for review.
- A swept-path assessment is required which demonstrates that all access points and internal provisions can accommodate the largest anticipated construction vehicle.
- Further information on the impact of displacement parking due to utilisation of an existing car park.

All requirements for licensing, hoarding, scaffolding, skips and any associated temporary pedestrian/traffic management arrangements, including Section 50, will need discussion and agreement with the council's Highway Network Management and Licensing teams
(Email -highwaylicences@manchester.gov.uk & highwaynetworkmanagement@manchester.gov.uk).

Condition 20 a) - Contamination

Condition 20 part a) cannot currently be discharged in full.

The Phase 1 Desk Study Report, BuroHappold, dated 23 August 2023 V P02 has previously been accepted. This required that a detailed UXO risk assessment be completed and submitted report reference DA20699-00 dated 14/10/2024 has been submitted and provides a list of recommended risk mitigation measures that should be followed during the development of the site. This is accepted.

The Phase I report also recommends further intrusive investigations, and we await their findings and reporting in order to discharge this part of condition in full.

Condition 24 - Off Site highway works

This condition can not be discharged at this stage.

Wilmslow Road S: No works proposed on the adopted highway as the proposals retain the existing vehicle crossover. Sufficient fire tender swept-path assessment has been provided and suitable vehicle visibility retained by surrounding TROS. 2m x 2m pedestrian visibility splays are required for any access used for more than emergency access. There are current concerns regarding use of this as access as part of the move-in/move-out strategy due to proximity of the controlled pedestrian crossing point. Confirmation is also required as to whether emergency vehicle access will also be required at this location as there is some disparity within submission documents. It is unclear how this access is currently utilised by any vehicles given presence of anti-cycle barriers at access and cycle lane segregation kerbing. It is requested that this is not utilised for move-in/out operations due to proximity of crossing. Retention of this access for emergency use only is considered acceptable, however, works will be needed to remove cycle segregation kerbing (tied into a S278).

Moseley Road: No works proposed on the adopted highway - the existing vehicle crossover will be retained. Sufficient fire tender swept-path assessment has been provided. 2m x 2m pedestrian visibility splays (1.5m x 1.5m splays shown) are required for any access used for more than emergency access.

It is noted that visibility is affected by adjacent parking bays - this is particularly relevant with regard to the leaving direction. The move-in/move-out strategy will need to consider implications on vehicle visibility and include additional management measures i.e. temporary TRO to restrict parking at this location. It is requested that 2metre pedestrian visibility is provided together with firm commitment to manage vehicle visibility with regard to restricting parking during move-in/out operations.

The applicant should note that S278 applications for off-site highways works condition discharge may only be submitted following securement of cash bond or surety provision of the total costs of the associated highways works as provided by the statutory approvals team.

Condition 25 - Electric Vehicle Charging

Confirmation that 20% of the 17 car parking spaces proposed and that the maximum power (KW) of the chargers will be 22KW is accepted.

Final confirmation of the EV supplier and equipment to be installation shall be submitted for approval by the City Council as local planning authority for the full discharge of this condition.

Condition 26 - Deliveries and Servicing

The submitted details are not sufficient to discharge this condition at the current time.

Further details of delivery, servicing and collection hours are required.

Condition 32 a) - External Lighting

The submitted information is not sufficient to discharge condition 32 part a) at the current time.

Details including a lighting plot of the site together with predicted Lux levels on the windows of the residential premises on and off site are required to ensure that the development complies with the E3 environmental zone requirements.

Condition 33 a) (Acoustic Insulation)

Insufficient information has been provided to discharge condition 33 part a) at this time. The Calibration certificates for the Microphone serial number 2551 is not included in the calibration certificates. A copy of this is required in order to discharge this condition.

Condition 34 a) (acoustics)

Insufficient information has been provided to discharge condition 34 a) at this time.

It has been confirmed that MVHR is to service all apartments but will only provide cooling to certain apartments. The Council will require a copy of any overheating assessment undertaken that has determined which apartments would need cooling. Some of the building facades have nighttime noise levels of between 55 and 60dB, if the windows were open to cool down the rooms, then the noise levels inside will exceed the MCC nighttime noise criteria of 30dB for bedrooms. It also appears that the MCC daytime noise criteria will be exceeded in large parts of the development if the windows are opened for cooling purposes.

Date: 2 May 2025

Signed:



Julie Roscoe
Director 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).

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 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.