MANCHESTER CITY COUNCIL

Important – Planning permission & notices of consent

Compliance with conditions

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Soller Nine Limited
C/o Agent

Agent (if used)

Miss Louisa Fielden
AshtonHale
Suite 3 Level 3 Astley Building
ABC Buildings
21-23 Quay Street
Manchester
M3 4AE

Part 1 – Particulars of the application/development

Proposal: Part retention, part demolition of existing buildings on site with retained fabric to form part of 18 storey building plus plant level comprising office space (Use Class E) above ground floor reception area and ancillary uses, 2 basement levels and associated landscaping.

Location: Land Bound By Lever Street, Great Ancoats Street, Little Lever Street And Houldsworth Street, Manchester

Date of application: 30 April 2024

Application number: 139778/FO/2024

Part 2 – Particulars of decision

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

Article 35 Declaration

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

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

(a) Dwgs 2510-HWS-XXX-XX-D-A-05051 P01 EXISTING SITE PLAN, 2510-HWS-XXX-XX-D-A-05052 P01 DEMOLITION - SITE PLAN and 2510-HWS-XXX-XX-D-A-05050 P01 SITE LOCATION PLAN;

(b) Dwgs 2510-HWS-XXX-B2-D-A-05098 P01 BASEMENT PLAN B02, 2510-HWS-XXX-B1-D-A-05099 P01 BASEMENT PLAN B01, 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN, 2510-HWS-XXX-01-D-A-05101 P02 1ST FLOOR PLAN, 2510-HWS-XXX-02-D-A-05102 P02 2ND FLOOR PLAN, 2510-HWS-XXX-03-D-A-05103 P02 3RD FLOOR PLAN, 2510-HWS-XXX-04-D-A-05104 P01 4TH-6TH FLOOR PLAN, 2510-HWS-XXX-07-D-A-05107 P01 7TH-12TH FLOOR PLAN, 2510-HWS-XXX-13-D-A-05113 P01 13TH-17TH FLOOR PLAN, 2510-HWS-XXX-18-D-A-05118 P01 18TH FLOOR PLAN and 2510-HWS-XXX-19-D-A-05120 P01 ROOF PLAN;

2510-HWS-XXX-ZZ-D-A-05301 P01 SECTION 01 - NORTH-SOUTH,2510-HWS-XXX-ZZ-D-A-05302 P01 SECTION 02 - NORTH-SOUTH, 2510-HWS-XXX-ZZ-D-A-05303 P01 SECTION 03 - EAST-WEST and 2510-HWS-XXX-ZZ-D-A-05304 P01 SECTION 04 - EAST-WEST

2510-HWS-XXX-ZZ-D-A-05401 P04 GREAT ANCOATS STREET - NORTH ELEVATION, 2510-HWS-XXX-ZZ-D-A-05403 P04 LEVER STREET - WEST ELEVATION, 2510-HWS-XXX-ZZ-D-A-05402 P04 HOULDSWORTH STREET - SOUTH ELEVATION and 2510-HWS-XXX-ZZ-D-A-05404 P03 LITTLE LEVER STREET - EAST ELEVATION

2510-HWS-XXX-ZZ-D-A-05501 P04 TYPICAL BAY STUDY 01 - TECH HUB FACADE STUDY 01, 2510-HWS-XXX-ZZ-D-A-05502 P04 TYPICAL BAY STUDY 02 - GREAT ANCOATS STREET, 2510-HWS-XXX-ZZ-D-A-05503 P03 TYPICAL BAY STUDY 03 - LITTLE LEVER STREET, 2510-HWS-XXX-ZZ-D-A-05504 P04 TYPICAL BAY STUDY 04 - HOULDSWORTH STREET, 2510-HWS-XXX-ZZ-D-A-05510 P04 TYPICAL BAY STUDY 05 - LEVER STREET 01, 2510-HWS-XXX-ZZ-D-A-05511 P04 TYPICAL BAY STUDY 06 - LEVER STREET 02, 2510-HWS-XXX-ZZ-D-A-05515 P04 TYPICAL BAY STUDY 07 - COURTYARD STUDIES 01 and 2510-HWS-XXX-ZZ-D-A-05516 P04 TYPICAL BAY STUDY 08 - COURTYARD STUDIES 02
2510-HWS-SK-240916-01 P02 RETAINED STRUCTURE MARK UP 01 and 2510-HWS-SK-240916-02 P02 RETAINED STRUCTURE MARK UP 02

2510-HWS-XXX-ZZ-D-A-05065 P01 DEMOLITION - ELEVATION SHEET 01, 2510-HWS-XXX-ZZ-D-A-05066 P01 DEMOLITION - ELEVATION SHEET 02, 2510-HWS-XXX-ZZ-D-A-05067 P01 DEMOLITION - ELEVATION SHEET 03 and 2510-HWS-XXX-ZZ-D-A-05068 P01 DEMOLITION - ELEVATION SHEET 04

(c) Landscaping Dwgs 3217-PLA-00-GF-DR-L-4000 P02, 3217-PLA-00-GF-DR-L-4000 P02,3217-PLA-00-GF-DR-L-2000 P04, 3217-PLA-00-GF-DR-L-1000 P04 and 3217-PLA-00-GF-DR-L-0001 P04;

(d) Crime Impact Statement Version A 22-03-24 stamped as received on 30-04-24.

(e) NXQ Lever Street, Manchester Television and Radio Reception Impact Assessment Rev 1 28-03-24 stamped as received on 30-04-24

(f)Framework Travel Plan set out within the NXQ Lever Street, Manchester, Transport Statement, Revision 02 27.03.2024 stamped as received on 30-04-24;

(g)NXQ, Lever Street, Manchester, Circular Economy Statement Revision 01 29.4.2024 by BWB stamped as received on 30-04-24;

(h)Preliminary Ecological Appraisal February 2024 Rev 02 by E3P stamped as received on 30-04-24;

(i) NXQ, Lever Street, Manchester, Energy Statement, Revision P01, 01.03.2024 by Atelier 10 stamped as received on 30-04-24;

(j) NXQ, Lever Street, Manchester, Environmental Standards Statement, Revision P01, 01.03.2024 by Atelier 10 stamped as received on 30-04-24;

(k) Soller Nine, The NXQ Building, Lever Street, Manchester, Noise Impact Assessment Rev 02 27-03-24 by BWB stamped as received on 30-04-24;

(l) Sections XXX of the NXQ, Lever Street Design & Access Statement by Howells stamped as received on 30-04-24;

(m) NXQ, Lever Street, Manchester, Archaeological Desk-Based Assessment, Revision 01 29.01.24 by Orion Heritage Ltd 2024 stamped as received on 30-04-24;

(n) The NXQ Building, Lever Street, Manchester, Broadband Connectivity Assessment Rev 1 28-03-24 stamped as received on 30-04-24;

(o) NXQ, Lever Street, Manchester, Preliminary Ecological Appraisal, Revision 02 28.02.2024 by e3p stamped as received on 30-04-24;

(p) Nocturnal Bat Survey Report Lever Street, Manchester Reference: 81-633-R2 Date: October 24 by e3p stamped as received on 07-10-24;

(q) NXQ, Lever Street, Manchester, Ventilation Statement, Revision P01, 01.03.2024 by atelier 10 stamped as received on 30-04-24;

(r) NXQ, Lever Street, Manchester Flood Risk Assessment Revision 01: 27.03.2024 by akt II stamped as received on 30-04-24;

(s) NXQ, Lever Street, Manchester, Drainage Assessment Revision 01: 27.03.2024 by akt II stamped as received on 30-04-24;

(t) NXQ, Lever Street, Manchester, Air Quality Assessment, Revision 01 28.03.2024 by BWB stamped as received on 30-04-24;

(u) Sections 3.7, 3.8, 5 , 7, 8 and 9 of the NQX , Lever Street Design & Access Statement by Howells stamped as received on 30-04-24

ES Volume 1 Main Text:

1. Introduction
2. EIA Methodology
3. Site Description and Proposed Development
4. Alternatives

5.Proposed Development
6. Townscape and Visual Impact
7. Built Heritage
8. Climate Change
9. Socio -Economic Impacts
10. Daylight, Sunlight and Overshadowing
11. Wind Microclimate
12. Human Health
13. Summary of Residual Impacts

(u) ES Volume 2 List of Appendices

(v) ES Volume 3 -Non Technical Summary

all stamped as received on 30-04-24

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

3) No demolition hereby permitted shall take place unless and until:

(a) Before a contract for the carrying out of the building works for the redevelopment of the site has been made, and evidence of that contract has been supplied and signed off by the City Council as local planning authority;

Except where:

(b) Permitted demolition is urgently necessary in the interests of safety or health and evidence that demolition is the only measure that will remove those risks has been provided to and agreed in writing by the local planning authority prior to any approved demolition taking place;

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

Except where:

(b) Permitted demolition is urgently necessary in the interests of safety or health and evidence that demolition is the only measure that will remove those risks has been provided to and agreed in writing by the local planning authority prior to any approved demolition taking place;

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

4) Before the installation of any scaffolding or supporting structure relating to the retained façade, a methodology and specification for any associated scaffolding and support structure for the facade including its location, means of affixing to the building, location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following removal shall be submitted to and approved in writing by the City Council as local planning authority. No development shall commence unless and until the above details have been agreed.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

5) Prior to any demolition commencing, the following shall be submitted to and approved in writing by the City Council as Local Planning Authority:

(a) A Facade Retention Strategy and Methodology which needs to be based on a comprehensive structural survey of the building to ensure the facade retention is fully designed to ensure full retention and support of the retained elements of the proposals. A quality control / risk management strategy should be included to ensure a robust approach to protecting the heritage asset during the works.

The above shall include details of supports, fixings, restraint and building protection including monitoring, risk mitigation measures and vibration control.; and

(b) Details of any associated temporary enabling works that impact on the asset to include the removal of any vegetation which could cause structural issues.

All of the above should be prepared with input from a conservation accredited engineer

Reason - In the interests of visual amenity and because the proposed works affect a non designated heritage asset and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies SP1, DM1 and EN3 of the Core Strategy.

6) Notwithstanding the details as set out in condition 2 above and no demolition (excluding works to the screen wall and single storey ' outbuildings') shall commence unless and until final details (including where appropriate specification and method statement) of the following has been submitted to and approved in writing by the City Council as Local Planning Authority:

(a) Interface details between new and retained elements including the new party wall to 32 Great Ancoats Street; and

(b) Based on the full recording of 56 Lever Street and 58 Lever Street / 25 Houldsworth Street details of the key features of the facade that will need reinstating.

Reason - In the interests of visual amenity and because the proposed works affect a non designated heritage asset and careful attention to building work is required to

protect the character and appearance of this building and to ensure consistency in accordance with policies SP1, DM1 and EN3 of the Core Strategy.

7) Notwithstanding the details approved in condition 2, prior to commencement works for the repair and refurbishment of the retained building elements to 58 Lever Street and 56 Lever Street / 25 Houldsworth Street : A full survey and details of all repairs and reinstatement and making good works and a full detailed repair methodology for each item of work and a detailed repair specification of each of the following items details as outlined for each item shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity and because the proposed works affect a non designated heritage asset and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies SP1, DM1 and EN3 of the Core Strategy.

8) Notwithstanding the details approved in condition 2, prior to commencement of each of the following items in relation to 32 Great Ancoats Street, details as outlined for each item shall be submitted to and approved in writing by the City Council as Local Planning Authority.

a) Works for the repair and refurbishment of the external facades: A full survey and details of all repairs and reinstatement and making good works and a full detailed repair methodology for each item of work and a detailed repair specification
b) A methodology for the cleaning of the facades;
c) Details of making good of roof and replacement like for like roof tiles
d) New Windows
e) Glazed ceramic tiles (final colour subject to planning condition) to replace existing timber cladding to ground floor areas.
f) Glazed entrance

Reason - In the interests of visual amenity and because the proposed works affect a non designated heritage asset and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies SP1, DM1 and EN3 of the Core Strategy.

9) Notwithstanding the details approved in condition 2, prior to commencement of the installation of new windows to the retained facades of 56 Lever Street / 25 Houldsworth Street, details of the new windows within the retained building facades shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity and because the proposed works affect a non designated heritage asset and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies SP1, DM1 and EN3 of the Core Strategy

10) Notwithstanding the details approved in condition 2, prior to commencement of each of the following items in relation to the retained facades of 56 and 58 Lever Street, details as outlined for each item shall be submitted to and approved in writing by the City Council as Local Planning Authority.

a) A methodology for the cleaning of the facades;
b) Design of the metal gates / screening;

c) Design of the railing, low level walls and planting areas on Great Ancoats Street and metal gates / screening between the retained elements and the new building;
d) Extruded metal screen to roof terrace; and
e) Coping detail (based on like for like replacement)

Reason - In the interests of visual amenity and because the proposed works affect a non designated heritage asset and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies SP1, DM1 and EN3 of the Core Strategy.

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

*hand sized samples and specifications of all materials to be used on all external elevations;
*drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme: and
*a programme for the production of the full sized sample panels and strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels on the new building , details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

(b) Prior to above ground development submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle in line with NXQ, Lever Street, Manchester, Circular Economy Statement Revision 01 29.4.2024 by BWB stamped as received on 30-04-24

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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

12) a) Notwithstanding the Phase 1 Desk Study Report, Proposed Redevelopment, The NXQ Building, Lever Street March 2024 stamped as received on 30-04-24 prior to the commencement of the development excluding demolition works, the following information should be submitted for approval in writing by the City Council, as Local Planning Authority:

(i) Submission of Site Investigation Proposals
(ii) Submission of a Site Investigation and Risk Assessment Report
(iii) Submission of a Remediation Strategy

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 in the identified areas 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 prior to the first occupation of the development.

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

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

13) No demolition of the existing building fabric on the site shall commence unless and until a Demolition Method Statement/ Management Plan(including a structural method statement for the retained elements and a boundary treatment to the site during and following demolition) has been submitted to and approved in writing by the City Council as Local Planning Authority. This should include a quality control / risk management strategy to ensure a robust approach to protecting the heritage asset during the works.

and also include the following details:

*Details of building protection;
*How materials will be recorded, removed and carefully stored and protected for re-use (including for the North Wall and screen wall to the highway);
*Display of an emergency contact number;
*Details of Wheel Washing;
*Dust suppression measures;
*Compound locations where relevant;
*Location, removal and recycling of waste;
*Routing strategy and swept path analysis;
*Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
*Parking of construction vehicles and staff; and
* Sheeting over of construction vehicles.

The approved Method Statement shall be adhered to throughout the Demolition period.

For the avoidance of the doubt the demolition of the buildings would not constitute commencement of development.

Reason: In the interests of the amenity of the area, pursuant to policies SP1, DM1, EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG)

14) No development other than demolition works shall take place until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority

*Display of an emergency contact number;
*Details of Wheel Washing;
*Dust suppression measures;
*Compound locations where relevant;
*Location, removal and recycling of waste;
*Routing strategy and swept path analysis;
*Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
*Parking of construction vehicles and staff; and
* Sheeting over of construction vehicles.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

15) Prior to the commencement of the development hereby approved, a surface water drainage scheme in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include:

*Progression through the drainage hierarchy must be evidence based and supported by site investigation including assessments of ground conditions and infiltration testing in accordance with BRE365. Proposals of attenuation should achieve half drain time within 24 hours.

*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.

*Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable.

*Details of surface water attenuation to align with the Manchester, Trafford and Salford Strategic Flood Risk Assessment. For brownfield sites a minimum of 50% betterment is required for reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates.

*A finalised drainage layout showing all components, outfalls, levels and connectivity.

*An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.

*Hydraulic calculations of the proposed drainage system, including all design parameters. Calculations must Include Critical Storm Events for the 1 in 2, 1 in 30 and 1 in 100 + 45% Climate Change. Results must demonstrate no surcharge for the 1 in 2, no flooding in the 1 in 30 and no flooding of buildings for the 1 in 100 + 45% Climate Change.

*A blockage risk assessment must be undertaken as part of the drainage strategy to support proposed flows less than 5 l/s.

*A plan indicating surface water overland flow routes for extreme events to ensure flows are diverted away from existing and proposed buildings (including basements).

*Construction details of flow control and SuDS elements.

*A plan indicating easements. SuDS features (including attenuation tanks) should be appropriately positioned, including a 2.5m easement from the existing highway and a 5m easement from any dwellings, guaranteeing accessibility for future maintenance and contingency for asset failure. This practice is in accordance with SuDS Manual (C753).

*CCTV survey of existing drainage system to understand condition, capacity, connectivity.

*Finished floor levels and proposed ground levels plan.

*The development shall be constructed and completed in accordance with the approved details prior to the first occupation/use of the development.

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.

16) 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.

17) Prior to the commencement of development excluding demolition works, a programme for submission of final details of the following shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

(a) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include consideration of bat boxes and bricks, bird boxes and appropriate planting; and

(b) Details the green roof at level 18;

relevant details shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme submitted and approved above.

All of the above shall be fully implemented prior to occupation of the development

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 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.

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

Reason

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

19) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'Excellent' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, within six months of the buildings hereby approved being first occupied.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

20) No demolition, (in respect to the historic building investigation only) , relating to the historic building investigation shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Project Design that has been submitted to and approved in writing by the local planning authority. The Project Design shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

a. an historic building investigation (Level 3) of all standing historic buildings or structures that are to be removed or altered (including the building's facades) during the course of the development

b. archaeological evaluation trenching (to take place following the demolition of the extant buildings to slab level only, and prior to any remediation or development works)

c. pending the results of the above, targeted open-area excavation

2. A programme for post-investigation assessment to include:

a. production of a final report on the results of the investigations and their significance

3. Deposition of the final report with the Greater Manchester Historic Environment Record

4. Dissemination of the results of the archaeological investigations commensurate with their significance, including provision for the installation of permanent information panels

5. Provision for archive deposition of the report and records of the site investigation

6. Nomination of a competent person or persons / organisation to undertake the works set out within the approved Project Design

Reason: In accordance with NPPF Section 16, Paragraph 211 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

21) The development hereby approved shall be carried out in accordance with the targets set out within the NXQ, Lever Street, Manchester
Energy Statement, Revision P01, 01.03.2024 by Atelier 10 stamped as received on 30-04-24

A post construction statement shall be submitted within 12 months of occupation of the development.

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.

22) Notwithstanding the recommendations within the Soller Nine, The NXQ Building, Lever Street, Manchester, Noise Impact Assessment Rev 02 27-03-24 by BWB stamped as received on 30-04-24 prior to operation of

(a) the basement well being area;

(b) each ground floor commercial units; and

(c) the unit within 32 Lever Street

as shown in dwgs 2510-HWS-XXX-B1-D-A-05099 P01 BASEMENT PLAN B01 and 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN,

commences a scheme for acoustically insulating each of the above (including the use of free weights within the basement well being area) to ensure that there is no unacceptable level of noise transfer from these units to the office accommodation above or any unacceptable noise break out 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 approved uses commence.

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 adjacent residential accommodation arising directly from the proposed development 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.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

23) Prior to operation of (a) each ground floor commercial units and(b) the unit within 32 Lever Street as shown in dwgs 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN, 2510-HWS-XXX-01-D-A-05101 P02 1ST FLOOR PLAN, 2510-HWS-XXX-02-D-A-05102 P02 2ND FLOOR PLAN, hereby approved commences details of the proposed opening hours shall be submitted to and approved in writing by the City

Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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.

24) Prior to occupation of

(a) The office accommodation and communal areas (including terraces); and

(b) Each ground floor commercial units and (c) the unit within 32 Lever Street as shown in dwgs
as shown in dwgs 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN, 2510-HWS-XXX-01-D-A-05101 P02 1ST FLOOR PLAN, 2510-HWS-XXX-02-D-A-05102 P02 2ND FLOOR PLAN, a scheme for the acoustic insulation of any plant including externally mounted ancillary equipment, lift equipment, substation and any emergency plant 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.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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.

25) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within (a) each ground floor commercial units and(b) the unit within 32 Lever Street as shown in dwgs 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN, 2510-HWS-XXX-01-D-A-05101 P02 1ST FLOOR PLAN, 2510-HWS-XXX-02-D-A-05102 P02 2ND FLOOR PLAN 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 of each unit 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 or documents which superseed this 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.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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

26) The development hereby approved shall be carried out in accordance with section 9.3 of the NXQ, Lever Street Design & Access Statement by Howells stamped as received on 30-04-24

The details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

27) Each of the ground floor commercial units and(b) the unit within 32 Lever Street as shown in dwgs 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN, 2510-HWS-XXX-01-D-A-05101 P02 1ST FLOOR PLAN, 2510-HWS-XXX-02-D-A-05102 P02 2ND FLOOR PLAN shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse for each unit 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.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

28) a) Prior to the commencement of the development excluding demolition works details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

i) the measures proposed to recruit local people including apprenticeships

ii) mechanisms for the implementation and delivery of the Local Benefit Proposal

iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(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).

29) 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

30) Notwithstanding the NXQ Lever Street, Manchester Television and Radio Reception Impact Assessment Rev 1 28-03-24 stamped as received on 30-04-24 if 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 Polices DM1 and SP1

31) Prior to implementation of any proposed lighting scheme (including on the roof terrace and external areas) 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.

32) The development hereby approved shall be carried out in accordance with the Framework Travel Plan set out within the NXQ
Lever Street, Manchester, Transport Statement, Revision 02 27.03.2024 stamped as received on 30-04-24 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 building occupiers;
ii) a commitment to surveying the travel patterns of building users within the first six 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 3 months of the completion of the travel survey, 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.

33) 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

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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.

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

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

35) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas of public realm during the hours that it is open to the general public and via the main entrances.

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

36) The window(s) at ground level, fronting onto Great Ancoats Street, Lever Street and Houldsworth Street 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.

37) If any external 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

38) Notwithstanding the details contained within condition 2 above prior to the first occupation of the development a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

(a) Dropped kerbs with tactile paving to be installed across the Houldsworth Street / Lever Street junction.

(b) Footways along the Houldsworth Street, Lever Street, Great Ancoats Street and Little Lever Street frontages which shall be resurfaced in Yorkstone or another high quality material

(c)Amendments to the existing TROs;

The approved scheme shall be implemented and be in place prior to the first occupation of the office accommodation and thereafter retained and maintained in situ.

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).

39) The development shall be carried out in accordance with sections 4.5 and 6 of the Crime Impact Statement Version A 22-03-24 stamped as received on 30-04-24.The development shall only be carried out in accordance with these approved details and within 12 months of completion, the applicant will confirm in writing to the Council as local planning authority that the development has achieved Secure 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

40) In the event that any of the commercial units, as indicated on drawings 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN, 2510-HWS-XXX-01-D-A-05101 P02 1ST FLOOR PLAN, 2510-HWS-XXX-02-D-A-05102 P02 2ND FLOOR PLAN are occupied as an restaurant (Class E) use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority.

A Management Strategy for patrons and control of any external areas. For the avoidance of doubt this shall include:

*An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers)

*Details of a Dispersal Procedure

* Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

41) No doors (other than those designated as fire exits and ground floor bin store shown on dwgs 2510-HWS-XXX-ZZ-D-A-05401 P04 GREAT ANCOATS STREET - NORTH ELEVATION, 2510-HWS-XXX-ZZ-D-A-05403 P04 LEVER STREET - WEST ELEVATION, 2510-HWS-XXX-ZZ-D-A-05402 P04 HOULDSWORTH STREET - SOUTH ELEVATION and 2510-HWS-XXX-ZZ-D-A-05404 P03 LITTLE LEVER STREET - EAST ELEVATION

shall open outwards onto adjacent public highway.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

42) Prior to the first occupation of the office accommodation the 112 cycle parking spaces shall be fully implemented as shown in dwg 2510-HWS-XXX-B1-D-A-05099 P01

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

43) Prior to the first use of the development hereby approved a external signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

44) The offices hereby approved shall be used only as offices to carry out any operational or administrative functions as set out under part (g)(i) of Use Class E and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1995 as amended, 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 do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for office purposes.

45) The 3rd floor amenity space and roof terrace as shown in dwg 2510-HWS-XXX-03-D-A-05103 P02 3RD FLOOR PLAN hereby approved shall be used as ancillary facilities for office users or visitors to the office facilities and shall not be accessible or useable by the general public.

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for office purposes.

46) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the solar panels to the roof of the buildings (including cross sections). The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity and solar glare pursuant to polices SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

47) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps to the buildings hereby approved. The air source heat pumps must also comply with the noise criteria as specified in condition 17. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the air source heat pumps are installed and to ensure that they are appropriate in terms of visual amenity pursuant to polices SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

48) Work shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
A licence issued by Natural England pursuant to Regulation 55 of the Conservati on for Habitats andSpecies Regulati ons 2019, authorising the specifi ed development to go ahead;
Or
Evidence that the site is registered on an appropriate bat 'low impact' licence (CL21)
Or
A statement in writing from the relevant licencing body or the LPA to the effect that it does not considerthat the development will require a licence.

Reason - In order to ensure appropriate mitigation is agreed in order to mitigate against the impact on bat habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

49) Prior to the installation of any building lighting details of how this has been designed and would be operated to ensure that any impact on foraging bats would be negligible shall be submitted to an approved in writing by the City Council as Local Planning Authority.

All external lighting shall be installed and operated in accordance with agreed specifications and locations set out in the strategy

Reason

In the interests of the protection of bat roosts and associated foraging and commuting areas pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1

50) The commercial units within 58 Lever Street, 56 Lever Street/ 25 Houldsworth Street and 32 Great Ancoats Street as shown in 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN, 2510-HWS-XXX-01-D-A-05101 P02 1ST FLOOR PLAN, 2510-HWS-XXX-02-D-A-05102 P02 2ND FLOOR PLAN, shall not be sub divided without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy

51) Notwithstanding the provisions of The Town and Country Planning (Use Clases) Order 1987 (or any order revoking and re-enacting that Order with or without modification) the premises shall only be used as Class E ((a) (excluding convenience retail), (b), (c), (e), (f) and (g) only within the ground floor commercial units as shown in 2510-HWS-XXX-00-D-A-05100 P02 GROUND FLOOR PLAN, 2510-HWS-XXX-01-D-A-05101 P02 1ST FLOOR PLAN, 2510-HWS-XXX-02-D-A-05102 P02 2ND FLOOR PLAN and for no other purposes.

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, ensuring the vitality of the units and to safeguard the amenity of the office users above pursuant to Core Strategy policies SP1 and DM1 and saved UDP Policies DC26.

52) Prior to use of the external roof terrace on the 3rd floor as shown in dwg 2510-HWS-XXX-03-D-A-05103 P02 3RD FLOOR PLAN commencing, a management strategy for the operation of the area, to include details of how , how noise outbreak from the internal areas would be managed how the noise from patrons will be managed and how the area will be cleared and closed by 23.00 and which precludes the playing of any amplified music shall be submitted to an approved in writing by the City Council as Local Planning Authority.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

53) Prior to commencement of above ground works details of the treatment of the underside of the cantilevers shall be submitted to and approved in writing by the City Council as Local Planning Authority

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

54) Prior to the installation of the proposed exterior façades, a detailed solar glare intensity assessment report shall be submitted for approval in writing by the City Council, as Local Planning Authority. The assessment shall detail any areas of mitigation in order to minimise solar glare and avoid safety concern to nearby road users. The approved assessment (and any associated mitigation) shall be implemented as part of the façade installation and thereafter retained and maintained in situ.

Reason - In the interest of minimising the effect of solar glare on the adjacent road infrastructure and road safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

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 Mining Remediation Authority.

t is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship

between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix, Section 4.0 'Contacts'.

Water Main

A water main is located in the vicinity of the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website:
https://www.unitedutilities.com/builders-developers/your-development/planning/buildingover-or-working-near-our-assets/working-near-our-pipes/ . The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place.
Commuted sums are required for any non-standard materials (and street trees) used on the adopted highway.

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

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

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

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

As the proposal involves development over 11m in height (or alterations to increase the height of a building above 11m), developers are required to notify the Greater Manchester Fire & Rescue Service of the commencement of development via email to construction-started@manchesterfire.gov.uk

For this development proposals for good practice principles for both the design and operational phases are recommended. Reference should be made to IAQM/EPUK guidance: http://iaqm.co.uk/guidance

All of the works required to achieve the new accesses / egresses and associated TROs should be included as part of a S278 agreement to be funded by the applicant

INNS Management: It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as wall cotoneaster are included within this schedule. If any wall cotoneaster will be transported off site as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Generator: The routine maintenance and servicing of any emergency generator shall be confined to Monday to Friday 08:00 to 18:00 hours.

Detail should be sought from the applicant in relation to any proposed construction or fit out arrangements, where there is an impact on the highway. The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Details of how the demolition and construction process will control of noise and vibration shall be agreed with MCC Environmental Protection Officers as a minimum, they will require details of machinery and equipment to be used and their expected noise levels, the identification of the noisiest activities and who these activities / work may impact, duration of these activities, site wide noise and vibration mitigation measures with reference to BPM to be adopted on site specifically for the noisier or more intrusive activities, the maximum site noise level and vibration levels at the site boundary particularly during the nosier activities, details of monitoring including how monitored (continual noise and vibration loggers) location of monitoring in relation to receptors, how the site supervisor is alerted if the noise /vibration limit is approached or exceeded and details of what action is taken where the maximum site noise and / or vibration levels (once agreed) are approached or exceeded (such as work shall cease until the cause of the exceedance has been identified and where necessary, an alternative method of work established).

Date: 24 January 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 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-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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

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

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

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

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.

Mining Remediation 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026