

Important – Planning permission & notices of consent

Compliance with conditions

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Erection of a 3 and 5 storey buildings to form 81 residential apartments (Use Class C3a) and erection of 28, two storey dwellinghouses (Use Class C3a), including green spaces, landscaping, boundary treatment, access arrangements, parking and other associated works.

Location: Land Bounded By Oldham Road (A62), Old Church Street, The Lidl Foodstore And Newton Street, Manchester, M40 1EZ

Date of application: 4 December 2023

Application number: 138730/FO/2023

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 proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the appearance of the building along with other matters arising from the consultation and notification. The proposal is considered to be acceptable and therefore determined within a timely manner.

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 phasing plan T8170-D-0-005 I2 received by the City Council, as Local Planning Authority, on the 16 January 2024.

The following definitions are applicable to this planning permission:

Phase one - 34 new homes: 10 two-bedroom dwellinghouses, 18 three-bedroom dwellinghouses and 6 one-bedroom apartments.

Phase two - 75 new homes: 41 one-bedroom apartments and 34 two-bedroom apartments.

Reason - To indicate that this is a phased development pursuant to policy DM1 of the Manchester Core Strategy (2012).

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

Drawings

T8170D0040 REV I4, T8170D0042 REV I4, T8170D0043 REV I4, T8170D1151 REV I4, T8170D1152 REV I4, T8170D1261 REV I2, T8170D1262 REV I2, T8170D2151 REV I4, T8170D2251 REV I4, T8170D2252 REV I4, T8170D2253 REV I4, T8170D2254 REV I4, T8170D3151 REV I2, T8170D3251 REV I2, T8170D4151 REV I4, T8170D4251 REV I4, T8170D5151 REV I4, T8170D5251 REV I4, T8170D6251 REV I2, T8170D6252 REV I2, T8170D0020 REV I2, T8170D0030 REV I5, T8170D0051 REV I4, T8170D0052 REV I4 and T8170D0053 REV I4 received by the City Council, as Local Planning Authority, on the 16 February 2024. 3537 102 REV E, 3538 201 REV B, T8170D1252 REV I2, T8170D1253 REV I1, T8170D1254 REV I1 and T8170D0001 REV I1 received by the City Council, as Local Planning Authority, on the 4 December 2023

Supporting information

Planning policy statement, social value strategy and planning noise addendum received by the City Council, as Local Planning Authority, on the 24 January 2024

Design & Access Statement prepared by TP Bennett; Landscape Layout (drawing ref. 3538 102 Rev E) and Planting Plan (drawing ref. 3538 201 Rev B) prepared by TPM Landscape; Planning Policy Compliance Statement (including Affordable Housing Statement, Statement of Community Involvement and Draft Section 106 Heads of Terms) prepared by Euan Kellie Property Solutions; Air Quality Assessment prepared by Wardell Armstrong; Archaeology Assessment prepared by Archaeological Research Services Limited; Broadband Connectivity Assessment prepared by One Manchester Limited; Construction Management Plan (covering the Phase 2 proposals) prepared by Casey; Crime Impact Statement prepared by the Greater Manchester Police; Daylight & Sunlight Assessment prepared by GIA Environmental Standards Statement prepared by Energy Counsel;

External Lighting Plan (drawing ref. T8170D0042 Rev I1) prepared by TP Bennett; Flood Risk and Drainage Strategy prepared by Curtins; Heritage Statement prepared by Kathryn Sather & Associates; Local Benefit Proposal / Social Value Statement (comprising a Social Value Template and corporate brochure) prepared by One Manchester Limited; Noise Impact Assessment prepared by Jameson Acoustics; Preliminary Risk Assessments and Ground Investigations for Phases 2 & 3 (+ cover note) prepared by Curtins; Pre-Construction TV Signal Reception Impact Survey prepared by Astbury; Preliminary Ecological Appraisal, Biodiversity Net Gain Design Stage Assessment and Biodiversity Enhancement Management Plan prepared by Urban Green; Transport Statement and Travel Plan prepared by Curtins; and Waste Management Proforma prepared by TP Bennett received by the City Council, as Local Planning Authority, on the 4 December 2023

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

4) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

5) a) No phase of the development shall commence until details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the relevant phase of the development, have been 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 for a phase of the development, 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).

6) Notwithstanding the details submitted on the Flood Risk and Drainage Strategy prepared by Curtins received by the City Council, as Local Planning Authority, on the 4 December 2024, (a) the development for each phase shall not commence until a scheme for the drainage of surface water has been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- A finalised drainage layout showing all components, outfalls, levels and connectivity; agreed public sewer diversion proposals; and appropriate easements for attenuation tanks;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- Details of surface water attenuation that offers restricted discharge rates as specified in the document "1290 Oldham Road, Newton Heath, Phase 2&3 Flood Risk Assessment and Drainage Strategy Curtins Ref: 074031-CUR-00-XX-RE-C- 92100"
- Hydraulic calculation of the proposed drainage system, including evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Where diversions to public sewer assets are proposed, evidence agreement in principle by United Utilities is required. An email of acceptance of proposed layout will suffice.
- Where an application is part of a larger site which already has planning permission, evidence is required that the new proposal does not compromise the drainage scheme already approved. Provide reference to evidence that Phase 2 south can be accommodated in Phase 1 attenuation.
- Construction details of flow control and SuDS elements.

(b) Each phase of development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

7) a) Before any phase of the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas for the relevant phase of the development shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the relevant phase of development shall not commence until a scheme for the investigation of the relevant part 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, for each phase of the development before the development of the relevant phase 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 for each phase shall be submitted to and approved in writing by the City Council as local planning authority before the first occupation of the relevant phase 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.

8) Prior to the commencement of each phase of the development, a detailed construction management plan for the relevant phase outlining working practices during construction shall be submitted for approval in writing by the City Council, as local planning authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Consultation with local residents and businesses including ensuring that operations of existing businesses remain unaffected by construction activities
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

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

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

9) Prior to the commencement of each phase of the development, samples and specifications of all material to be used on all external elevations and boundary treatments of the relevant phase of development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with window reveals, soffits, jointing and fixing details, details of the drips to be used to prevent staining, ventilation/louvre details, air bricks and a strategy for quality control management.

The approved materials used shall then be implemented as part of the development.

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.

10) The development hereby approved shall be carried out in accordance with drawings T8170D1261 REV I2, T8170D1262 REV I2, T8170D2254 REV I4 received by the City Council, as Local Planning Authority, on the 5 February 2024.

The approved window and soffit detail shall be implemented as part of the development.

Reason - In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

11) The boundary treatments shall be carried out in accordance with drawings T8170D0040 REV I4 received by the City Council, as Local Planning Authority, on the 5 February 2024. The approved details shall be implemented as part of each phase of the development and be in place prior to the first occupation of the relevant phase of the development.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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

12) The development hereby approved shall be carried out in accordance with the Environmental Statement prepared by Environmental Standards Statement prepared by Energy Counsel received by the City Council, as Local Planning Authority, on the 4 December 2023.

A post construction review certificate/statement for each phase of the development shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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.

13) Prior to the first occupation of each phase of the development, details of the implementation, maintenance and management of the sustainable drainage scheme for the relevant phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include:

- Verification reporting providing photographic evidence of construction;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements adoption by any public body or statutory undertaker, or

any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

- Timescale for implementation

The implementation of the management and maintenance plan shall be implemented in accordance with the timescales agreed and retained for as long as the development remains in use.

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 pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

14) (a) Notwithstanding drawing 3537 102 REV E and 3538 201 REV B received by the City Council, as Local Planning Authority, on the 4 December 2023, prior to the first occupation of each phase of this development, details of hard and soft landscaping treatments (including appropriate samples of materials and specification and size of trees) for the relevant phase shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented prior to the first occupation of the relevant phase 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 that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

15) (a) The development hereby approved shall be carried out in accordance with the Preliminary Ecological Appraisal, Biodiversity Net Gain Design Stage Assessment and Biodiversity Enhancement Management Plan prepared by Urban Green received by the City Council, as Local Planning Authority, on the 4 December 2023.

(b) Prior to the first use of each phase of the development agreed within part (a) of this condition, a verification report for that phase will be required to validate that the works undertaken at that stage conforms to the recommendations and required approved within part of part (b) of this planning condition.

(c) In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the Biodiversity Net Gain Assessment. A verification report and measures shall be agreed until such a time as each phase of development comply with parts (a), (b) and (c) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

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 - In the interest of securing a biodiversity mitigation strategy for the Red Bank Neighbourhood pursuant to policies SP1, EN9, EN17 and DM1 of the Manchester Core Strategy (2012).

16) Prior to the first occupation of the development, a detailed 30 year landscape environmental management plan (LEMP) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how the public realm and hard and soft landscaping areas for the relevant development will be maintained including maintenance schedules and repairs. The LEMP shall then be implemented as part of the relevant phase of development and remain in for the duration of the plan.

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

17) (a) Prior to the first occupation of each phase of the development, details of any externally mounted ancillary plant, equipment and servicing for the relevant phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) Prior to the first occupation of each phase of the development, a verification report for the relevant phase will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

18) (a) Prior to the first occupation of each phase of the development a scheme for acoustically insulating the proposed residential accommodation within the relevant phase against noise from Oldham Road, the local traffic network and surrounding commercial uses shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the relevant phase of the development.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB L_{Aeq} (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq Gardens and terraces (daytime) 55 dB L Aeq

(b) Prior to the first occupation of each phase of the development, a verification report for the relevant phase will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

19) Prior to any above ground works on each phase of the development, a waste management strategy and location of waste storage for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of that phase of the development and thereafter retained and maintained in situ.

Reason - To ensure adequate refuse arrangement are put in place for the commercial element of the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

20) Deliveries, servicing and collections including waste collections shall not take place outside the following hours for the commercial unit only:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections

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

21) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme for each phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the relevant phase of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

22) 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.

23) The development hereby approved shall be carried out in accordance with the Crime Impact Statement (version A) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 4 December 2023. The development shall only be carried out in accordance with these approved details. Each phase of 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 for the relevant phase.

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.

24) Prior to the first occupation each phase of the development, a travel plan framework for the relevant phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

In this condition a Travel Plan means a document which includes:

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

Within six months of the first occupation of each phase of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval 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 for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

25) Prior to the first occupation of each phase of the development hereby approved the relevant areas of the car parking layout as indicated on drawing T8170D0020 REV I2 received by the City Council, as Local Planning Authority, on the 5 February 2024, shall be surfaced, demarcated and made available. The approved car parking layout shall be implemented and thereafter retained and maintained.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

26) Prior to the first occupation of phase 3 the development hereby approved, the cycle spaces for that phase shall be implemented and made available in accordance with drawing T8170D0020 REV I2 received by the City Council, as Local Planning Authority, on the 5 February 2024.

Prior to the first occupation of the phase 2 dwellinghouses hereby approved, the siting, scale and appearance of a suitable cycle store for each dwellinghouses shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of the phase 2 development and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles 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).

27) Prior to the first use of each phase of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm for the relevant phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- Plan indicating the areas for adoption. This should include a 5.5 metre wide carriageway and 2 metre footways;
- Provision of a 20 mph speed limit;
- Provision of Traffic Regulation Orders (TROs);
- Widening of the junction of Dulverton Street and Old Church Street including measures to prevent vehicle encroachment, dropped kerbs and tactile paving together with consideration of whether the bell-mouth can be reduced;
- provision of a loading bay to Old Church Street with associated Traffic Regulation Orders (TROs) and relocation of buss stop;
- Footway reinstatement and resurfacing along Dulverton Street, Old Road and Old Church Street including a review of signage and street furniture and provision of street trees.
- Review of Traffic Regulation Orders (TROs) to facilitate accessible and loading bays together with measures to prevent on street parking on the surrounding streets;
- Signage is erected upon entry to the private section of carriageway in order to warn drivers that the route is not suitable for larger vehicles.

The approved scheme for each phase shall be implemented and be in place prior to the first occupation of the relevant phase of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

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).

28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any 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 - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) 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(a) 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).

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; 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.

30) Prior to the first occupation of the phase 3 apartment building development a signage strategy for the apartment building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for the development 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).

31) Prior to the first occupation of each phase of the development hereby approved, details of the number, siting and appearance bird, bee and bat boxes for the relevant phase of development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the relevant phase of the development hereby approved and shall thereafter be retained and maintained in situ.

Reason - In the interest of providing habitats for birds to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

32) The development hereby approved shall include for full disabled access to be provided to the communal walkways, communal gardens and via the main entrances and to the floors above where possible.

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

33) The 3 accessible dwellings, as indicated on drawing T8170D1254 REV I1 received by the City Council, as Local Planning Authority, on the 5 February 2024 shall be constructed to M4(3) standard.

Reason - In the interest of providing accessible dwellings as part of the development pursuant to policy DM1 of the Manchester Core Strategy (2012).

34) Notwithstanding drawing T8170D0043 REV I4 received by the City Council, as Local Planning Authority, on the 5 February 2024, prior to the first occupation of each phase of the development, final details and specification of 7kw fast charging electric car charging points for each dwellinghouse and spaces for the apartments within the relevant phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first occupation of the relevant phase of the development.

Reason - In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

35) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches, roof alterations or outbuildings shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

36) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings outlined in condition 2.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester

37) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps. 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 pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

38) Notwithstanding the Pre-construction TV signal impact survey stamped as received by the City Council, as Local Planning Authority, on the 4 December 2023, within one month of the practical completion of the development or before the development is first

occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a 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 above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

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

39) Prior to the first occupation of each phase of this development, details of a servicing strategy for the relevant phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development for as long as it remains in use.

Reason - In the interest of ensuring that the development is appropriately serviced pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

40) Notwithstanding drawing T8170D1262 REV I2 received by the City Council, as Local Planning Authority, prior to any above ground works on the apartment building phase (Phase 3), samples, specifications and details of the decorative mesh shall be submitted for approval by the City Council, as Local Planning Authority. The mesh shall be decorative and anodised. The approved details shall be implemented as part of the development and thereafter retained and maintained.

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

41) Prior to the commencement of above ground works and notwithstanding details submitted, a scheme for the provision of affordable housing as part of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The scheme shall include:

- i. the numbers, type, tenure (such tenures being consistent with the definition of affordable housing in Annex 2 of the NPPF or any definition of affordable housing that replaces it) and location on the site of the affordable housing provision to be made which shall consist of a minimum 20% of the dwelling houses;
- ii. confirmation that the affordable dwellings will be made available on affordable housing terms for both first and subsequent occupiers of the affordable housing dwellings (subject to any exclusions and exemptions from this requirement that may apply); and
- iii. the eligibility criteria to be used for determining who may occupy the affordable housing dwellings (which shall not be required to include any local connection criteria in the case of shared ownership housing).

The approved affordable housing scheme shall be implemented as part of the development and thereafter observed in perpetuity subject to the exclusions and exemptions set out in the approved affordable housing scheme.

Reason - To contribute to the delivery of affordable housing, pursuant to policy H8 of the Manchester Core Strategy.

42) Prior to the first occupation of each phase of the development, a car park management plan for that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The plan should work to ensure that car parking activities and demands for the development are mitigated including management of car parking spaces and allocation strategy to ensure car ownership does not overspill on the surrounding highway network.

The approved plan, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the relevant phase of the development and thereafter retained and maintained in operation.

Reason - To ensure appropriate management arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

43) Prior to the first use of each phase, a Delivery and Servicing Management for the relevant phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The strategy should work to ensure that servicing/waste removal/delivery activities the building are co-ordinated to ensure efficient use of the proposed loading bay.

The approved strategy, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the relevant phase of the development and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing management arrangements, particularly for food and deliveries, are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and 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 Coal Authority in Appendix A.

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see:

<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstaclenotification/Crane-notification/>

- It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Manchester Airport, or not attach conditions which Manchester Airport has advised, it shall notify Manchester Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

- 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

- Regarding S278 agreements a deposit is required to begin an application, additional costs will be payable and are to be agreed with S278 team. A S278 is required for works to the adopted highway, minimum standard S278 technical approval timescale is between 4-6 months, TRO's can take 10-12 months. An independent 'Stage 2' Road Safety Audit will be required and the design may require changes if any issues are raised with all costs attributable to the Developer. A 'Stage 1' Road Safety Audit should be completed during the planning stage and a copy of the report (with Designer's Response) is to be made available to the Statutory Approvals Team upon request.

- You should ensure that the proposal is discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the development due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

- Whilst the building to be demolished has been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm

or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed

- The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Date: 20 December 2024

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

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

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

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

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

Further information is also available on the Coal Authority website at:

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

Standing Advice valid from 1st January 2023 until 31st December 2024