

## **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](mailto:planning@manchester.gov.uk)

## **Town & Country Planning Act 1990 (as amended)**

### **Planning Permission**

#### **Applicant**

Manchester Life Development Company 3  
Limited  
C/o Agent

#### **Agent (if used)**

Frances Hampson  
Deloitte  
Hanover Building  
Corporation Street  
Manchester  
M4 4AH

### **Part 1 – Particulars of the application/development**

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**Proposal:** Variation of planning permission 130354/FO/2021 to vary planning conditions 2, 5, 10, 15, 17, 20, 21, 25, 26, 27, 32, 33, 36, 43 and 45 to make elevational alterations, reconfigure internal floor space to increase number of apartments and reduce the commercial floor space, reduce building height and make amendments to the landscaping

**Location:** Eliza Yard, Manchester, M4 6JW

**Date of application:** 16 February 2024

**Application number:** 139288/JO/2024

### **Part 2 – Particulars of decision**

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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**

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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, traffic and air quality impacts. Further work and discussion have taken place with the applicant through the course of the application. The proposal is considered to be acceptable and therefore determined within a timely manner.

### **Condition(s) attached to this decision**

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- 1) The development must be begun not later than the 30 July 2024.

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

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

Drawings and documents submitted as part of 139288/JO/2024

EYJW-PRP-BC-00-DR-A-020000  
EYJW-PRP-BC-ZZ-DR-A-020001  
EYJW-PRP-BC-07-DR-A-020007  
EYJW-PRP-BC-RF-DR-A-020008  
EYJW-PRP-BC-ZZ-DR-A-020040  
EYJW-PRP-BC-ZZ-DR-A-020050  
EYJW-PRP-BC-ZZ-DR-A-022000  
EYJW-PRP-BC-ZZ-DR-A-021000  
EYJW-PRP-BC-ZZ-DR-A-021001  
EYJW-PRP-BC-ZZ-DR-A-021020  
EYJW-PRP-BC-ZZ-DR-A-021040  
EYJW-PRP-BC-ZZ-DR-A-021041  
EYJW-PRP-BC-ZZ-DR-A-021042  
EYJW-PRP-BC-ZZ-DR-A-021043  
EYJW-PRP-BC-ZZ-DR-A-020060  
EYJW-GIL-EX-00-DR-L-000101\_P02  
EYJW-GIL-EX-00-DR-L-000102\_P02  
EYJW-GIL-EX-00-DR-L-000103\_P02  
EYJW-GIL-EX-00-DR-L-000104\_P02  
EYJW-GIL-EX-00-DR-L-000105\_P03  
EYJW-GIL-EX-00-DR-L-000106\_P02  
EYJW-GIL-EX-00-DR-L-000401\_P02

received by the City Council, as Local Planning Authority, on the 16 February 2024

Environmental Standards Statement prepared by Buro Happold; Ventilation Compliance Statement prepared by Ameen; Planning Noise Report prepared by Sandy Brown; Waste Management Pro-Forma prepared by PRP (with Design and Access Addendum); Viability Statement prepared by Savills; Design and Access Addendum prepared by PRP Architects; Flood Risk Compliance Statement prepared by Robert Bird Group received by the City Council, as Local Planning Authority, on the 16 February 2024

Drawings and documents approved under Non material amendment 136202/NMC/2023

9033-CUR-XX-00-DR-C-92503-P02) has been prepared by Curtins received by the City Council, as Local Planning Authority, on the 8 February 2023

Drawings and documents approved under Non material amendment 135077/NMC/2022

- Drawings 9033-BA-XX-XX-DR-A-(05)001 Rev T5 and 9033-BA-XX-XX-DR-A-(05) 002 Rev T5 received by the City Council, as Local Planning Authority, on the 14 October 2022

- Drawing ref. 9033-CUR-XX-FNDR-S-(04)000 Rev T04), 9033-CUR-XX-GFDR-S-(04)001 Rev T03, 9033-BA-XX-00-DR-A-(04)000

Rev T6, 9033-BA-XX-XX-DR-A-(05)003 Rev T4), 9033-BA-XX-XX-DR-A-(05)010 Rev T2 and 9033-BA-XX-XX-DR-A-(21)000-T5 received by the City Council, as Local Planning Authority, on the 30 September 2022

Environmental Standards and Energy Statement document prepared by Buro Happold (dated May 2022); and overheating and Performance Review Design Note prepared by Buro Happold (dated May 2022) received by the City Council, as Local Planning Authority, on the 29 September 2022

Drawings and documents approved under planning permission 130354/FO/2021

#### Supporting Information

Design and Access Statement by Buttress, Heritage Assessment by Buttress, Archaeological Desk Based Assessment by Buttress, Flood Risk Assessment and Drainage Strategy by Curtins, Environmental Standards and Energy Statement by Buro Happold, Sustainability Statement by MLDC/ Buro Happold, Acoustic Report by Sandy Brown, Air Quality Assessment by Hoare Lea, Phase 2 Geo-environmental Survey (including Ground Gas Assessment) by E3P, Ecology Report by Tyler Grange, Arboricultural Impact Assessment and Method Statement by Tyler Grange, Transport Statement by Hydrock, Framework Travel Plan by Hydrock, Framework Construction Management MLDC, Local Benefit Scheme by MLDC, Crime Impact Statement by GMP, Ventilation Strategy by Buro Happold, Daylight and Sunlight Impact Assessment by GIA, TV Reception Survey and Broadband Connectivity Assessment by Pager Power, Residential Management Statement by MLDC, Financial Viability Assessment by Savills, Statement of Consultation by Deloitte LLP, Planning Statement by Deloitte LLP

The above documents were stamped as received by the City Council, as Local Planning Authority, on the 11 May 2021

Phase 1 Geoenvironmental Assessment, Manchester Life Phase 3, Land to the north of Jersey Street, E3P, Reference: 13-729-R1, Dated: 14 February 2020, Calibration certificates Dated 2018 to 2021, and Waste Management and Servicing Strategy (including MCC's Waste Proforma) by Buttress stamped as received by the City Council, as Local Planning Authority, on the 5 July 2021

Design and access statement 'Window Soffits' Addendum stamped as received by the City Council, as Local Planning Authority, on the 14 July 2021

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) The piling shall be carried out in accordance with the Piling Assessment prepared by Curtins (ref. 076740-CUR-00-XX-RP-GE-002 Revision: P01) received by the City Council, as Local Planning Authority, on the 22 February 2023 (as approved under CDN/23/0127)

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

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) The drainage for the development shall be carried out in accordance with Drainage documentation received by the City Council, as Local Planning Authority, on the 22 February 2023 and Email dated the 29 March 2023 from Ian Knight (as approved under CDN/23/0127)

(b) The 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).

6) 1. The development shall be carried out in accordance with the Written Scheme of Evaluation (WSI) for an archaeological evaluation, mitigation and watching brief Project: Eliza Yard, Ancoats Planning Reference: 130354/FO/2021 Version: February 2023 v1 by Salford Archaeology stamped as received on 31/05/23 (as approved under CDN/23/0323). The development shall be carried out in accordance with this document. Prior to the first occupation of the development, the following shall be submitted for approval in writing by the City Council, as Local Planning Authority.

2. A programme for post-investigation assessment which will include production of a final report on the investigation results.

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

4. Dissemination of the results of the archaeological investigations commensurate with their significance.

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

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

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policies EN3 of the Manchester Core Strategy (2012) and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995).

7) a) The development shall be carried out for phase 2 in accordance with Eliza Yard, Remediation Strategy, Curtins Ref: 076740-CUR-00-XX-RP-GE-003 Revision: C02 Issue Date: 23 February 2023 by Curtins stamped as received on 23-05-23; as

supplemented and amended by the following: Mace Covering e-mail stamped as received 14-11-23, Eliza Wharf Remedial Strategy Addendum by DB Remediation 18-10-23, Eliza and Jersey Remediation strategy section drawings showing Membranes highlighted by specialist manufacturers RIW Using products Products Gas Seal HC & Structureseal GPT (as relevant to Eliza's Yard), RIW GAS SEAL HC Technical and RIW STRUCTURESEAL GPT Brochures (as approved under CDN/23/0323)

(b) A watching brief for unexpected contamination shall be maintained for the duration of Phase 1.

c) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority, prior to the first occupation of the residential element 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) The development shall be carried out in accordance with the Construction Management Plan received by the City Council, as Local Planning Authority, on the 22 February 2023 (as approved under CDN/23/0127)

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

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

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy.

9) Prior to the commencement of any above ground floor slab works, all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel in accordance with drawing ref. EYJW-PRP-BC-ZZ-DR-A-020060) received by the City Council, as Local Planning Authority, on the 16 February 2024 and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick and a strategy for quality control management.

The approved materials 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 window reveals and soffits for the development shall be carried out in accordance with window soffits addendum to the design drawings EYJW-PRP\_BC-ZZ-DR-A-021042 and EYJW-PRP-BC-ZZ-DR-A-021043 received by the City Council, as Local Planning Authority, on the 16 February 2024

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) a) Prior to the commencement of Phase 2 of the development, as detailed drawing 9033-CUR-XX-00-DR-C-92503-P02 received by the City Council, as Local Planning Authority, on the 8 February 2023, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

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

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work associated with the development being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

12) Prior to the installation of the boundary treatment, details of the boundary treatment shall for the development be submitted for approval in writing by the 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 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 - 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.

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

For the avoidance of doubt the scheme shall include the following:

- Verification report providing photographic evidence of construction; and
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

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).

14) The development hereby approved shall be carried out in accordance with the Environmental Standards and Energy Statement document prepared by Buro Happold (dated May 2022); and overheating and Performance Review Design Note prepared by Buro Happold (dated May 2022) received by the City Council, as Local Planning Authority, on the 29 September 2022 and the Environmental Standards and Energy Statement prepared by Buro Happold and Eliza Yard Ventilation Compliance Statement prepared by Ameen, received by the City Council as Local Planning Authority on 16 February 2024

A post construction review certificate/statement for 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.

15) Notwithstanding drawings EYJW-GIL-EX-00-DR-L-000101\_P02, EYJW-GIL-EX-00-DR-L-000102\_P02, YJW-GIL-EX-00-DR-L-000103\_P02, EYJW-GIL-EX-00-DR-L-000104\_P02, EYJW-GIL-EX-00-DR-L-000105\_P03, YJW-GIL-EX-00-DR-L-000106\_P02, EYJW-GIL-EX-00-DR-L-000401\_P02 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024, (a) prior to any works commencing on the hard and soft landscaping scheme (including appropriate materials, specifications) details shall be submitted for approval in writing by the City Council as Local Planning Authority.

(b) The approved scheme shall be implemented prior to the first occupation of the residential element 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.

16) (a) Prior to the first occupation of the development, details of any externally mounted ancillary plant, equipment and servicing 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<sub>aeq</sub>) below the typical background (L<sub>a90</sub>) level at the nearest noise sensitive location.

(b) Prior to the first occupation of the development, a verification report 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. A verification report and measures shall be agreed until such a time as the development complies with part (a) 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. Any measures shall 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).

17) (a) Notwithstanding the Acoustic Report by Sandy Brown stamped as received on the 11

May 2021, and the Planning Noise Report prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority on 16 February 2024, prior to the first use of each commercial unit as indicated on drawing EYJW-PRP-BC-00-DR-A-020000, a scheme of acoustic insulation for the commercial units shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) Prior to the first use of each of the commercial units, a verification report 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. A verification report and measures shall be agreed until such a time as the development complies with part (a) 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.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

18) Notwithstanding the Acoustic Report by Sandy Brown stamped as received by the City Council, as Local Planning Authority, on the 11 May 2021, and the Planning Noise Report prepared by Sandy Brown stamped as received by the City Council as Local Planning Authority on the 16 February 2024 prior to the first occupation of the development a scheme for acoustically insulating the proposed residential accommodation against noise from the local traffic network 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 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 the development, a verification report 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. A verification report and measures shall be agreed until such a time as the development complies with part (a) 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.

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) The development shall be carried out in accordance with the Waste Pro-Forma (appended to the Design and Access Statement) produced by PRP, stamped as received by the City Council as Local Planning Authority on 16 February 2024. The details of the approved scheme shall be implemented prior to the first use of the residential element and shall remain in situ whilst the use or development is in operation.

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

20) Prior to the first use of each of the commercial units, as indicated on drawing EYJW-PRP-BC-00-DR-A-020000 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024, should fume extraction be required, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial units pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

21) Prior to the first use of each of the commercial units as indicated drawing EYJW-PRP-BC-00-DR-A-020000 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024,, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each commercial units and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

22) 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. Prior to the first occupation of the development, full details of such a scheme for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation 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 and ensure that lighting is installed which is sensitive to the bat environment the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

23) 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.

24) Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

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).

25) The commercial units hereby approved, EYJW\_PRP-BC-00-DR-A-020000 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024, shall not be open outside the following hours:-

Monday to Saturday 08:00 to 23:30  
Sundays (and Bank Holidays): 10:00 to 22:00

There shall be no amplified sound or any amplified music at any time within the unit.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

26) The commercial units as shown on drawing EYJW-PRP-BC-00-DR-A-020000 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024, shall remain as separate units and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

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

27) The commercial units, as indicated on EYJW\_PRP-BC-00-DR-A-020000 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024, can be occupied as Use Class E (excluding convenience retail and a gymnasium) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification). The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). 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) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties 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 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended),

or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity 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) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 11 May 2020. The development shall only be carried out in accordance with these approved details. Prior to the first occupation of the development, the Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

31) The development hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 11 May 2020.

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 the development, a Travel Plan for the development 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).

32) Prior to the first occupation of the residential element, the 126 space cycle store shall be implemented in accordance with drawing EYJW-PRP-BC-00-DR-A-020000 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024 and thereafter retained and maintained in situ.

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

33) Prior to the first occupation of the residential element of the development hereby approved, the two disabled car parking spaces, as indicated on drawing EYJW-PRP-BC-00-DR-A-020000 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024 shall be implemented, made available and remain in situ for as long as the development remains in use.

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

34) Prior to the first occupation of the residential element of the development, a scheme of highway works and details of footpaths reinstatement/public realm for the development 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:

- Footway reinstatement including provision of street trees and tactile paving;
- Dropped crossings to facilitate entrance to the car parking spaces
- Introduction of Traffic Regulation Orders within the vicinity of the development
- Creation of a loading bay to Poland Street.

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

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

35) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 11 May 2020, within one month of the practical completion of the development, 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 to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before the development is first occupied or within one month of the study being submitted for approval in writing 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.

36) Prior to the first occupation of the residential element, the installation 2 7kw fast charging electric car charging points to the disabled bays, as shown on drawing EYJW-PRP-BC-00-DR-A-020000 stamped as received by the City Council, as Local Planning Authority, on the 16 February 2024, shall be implemented and remain available for as long as the development is in.

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

37) Prior to the first occupation of the development hereby approved, details of bird and bat boxes to be provided (including location and specification) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason - To provide new habitats for birds and bats pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

38) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

39) Prior to the first occupation of the development, a signage strategy for the entire buildings 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).

40) All windows at ground level with the exception of the WC and, unless shown otherwise on the approved drawings detailed in condition 2, shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

41) The development hereby approved shall include for full disabled access to be provided to the internal courtyard and communal walkways and via the main entrances and to the floors above.

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

42) No doors (other than those designated as fire exits) shall open outwards onto adjacent pedestrian routes.

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

43) Prior to the installation of any solar panels to the roof their siting, scale and appearance (including cross sections) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The solar panels should be installed in accordance with the approved details 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).

44) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

45) The Jersey Street/redundant canal arm corner shall be carried out in accordance with Drawings 9033-BA-XX-XX-DR-A-(05)001 Rev T5 and 9033-BA-XX-XX-DR-A-(05)002 Rev T5 received by the City Council, as Local Planning Authority, on the 14 October 2022

- Drawing ref. 9033-CUR-XX-FNDR-S-(04)000 Rev T04), 9033-CUR-XX-GFDR-S-(04)001 Rev T03, 9033-BA-XX-00-DR-A-(04)000 Rev T6, 9033-BA-XX-XX-DR-A-(05)003 Rev T4) and 9033-BA-XX-XX-DR-A-(05)010 Rev T2 received by the City Council, as Local Planning Authority, on the 30 September 2022. The approved elevations shall then be implemented as part of the development (as approved under CDN/22/0705).

Reason - In the interest of the visual amenity of this part of the building and the proper planning of the area pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

## **Informatives**

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### **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:

[www.manchester.gov.uk/info/100011/roads\\_parking\\_and\\_transport/1988/naming\\_and\\_numbering\\_of\\_houses\\_buildings\\_streets\\_and\\_roads/2](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.

Date: 4 July 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](http://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](mailto:planning@manchester.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](http://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 their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

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