

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139661/FO/2024

Date registered valid: 28 March 2024

Proposal: Construction of six padel tennis courts with associated fencing, floodlighting and canopies, together with hard/soft landscaping.

Address: Powerleague Manchester Nicholls, Nicholls Community Sports Ground, Dalberg Street, Manchester, M12 6BN

Ward(s): Ardwick Ward

Applicant: Mr Hayden Small, Powerleague Fives Limited

Agent (if any): Mr Ralph Elliott, Carter Jonas

Case officer: Ellie Knowles
Tel: 0161 219 6633
Email: ellie.knowles@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 July 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 19 May 2024

Standard consultations:

Printed: 19 April 2024 Expired: 11 May 2024

Neighbour notifications

Printed: 12 April 2024 Expired: 3 May 2024

Site notice

Posted: 19 April 2024 Expired: 11 May 2024

Press advert

Published: 23 April 2024 Expired: 7 May 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application site is located to the north of the Nicholls Ardwick college on Hyde Road, and is bounded by Dalberg Street, Devonshire Street North and industrial buildings.

The land was previously used as Ardwick Cemetery, with the latest burials being at the turn of the 19th/20th century. The tombstones were removed and disposed of in 1959, and in 1966 the site officially became playing fields for the former High School.

Consent was subsequently approved to set out the site for a number of sports pitches and the erection of a single storey changing facility, with access taken from Ford Street which links the site to Hyde Road, and associated parking provision, and with two being allocated for disabled users.

The application site currently comprises an artificial 11-a-side playing surface, measuring 0.95 hectares (ha), and is surrounded by fencing and floodlights, together with a single storey building comprising ancillary changing rooms, stores and offices. There is a grassed pitch to the east of the application site. The sports facility also has a parking area accessed from Dalberg Street to the west, and a separate pedestrian entrance through the building from Ford Street to the south, together with a few additional parking spaces.

The site is currently operated by The Manchester College, and in addition to use by students, the College lets the pitch commercially to non-college members in the evenings and weekends. It is understood that the applicant will take a lease from the College in order to operate here and will continue to allow use of the pitches by the College as and when required. Powerleague will continue to run the commercial use of the site, which is currently run by the College. The site will therefore continue to be in dual education and commercial leisure use (Use Classes F1(a) and F1(c)).

Listed building: Within 150m buffer of Former Nicholls Hospital, Grade II*

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The Nicholls Community Sport Centre lies at the northern end of Ford Street, Nicholls sixth form college lies to the southeast of the site with Nicholls House at the junction of Hyde Road and Devonshire Street North (Grade II* listed building). To the southwest, west, east and north of the site and commercial and industrial premises.

Description of development

Consent is sought for the creation of 6 Padel Tennis Courts, with an associated free-standing canopy spanning all six courts, as well as hardstanding and floodlighting.

The Padel Courts will be located on a grassed / scrubland area adjacent to the existing football pitches due south. A new tarmac walkway will be formed to provide pedestrian access to the Padel Courts, which will include access around perimeter of the new existing football pitches.

Each Padel Court will have a width of 10m and a length of 20m, spaced 2m apart, arranged in an 'L' shape, with four to the north and two to the south.

The six Padel Courts, formed of a synthetic carpet (SIS Turf Padel Pro 13mm) will be surrounded by clear glazed panels with mesh fencing above, with a total height of 4m. The associated canopy, formed of six sub-canopies over each Padel Court, will stand separate to the padel court structures, and would have a maximum width of 48.3m, a maximum length of 45.7m and barrel roof elements with a maximum height of 8.55m. The canopies would be located on steel legs, with a translucent opal fabric cladding fixed to the structure at a height of 6m above the ground, with the same material forming the barrel roof.

The works are limited to northern element of the wider sport recreation site and would not affect the existing enclosed pitches and open grassed pitch at the wider site.

The proposed use of the six Padel Courts would be 07.00 a.m. to 11.00 p.m. seven days a week, including Bank Holidays.

Consultations & Notification Responses

Local responses

None

Consultee responses

Highway Services –

Raise no objections on highway or pedestrian safety grounds. Further information was requested in terms of parking surveys which was undertaken by the applicant and reviewed.

Following review of the on-street parking surveys, the data implies that there is on-street parking capacity, particularly during the afternoon/evening when existing parking demand at the site is shown to be at its highest. Whilst adding to existing on-street parking demand is not favoured by Highways, the anticipated level will be lower than originally anticipated given that there are 10no. 'on site' parking spaces which will be made available to all users of the site due to the Autoglass agreement coming to an end. Nevertheless, in order to alleviate Highways concerns, we request that:

- The 10 'Autoglass' spaces are made available prior to the Padel tennis courts opening;
- Double-yellow lining is implemented at Dalberg Street (as requested previously) and along sections of Ford Street to protect existing access points. We are aware that obstructive parking currently takes place along Ford Street and the proposals may therefore add to this issue.
- A Car Park Management Plan and Travel Plan is taken forward as agreed.
- The proposed padel tennis courts will need to be incorporated into the site's existing Travel Plan.

A detailed Construction Management Plan (CMP) will be required which identifies appropriate areas for contractor parking.

- Highways would request provision should none currently be provided at the site. Conditions requested relating to: (TRO & access works), Cycle parking, EV charging provision, Min 7kW), Car-park Management Plan, Travel Plan, CMP

Informative

- Highways would welcome use of the additional overspill parking provision as identified as part of the submission for as long as practically possible.

MCR Active – No objections.

Greater Manchester Ecology Unit – No objections subject to conditions relating to Bird Nesting Season and A landscape and ecological management plan.

Neighbourhood Team Leader (Arboriculture) – No objection to the proposals, subject to adequate mitigation planting proposals.

Environmental Health – No objections subject to conditions relating to opening hours, floodlighting, Contaminated Land watching brief.

MCC Flood Risk Management – No objections subject to surface water drainage condition applied.

Greater Manchester Police – Additional information on boundary treatment required to ensure site safety.

United Utilities – The applicant should consider their drainage plans in accordance with the drainage hierarchy.

National Amenity Societies – No comments received.

Relevant Planning History

At the application site –

134165/FO/2022 – The subdivision of existing all-weather playing pitch to form three x 5-a-side and three x 7-a-side pitches with the construction of new fencing and floodlights. Approved 17.08.2022.

134608/AO/2022 – Installation of illuminated signage to the Football Centre building, and various non illuminated wayfinding and banner signage. Approved 26.09.2022.

073103/FO/2004/N2 – Laying out of a carpark for 60 vehicles with access from Dalberg Street next to sports facility. Approved 02.12.2004.

067248/FO/NORTH2/03 – Provision of 1 no. floodlit football pitch, 1 no. grass football pitch, 2 no. multi use games areas and 1 no. mini-soccer pitch. Erection of single storey changing facility building and associated landscaping. 24.07.2003.

History of negotiations

The planning officer initially highlighted concerns with the proposed parking provision as raised by Highway Services, these included the following matters;

- Inability to secure off-site parking through a Grampian condition
- A revised trip generation assessment was required, in absence of TRICS output data provided
- On street (weekday & weekend) parking surveys commissioned in the vicinity of the site, to evidence existing parking situation
- TRO works to Dalberg Street and Ford Street

The developer's Transport Consultant submitted the following information via emails:

- TRICS data (dated 21/5/24)
- On street parking survey results (dates 10/6/24)
- Confirmation from the developer that 10 parking spaces will become available in the existing car park through the Autoglass lease terminating.

This additional information was considered sufficient by Highway Services to address initial parking concerns, subject to conditions.

As such the application was assessed accordingly.

Local Planning Policies

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The PfE Plan and its policies are now a material planning consideration in the determination of planning applications. The PfE Plan and its policies must therefore be given full weight in the planning balance.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been

replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Places for Everyone** policies for this application are as follows:

JP-S1 – Sustainable Development
JP-J1 – Supporting Long-Term Economic Growth
JP-J2 – Employment Sites and Premises
JP-G8 – A Net Enhancement of Biodiversity and Geodiversity
JP-P3 – Cultural Facilities
JP-P7 – Sport and Recreation

The relevant **Core Strategy** policies for this application are as follows:

DM 1 – Development Management
SP 1 – Spatial Principles (partially superseded by PfE)
T 1 – Sustainable Transport (partially superseded by PfE)
EN 3 – Heritage (partially superseded by PfE)
EN 10 – Safeguarding Open Space, Sport, and Recreation Facilities
EN 14 – Flood Risk (partially superseded by PfE)
EN 16 – Air Quality (partially superseded by PfE)
EN 18 – Contaminated Land and Ground Stability
EN 19 – Waste

The relevant saved **UDP** policies for this application are:

DC15 – Advertisements, Hoardings and Posters
DC19 – Listed Buildings
DC26 – Development and Noise

The relevant supplementary planning guidance documents for this application are:

- The Guide to Development in Manchester SPD
- Manchester's Playing Pitch and Outdoor Sport Strategy (PPOSS) 2022

National Planning Policy Framework

The NPPF (2023) sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. The Local Planning Authority consider the following sections relevant to this proposal.

- Section 2 – Achieving sustainable development
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Issues

Principle of development:

The principle of the proposed development is considered acceptable and would comply with the aforementioned policy and guidance and has received support from Manchester Active, with the proposal adhering to the objective contained within the Manchester Playing Pitch and Outdoor Sport Strategy (2022) which indicates that there is a deficiency of tennis courts of all types across Manchester and for which the proposed development would contribute to remedying.

The proposed building is suitably located in a mixed-use area, comprising commercial and industrial properties. The development would be situated within the bounds of an established Sport and Recreation site (Powerleague) and would result in a use similar in nature and within a building of a comparable scale to that of existing structures.

The proposed development would deliver economic and social benefits by enhancing provision at the Powerleague site and would provide a diversified sporting and recreational offer for existing members, whilst fulfilling demand for padel court provision in the wider area, as well as sustaining the existing pitches in the wider site.

The proposal would promote healthy communities by enabling access to greater sporting provision which would attract new and existing participants, ultimately beneficial to the health and well-being of users. Specific planning issues including the impact to highway safety, impact on amenity and a listed building is outlined further below.

Impact on visual amenity and the streetscene:

The six Padel Courts are approximately two storeys in scale and situated adjacent to northern side the existing outdoor football pitches, which are enclosed by 5m boundary treatment. To the north and west of the site are large commercial/industrial warehouses and to the east a service yard. Due to the enclosure of the site formed by surrounding properties, the structure will not be readily visible from the highway.

The proposed structure would accommodate six courts, formed of a synthetic carpet (SIS Turf Padel Pro 13mm) will be surrounded by clear glazed panels at ground floor level with mesh fencing above, with a total height of 4m. The associated canopy, formed of six sub-canopies over each Padel Court, will stand separate to the padel court structures, and would have a maximum width of 48.3m, a maximum length of 45.7m and barrel roof elements with a maximum height of 8.55m. The canopies would be located on steel legs, with a translucent opal fabric cladding fixed to the structure at a height of 6m above the ground, with the same material forming the barrel roof. Each padel court is rectangular in shape, measuring 10 metres in width and 20 metres in length. Entrances are located at each side of the court. The proposed size specifications comply with the standards established in the regulations of the Padel Game.

Each court will be lit with by 6no 200W floodlights accommodated within the canopy.

It is considered that given the scale of the buildings, its position and context formed by existing buildings associated with the club and other neighbouring uses, there will be no demonstrable harm to the visual amenity of the streetscene or wider area.

Listed Building

The Grade II* listed building, Former Nicholls Hospital, is situated circa 180m southeast of the development site. At present this property is utilised by Manchester College, in use as a learning and non-residential use.

By virtue of the significant distance retained between the listed building and the proposal, and the context of the surrounding area which features sport facilities with associated lighting and boundary treatment similar to proposed, it is considered that the proposed development would not result in any adverse impact or harm on the historic character or setting of the listed building. The proposal is therefore understood as being acceptable due to its accordance with policy DC19 of the UDP, policy EN3 of the Core Strategy, and chapter 16 of the NPPF.

Impact on residential amenity:

The proposed development is situated within a mixed-use area, characterised by commercial and industrial uses, with The Manchester College Nicholls Campus located to the south. The nearest residential properties to the proposal are located at Aloysius House approximately 150m to the west, on Palfrey Place.

An external floodlighting scheme and noise impact assessment has been submitted alongside the application; these have been considered acceptable by MCC's Environmental Health team.

There will be no proposed plant equipment for ventilation or for any other purposes installed as a result of this development.

By virtue of the large distance of nearby residential properties from the site, and the context of the surrounding area which is built up with various commercial and industrial uses, it is considered that the proposed development will not result in any adverse impact on the amenities of any residential property, nor any existing commercial use.

Highways:

57no. car parking spaces are provided across the existing site, comprising a 54no. space car park (accessed from Dalberg Street) and 3no. spaces located adjacent to the pavilion accessed from Ford Street which includes disabled provision.

Highway Services raised initial concerns with the proposed parking provision, in the absence of TRICS data and anticipated additional parking demand likely to be associated with the Proposals.

The initial proposal stated that an agreement has been made with Manchester College to enable the use of the existing neighbouring car park with 70 spaces for the proposed development. Notwithstanding this, it is the view of the LPA and Highway Services that this additional overspill carpark could not be secured in perpetuity for the lifetime of the development through a Grampian condition. As such, the scheme should be determined solely on the provision of parking provision contained within the site carpark and adjacent street parking.

The developer's Transport Consultant provided the requested information:

- TRICS data
- TRO works (double yellow lines) to be conditioned
- Weekday and weekday parking surveys
- Written confirmation that 10 spaces would become available in the existing carpark, following the end of the Powerleague and Autoglass lease agreement. To be conditioned.

This additional information was considered acceptable from Highway Services and the scheme could now be supported subject to conditions to protect highway safety.

Vehicular access to the facility will be from Dalberg Street, as shown in the Location Plan. This access arrangement is utilised by the existing Sport & Recreation use. The existing pedestrian access points will be retained. The main pedestrian access is provided at Dalberg Street (via the car park) on the western site boundary, with a secondary pedestrian access is provided on the southern boundary at Ford Street.

Plans show that pedestrian access to the proposed Padel Courts would be in the form of tarmac walkways from the Nicholls Community Football Centre building, which would border the existing enclosed football pitches.

The TA states that the proposals will make use of the existing 30no. space provision. However, Highways request additional provision (including sheltered and secure long-stay provision for any additional staff) is provided in alignment with MCC Core Strategy standards. This will be conditioned.

Highways also request Electric Vehicle charging provision is made available on site, this will be secured by condition.

Flood Risk/Surface Water Drainage:

The application site is located wholly in flood zone 1 'low probability of flooding'. In line with the Government guidance relating to the provision of sustainable drainage systems (SuDs) and as advised by the Council's Flood Risk Management team, it is necessary for the development to incorporate a surface water drainage scheme. An appropriate condition has therefore been included.

If such measures are successfully implemented, it is considered that any flood risk can be satisfactorily sustained.

Construction Management:

To ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part of the city, a condition is included which requires the submission and approval of a detailed construction management/demolition plan which details amongst other matters, a dilapidation Survey, evidence of safe site ingress and egress, working practices, delivery activities, location confirmation of off-site vehicle holding areas, working hours, dust and debris suppression, the parking of construction vehicles and the removal of waste.

Waste management:

An external refuse storage area is noted within the site. There will be no obstruction on the adjacent highway caused by refuse storage.

Refuse collection will be undertaken from by a private contractor. Refuse collection and deliveries will be undertaken from Dalberg Street as per the existing site arrangements.

The numbers of containers proposed for each waste stream is in line with MCC guidelines.

Landscaping and Biodiversity:

The proposal would include landscape enhancement and mitigation tree planting. The submitted Landscape Strategy sets out proposals which aim to maximise the opportunity for green infrastructure and biodiversity on the site through the planting of 12 new trees, wildflower lawns, areas of scrub, and biodiverse roof habitat on the ground adjacent to Dalberg Street, replacing disused cricket slips, to mitigate the loss of existing trees and vegetation, and to enhance the ecological value of the site. This has been reviewed and deemed acceptable by MCC Arboriculture Team.

An Ecological Impact Assessment (EcIA), Biodiversity Net Gain (BNG) Assessment and a Construction Environmental Management Plan (CEMP) have been prepared by Greengage and submitted in support of this planning application. This has been reviewed and deemed acceptable by Greater Manchester Ecology Unit, subject to conditions protecting nesting birds and requirement of a landscape and ecological management plan.

Crime impact:

Greater Manchester Police have been consulted on this proposal and provided the following Secure by Design comments:

The land must be enclosed within a secure fence line, formed by 2400-3000mm high welded-wire mesh fencing (please see <https://www.securedbydesign.com/member-companies/accredited-product-search> for a list of Police approved perimeter security suppliers), to prevent unauthorised access to the covered padel courts out-of-hours (which could be vulnerable to damage and fostering loitering/gathering and anti-social behaviour if left publicly accessible) and ensure all access/use of the courts is managed via the existing building when they are operational.

The agent stated that the existing sports and recreation site affords sufficient screening around the site perimeter, to the north, south and west. Notwithstanding this, a prior to first occupation condition will be imposed which requires full details of proposed boundary treatments to be submitted and approved by the LPA and SGMP.

Conclusion:

Given the above, it is considered that the proposal is in accordance with the above policies and should be approved.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have

made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

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

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval

1) 3 Year Time Limit

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) Specified drawings

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

Received by the City Council as Local Planning Authority on 28 March 2024:

- Location plan (00)
- Proposed Site Plan (02 B)
- Proposed Padel Courts Canopy Layout (05)
- Proposed Padel Courts Elevations (06 B)
- Proposed Landscape General Arrangement Plan (L050-PL-01)
- Proposed Tree Planting Plan (L050-PL-02)
- Proposed Planting Strategy Plan (L050-PL-03)
- Typical Landscape Details (L050-PL-04)

- Arboricultural Impact Assessment (drawing) prepared by ArbTech;
- Arboricultural Method Statement prepared by ArbTech;
- Arboricultural Survey and Statement prepared by ArbTech;
- Biodiversity Net Gain Assessment prepared by Greengage;
- Construction Environment Management Plan (CEMP) prepared by Greengage;
- Car Parking Management Plan (CPMP) prepared by MJM Consulting Engineers;
- Ecological Impact Assessment prepared by Greengage;
- Flood Risk Assessment & Sustainable Drainage Statement prepared by MJM Consulting Engineers;

- Landscape Statement prepared by Urban Landscape Partnership;
- Lighting Assessment prepared by Polaris Light;
- Noise Impact Assessment prepared by Hepworth Acoustics;
- Phase 1 Desktop Study and Preliminary Risk Assessment Report prepared by GeoEnviro Solutions Ltd;
- Transport Assessment prepared by MJM Consulting Engineers;
- Travel Plan prepared by MJM Consulting Engineers; and
- Tree Protection Plan (TTP 01) prepared by ArbTech.

Received by the City Council as Local Planning Authority on 21 May 2024:

- Proposed TRO Plan Dalberg Street (8946-MJMC-XX-XX-DR-D-6601)

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.

3) Car park layout

The existing car parking spaces as identified on the approved site plan (reference 02B) shall all be made available prior to the first occupation of the development and maintained in situ for as long as the development remains in use.

Reason - To ensure the sufficient car parking provision at the site, pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

4) Double-yellow lining

Prior to the occupation of the development, a scheme of highway works, in order to provide an adequate pedestrian and vehicular environment in the vicinity of the application site together with a timescale for their implementation, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

Double yellow lines at Dalberg Street and along sections of Ford Street to protect existing access points.

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).

5) Construction management plan

No development 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. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Expected number and type of vehicles accessing the site;
- Deliveries, waste, cranes, equipment, plant, works, visitors;
- Ensure delivery activities are scheduled to take place outside of the conventional AM/PM highway peak-hour periods;
- Size of construction vehicles;
- The use of a consolidation operation or scheme for the delivery of materials and goods;
- Phasing of works;

- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses. 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.
- A Dilapidation Survey, covering the construction vehicle access at Devonshire Street North

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

6) Car Park Management Plan

The development hereby approved shall be carried out in accordance with the Car park management plan, received by the City Council, as Local Planning Authority on the 28 March 2024. For the avoidance of doubt this shall include the monitoring of parking demands and staggering of activities. The site shall thereafter operate in accordance with this approved car parking management strategy.

Reason - To ensure the effective management of car parking at the site, pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

7) Travel Plan

The development hereby approved shall be carried out in accordance with the Transport Statement and Travel Plan, received by the City Council, as Local Planning Authority on the 28 March 2024.

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 visiting and working at the development;
- ii) a commitment to surveying the travel patterns of spectators and 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 use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted 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 staff and visitors, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

8) EV charging point

Prior to the first occupation of the development hereby approved, full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments and retained thereafter.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy.

9) Cycle parking

Prior to first use of the approved development, details of the specifications, elevations, siting and appearance of the secured cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The agreed details shall be fully implemented prior to the first use of development, retained and maintained thereafter.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

10) Floodlighting/external lighting scheme

- a) The external lighting scheme shall be designed and installed in accordance with the Lighting Assessment prepared by Polaris Light (dated 27th March 2024) hereby approved.
- b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties.

11) Sports Use

No activity on the approved courts shall be permitted outside the hours of:

Monday to Sunday (including Bank Holidays), 07:00 to 23:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

12) CLAND* (Watching brief condition)

In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy and validated. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

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 EN17 of the Manchester Core Strategy (2012).

****Our records indicate that the proposal site is on or in the vicinity of an infilled pond/potentially contaminative historic land uses.***

13) Surface water drainage

Prior to the commencement of the development hereby approved, a surface water drainage layout for the development site shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the following:

- For surface water connections, evidence of agreement in principle from the relevant authority/service provider is required to ensure there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed new connection will suffice.
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment to greenfield runoff rate.
- Finalised surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.
- Hydraulic calculations of the proposed drainage system, including all design parameters. Results must demonstrate no flooding in the 1 in 30 and no flooding of buildings for the 1 in 100 + 45% Climate Change.
- Where flows less than 5 l/s are proposed, a blockage risk assessment must be undertaken. If the risk cannot be adequately managed, a higher minimum discharge rate should be considered / agreed with relevant authority.
- 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).
- Construction details of flow control and SuDS components.
- Details of how the scheme shall be maintained and managed after completion.

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 of the Manchester Core Strategy (2012).

14) Bird nesting season

No removal of or works to any trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason – In order to provide protection to nesting birds, pursuant to Policy EN15 of the Manchester Core Strategy (2012).

15) LEMP

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to comply with policy EN15 of the Manchester Core Strategy (2012).

16) Boundary treatment

Notwithstanding the details as set out in condition 2 above, prior to any above ground works, full details of proposed boundary treatment, including the existing and proposed elevation drawings of these boundary changes, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall then be implemented prior to the first use of the development.

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.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)
MCR Active
Greater Manchester Ecology Unit
Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
National Amenity Societies

Flat 4, 33 Hyde Road, Manchester, M12 6BQ
Flat 5, 35 Hyde Road, Manchester, M12 6BQ
23 Dolphin Street, Manchester, M12 6BG
29 Hyde Road, Manchester, M12 6BQ
40 Higher Ardwick, Manchester, M12 6DA
MULTI CLICK MEDIA LIMITED, First Floor, 24 Harkness Street, Manchester, M12 6BT
132 Higher Ardwick, Manchester, M12 6DA
5 Universal Square, Devonshire Street North, Manchester, M12 6JH
Flat 2, 35 Hyde Road, Manchester, M12 6BQ
Ground Floor, 19 - 21 Dolphin Street, Manchester, M12 6BG
Dalberg House, Dalberg Street, Manchester, M12 6BG
25 - 27 Harkness Street, Manchester, M12 6BT
Horizon House, Harkness Street, Manchester, M12 6BT
Apex House, Devonshire Street North, Manchester, M12 6JQ
Ground Floor To Fifth Floor, Apex House, Devonshire Street North, Manchester, M12 6JQ
Manchester College Of Arts And Technology, Hyde Road, Manchester, M12 6BA
Flat 3, 33 Hyde Road, Manchester, M12 6BQ
Flat 1, 33 Hyde Road, Manchester, M12 6BQ
8B Dolphin Street, Manchester, M12 6BG
24 Harkness Street, Manchester, M12 6BT
54 Higher Ardwick, Manchester, M12 6DA
Flat 6, 33 Hyde Road, Manchester, M12 6BQ
Flat 2, 33 Hyde Road, Manchester, M12 6BQ
Flat 1, 35 Hyde Road, Manchester, M12 6BQ
Flat 3, 35 Hyde Road, Manchester, M12 6BQ
Ground Floor Rear, Dalberg House, Dalberg Street, Manchester, M12 6BN
8 Dolphin Street, Manchester, M12 6BG
Flat 2, 31 Hyde Road, Manchester, M12 6BQ
33 Harkness Street, Manchester, M12 6BT
57 Hyde Road, Manchester, M12 6BH
71 - 73 Hyde Road, Manchester, M12 6BH
Fourth Floor, 37 - 45 Devonshire Street North, Manchester, M12 6JR
Flat 5, 33 Hyde Road, Manchester, M12 6BQ
Flat 4, 35 Hyde Road, Manchester, M12 6BQ
37 Hyde Road, Manchester, M12 6BQ
Flat 1, 29 Hyde Road, Manchester, M12 6BQ
First Floor, 37 - 45 Devonshire Street North, Manchester, M12 6JR
42 Higher Ardwick, Manchester, M12 6DA
31 Hyde Road, Manchester, M12 6BQ
Flat 6, 35 Hyde Road, Manchester, M12 6BQ
8A Dolphin Street, Manchester, M12 6BG
58 - 60 Higher Ardwick, Manchester, M12 6DA

Second Floor, 37 - 45 Devonshire Street North, Manchester, M12 6JR
Nicholls Sixth Form Centre, Ford Street, Manchester, M12 6BA
First Floor, 19 - 21 Dolphin Street, Manchester, M12 6BG
Ground Floor Front, Dalberg House, Dalberg Street, Manchester, M12 6BG
First Floor, 58 - 60 Higher Ardwick, Manchester, M12 6DA
AMZ FASHIONS LIMITED, Ground Floor, 24 Harkness Street, Manchester, M12 6BT
19 - 21 Dolphin Street, Manchester, M12 6BG
Third Floor, 37 - 45 Devonshire Street North, Manchester, M12 6JR
Flat 7, 33 Hyde Road, Manchester, M12 6BQ
Flat 1, 37 Hyde Road, Manchester, M12 6BQ
Second Floor, Dalberg House, Dalberg Street, Manchester, M12 6BN
First Floor, Dalberg House, Dalberg Street, Manchester, M12 6BN
22 Dolphin Street, Manchester, M12 6BG
Flat 1, 31 Hyde Road, Manchester, M12 6BQ
Ground Floor, 37 - 45 Devonshire Street North, Manchester, M12 6JR
Fifth Floor, 37 - 45 Devonshire Street North, Manchester, M12 6JR
Unit 1A, 132 Higher Ardwick, Manchester, M12 6DA

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA