

Our Ref: 2020-040
Your Ref: PP-13630078

FAO: Sue Wills

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2nd January 2025

Dear Sue,

Application to Discharge Conditions 18, 21 and 24 of Planning Permission Ref: 137751/MO/2023 at the Land Opposite 83-87 Vine Street, Manchester, M18 8SR

Please find enclosed for your consideration an application to discharge conditions 18, 21 and 24 of the planning permission granted in November 2023 (Ref: 137751/MO/2023) for the following development at the Land Opposite 83-87 Vine Street, Manchester:

'Reserved matters application for consideration of appearance, landscape and scale following outline planning permission referenced 128864/OO/2020 for 25 x 2 storey dwellinghouses (Class C3)'.

The application was submitted on 2nd January 2025 via the Planning Portal (Ref: PP-13630078). The requisite application fee has been paid to Manchester City Council.

Condition 18

Condition 18 states:

No development shall take place until culvert investigation has been undertaken in accordance with the proposal received via email from Paul Graveney (Sent: 05 February 2021 17:10; Subject: RE: call summary - 128864/OO/2020) including attachment 'Vine Street - Culvert Trial Trench.pdf'. This should include verification photos for evidence of investigation as-proposed. If the culvert is proven present, the precise route, condition, capacity and connectivity of the culvert should be determined across the whole site. Results of the investigation shall be submitted to and approved in writing by the Local Planning Authority.

Information to address Condition 18 was originally submitted under application CDN/24/0811, which was withdrawn in November 2024. The submission included:

- Trial Culvert Plan (Topographical Land Survey Plan Ref: S18-442); and
- Technical Note prepared by Ridge.

We understand the submitted Technical Note was rejected due to unclear photographs, and additional comments were received from the Local Lead Flood Authority (LLFA) on 31.10.2024, requesting further information. In response, we enclose the following to support the discharge of Condition 18:

- Trial Culvert Plan (Topographical Land Survey Plan Ref: S18-442);
- Culvert Investigation Report prepared by Carbon Neutral (Ref: Vine Street Culvert Excavation and Survey, conducted by Surveyor James Cooper on 23 January 2024);
- Vine Street - Culvert Investigation Email Confirmation 08.11.24;
- Vine Street - Photographic Evidence of Excavation 23.01.24; and
- VSG-RDG-XX-XX-DR-C-0005_P05_Proposed Levels Cross Sections - Sheet 2 – Sketch.

Below, we address each LLFA comment with the relevant supporting evidence:

LLFA Comment	Response
The developer has provided further photographic evidence however, the depth and width excavated is unclear. The developer will need to confirm the length and depth with a report/via email prior to approval.	In January 2024, a new excavation was undertaken to meet the requirements of Condition 19. A trench, 15m long and 6m deep, was excavated to confirm the absence of a culvert at the specified location (see enclosed Trial Culvert Plan). The on-site engineer's findings (documented in the Culvert Investigation report) revealed no culvert and highly unstable, sandy ground. At each depth up to 6.2m, no culvert was encountered—only soft sand (Ref: Vine Street Culvert Excavation and Survey, conducted by Surveyor James Cooper on 23 January 2024). This is further confirmed by the enclosed email from Paul Moulding (sent on 8th November 2024), verifying the excavation's depth and length.
The developer must confirm the trench has been excavated to a depth of 6-meters for a length of 15-meter, as this still remains unclear from the photographic evidence provided.	The enclosed Culvert Investigation Report, completed by an engineer from Carbon Neutral, clearly outlines the excavation's extent, with findings recorded at every 2m interval. The report confirms that no culvert was encountered, only soft sand. Additionally, photographs of the excavation are enclosed, showing the trench's full length, depth and spoil.
Providing the investigation has been undertaken to the agreed depth, we would have no further comments to make.	The submitted evidence confirms that the trench was excavated to the agreed 6m depth and 15m length. As the trench deepened, both the engineer and machine operator observed that the sandy earth

	began to collapse, further indicating the absence of a culvert. Had a culvert been present, they would have encountered made ground down to its position; however, only virgin sandy soil was found, as shown in the enclosed photos and survey.
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Further to the above and despite no culvert being found, if one does exist, it would have been constructed before the railway located to the north of the site and, therefore, would be lower than the base of the railway, which is already 8m below the finished floor level (FFL) of the proposed development buildings.

The enclosed sketch prepared by Ridge (Ref: VSG-RDG-XX-XX-DR-C-0005_P05_Proposed Levels Cross Sections - Sheet 2 – Sketch) shows that the proposed vibro piling method would operate below the level of the sheet pile retaining wall, ensuring no surcharge on the wall above its pivot point. If a culvert does exist, the vibro piling method would distribute any load over it, ensuring no impact. This should provide reassurance that even in the unlikely event of a culvert, the proposed piling method would prevent any impact.

In summary, the information submitted and referenced above is in accordance with the LLFA comments and we consider there is sufficient evidence for the Local Planning Authority to discharge Condition 18.

Condition 21

Condition 21 states:

If no ground works are commenced on site within 12 months of the date of the permission hereby approved, a survey to identify whether badgers are present on the site shall be submitted to, and approved in writing by, the City Council as local planning authority, together with any mitigation measures required. Any mitigation measures which are approved shall be implemented within a timeframe to be agreed with the City Council as local planning authority.

The following information is submitted in respect of Condition 21:

- Badger and Bat Survey Report 26.11.24 prepared by Blackfryers Consultants.

A previous badger walkover survey in March 2023 (Preliminary Bat Roost Appraisal and Update Badger Survey, 24th May 2023) found no evidence of badger activity (tracks, latrines, hairs, prints, etc.) on the site. While suitable habitat was noted along the bank by the railway, no signs of badger presence were found. Adjacent private gardens and the western embankment were also surveyed, with no evidence of badgers recorded.

Since no groundworks began within 12 months of the August 2023 permission, a follow-up survey was conducted on 4th November 2024, in line with Government guidance and Condition 21. The report confirms no badger setts on site and deems the habitat unsuitable for foraging, though occasional exploratory visits are possible. Therefore, no further surveys or Reasonable Avoidance Measures (RAMS) for badgers are necessary.

Condition 24

Condition 24 states:

If no ground works are commenced on site within 12 months of the date of the permission hereby approved, a survey to identify whether bats are present on the site shall be submitted to, and approved in writing by, the City Council as local planning authority, together with mitigation measures prior to commencement of development. Any mitigation measures which are approved shall be implemented within a timeframe to be agreed with the City Council as local planning authority.

The following information is submitted in respect of Condition 24:

- Badger and Bat Survey Report 26.11.24 prepared by Blackfryers Consultants.

A previous bat walkover survey was carried out in March 2023 (Preliminary Bat Roost Appraisal and Update Badger Survey Report 24 May 2023). This concluded (5.2.3) that 'Bat species in the local area are likely to use this site and the adjacent embankment and railway line for both foraging and commuting, however there are currently no opportunities for bat roosting at this site.'.

Since no groundworks began within 12 months of the August 2023 permission, the site was re-surveyed on 4th November 2024 in line with standard bat survey guidelines and in accordance with the requirements of Condition 24. The report confirms no sites suitable for bat roosting on the site itself. Bats will simply avoid the site during construction and it is therefore not necessary to carry out any further survey work, and no Reasonable Avoidance Measures are deemed to be required.

Summary

I trust that the above information represents a complete application package so that validation can take place as soon as possible. If you do wish to discuss the proposals in any further detail, please do not hesitate to contact me.

Yours Sincerely,



Ailsa Goudie

Planner

On behalf of NJL Consulting