

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139860/JO/2024

Date registered valid: 23 April 2024

Proposal: Variation of Conditions 2 (specified plans), 3 (construction management), 4 (contaminated land), 7 (external plant), 8 (plant verification), 9 (acoustics) and 11 (waste) and removal of condition 16 (green roof) attached to planning permission 136359/FO/2023 to allow for omission of the biodiverse canopy and replacement with individual canopies, reduction in retail/commercial space, reduction in trees, reduction in cycle parking, increased spacing between car parking spaces, new servicing and loading bay, reduction of green space and inclusion of roof-mounted PV arrays

Address: Corner Of Reliance Street And Oldham Road, Manchester, M40 1EZ

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Iduna Evci Asset Co 1 Limited

Agent (if any): Mrs Larna Smith Avison Young

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 19.07.2024

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Retail

Date of site visit: 10.07.2024 & 22.03.2023

Standard consultations:

Printed: 7 May 2024 Expired: 29 May 2024

Neighbour notifications

Printed: 7 May 2024 Expired: 29 May 2024

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site is a cleared area of land comprising hardstanding and scrub with boundary railing fence surrounding the site. A vehicular access point is evident on Reliance Street and onto Oldham Road serving the site that used to contain a petrol filling station. The site lies within the defined Newton Heath District Centre boundary although separated by the remainder of the district centre by Oldham Road which comprises four lanes of traffic (2 lanes in either direction) at this point. There are double yellow lines on the Oldham Road frontage, with no parking restrictions present on Reliance Street except those protecting the junction with Oldham Road. To the east is a light controlled junction with Droylsden Road and keep clear boxes protect the right turn from Oldham Road into Reliance Street. There are pavements to the Oldham Road and Reliance Street frontage.

To the immediate west of the site is a four storey residential apartment block (083536/FO/2007/N1) which was developed as part of a wider residential redevelopment comprising two storey dwellinghouses and taller apartment blocks. To the rear (north) is a two storey retail unit (Class E) and associated car parking area whilst on the opposite side of Reliance Street to the east is a car wash facility and MOT testing premises. To the south on the opposite side of Oldham Road is a construction site associated with the development of previously cleared land for the provision of 100 no. apartment block (4/5 storeys) with ground floor commercial uses and 39 no. two and three storey dwellinghouses (125990/FO/2020).

Description of development

Planning approval 136359/FO/2023 was granted in May 2023 for the redevelopment of the application site for “Change of use of site and creation of an electric forecourt comprising 16 no. electric vehicle charging points (Sui Generis use), with associated canopy/bio-diverse roof structure, erection of single storey retail unit (Use Class E), hard and soft landscaping, access arrangement and other associated infrastructure.”

The current application seeks to amend the approved scheme through changes to the position and size of the retail unit on the site omission of the canopy roof over the EV charging spaces and reorganisation of the parking spaces. The amendments are proposed to improve the quality and spacing around the charging spaces to ensure they meet the latest requirements and best practice and to improve the buildability and viability of the provision of the forecourt.

The proposals have been amended since first submission to improve the planting to the Oldham Road frontage and to reincorporate a green roof to the retail unit.

Since the original planning approval, the applicant has sought to discharge a number of conditions associated with the permission and this is reflected in the proposed conditions where relevant.

Consultations & Notification Responses

The application was subject of notification of residents and consultees. No responses were received from neighbours and a summary of comments from consultees is set out below.

MCC Environmental Health – Comments remain the same as for 136359/FO/2023 which recommended a number of conditions relating to acoustic insulation of building, delivery hours, opening hours to be agreed, external plant and equipment insulation, lighting, contaminated land and waste management. As part of a number of condition discharges land contamination (condition 4), construction management (condition 3), and acoustic mitigation (condition 7) have been discharged condition 7 was discharged on the basis of the new amended layout subject of this application.

MCC Flood Risk Team - A comprehensive site-specific investigation was not conducted, leaving insufficient evidence to rule out infiltration. The assumption regarding infiltration was based on BGR records located 170 meters to the east. Therefore, a detailed site-specific investigation is necessary. A blockage risk assessment must be undertaken as part of the drainage strategy to support proposed flows less than 5 l/s. Evidence of UU agreement in principle is required. The LLFA require construction details of flow control and SuDS elements. A condition is still recommended to be applied to any approval of this amended proposal.

MCC Arborists – Accept the proposed planting plan given the sites limitations.

MCC Highways Services - All previous comments in relation to the original application (reference number 136359/FO/2023) remain relevant for the development in terms of highway amendments, cycling parking, construction management and servicing requirements.

GMEU - The updated biodiversity net gain assessment confirms that there will still be significant net gain on the site. Therefore GMEU have no objection to the removal of the green roof.

Policy

Manchester Core Strategy Development Plan Document (July 2012) The relevant policies within the Core Strategy are as follows:

Policy SP1 'Spatial Principles – This is a development site within Newton Heath District Centre. The proposal would have a positive impact on visual amenity and the character of the area.

Policy EN1 'Design principles and strategic character areas' - This high-quality scheme would enhance the local area.

Policy C1 'Centre Hierarchy' – The development is considered to support the local catchment area and the vitality and viability of Newton Heath District Centre.

Policy C2 'District Centres' – The provision of a commercial scheme within the district centre would support the vitality and viability of the centre. The proposal would adopt sustainable building design and contribute towards climate change objectives through provision of electric vehicle charging points to the locality.

Policy C4 'East Manchester District Centres - Eastlands, Gorton, Newton Heath and Openshaw' – This proposal offers a commercial development within the District Centre. Newton Heath is identified as a location for additional retail provision for high quality development.

EN4 'Reducing CO2 emissions by enabling low and zero carbon development' – The proposal would have energy efficient fabric and incorporate PV panels on the roof of the building. The proposals would also provide the opportunity for charging electric vehicles.

Policy EN6 'Target framework for CO 2 reductions from low or zero carbon energy supplies' - The buildings functions would seek to reduce overall energy demands. The building fabric is considered to be high quality. Renewable energy would be used on site to ensure sustainable energy is used.

Policy EN9 'Green Infrastructure' – The development would provide trees and sedum roofs to the building which would have biodiversity benefits.

Policy EN14 'Flood Risk'- A scheme to minimise surface water runoff would be agreed.

Policy EN15, 'Biodiversity and Geological Conservation' - The site has limited ecological value and the planting proposed would represent a significant biodiversity enhancement. It was noted at the time of the site visit that the site had been cleared.

Policy EN16 'Air Quality' - The proposal would not compromise air quality and would include measures to minimise the impact on air quality.

Policy EN18, 'Contaminated Land' – The ground conditions at the site are likely to be constrained due to historic uses of the land.

Policy DM1 'Development Management' - Careful consideration has been given to the design, scale and layout of the building. For the reasons given below, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

The Unitary Development Plan for the City of Manchester (1995) The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

DC23 – Petrol Filling Stations - Regard to the general location of such proposals and amongst other matters the effect on amenities of neighbouring occupiers. The Council will normally accept the principle of developments of this kind in industrial and commercial areas; in residential areas as part of a larger redevelopment scheme; along major traffic routes.

DC26, Development and Noise - The impact from noise sources would be minimised and further mitigation would be secured by planning condition.

E3.3- The proposal would provide a high quality building along Oldham Road and would enhance the appearance of this main radial route. For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Places for Everyone (March 2024)

Places for Everyone - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. As it has now been adopted it forms part of Manchester's development plan.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

Relevant policies of PfE in this instance are:

JP-S1: Sustainable development

JP-S2: Carbon and Energy

JP-S5: Flood Risk and the Water Environment

JP-P1: Sustainable Places

The proposals are considered to be consistent with the general thrust of policy within PfE.

NPPF (December 2023)

The NPPF confirms that 'local planning authorities should approach decision making on proposed development in a positive and creative way', working proactively with applicants to secure development that will improve the economic, social and environmental conditions of the area.

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Issues

Principle – The general principle of the proposals has previously been considered acceptable on this site. The proposals seek amendments to the previous approval in terms of the sites layout and scale of the retail unit and these are considered in full in the remainder of this report.

The use of a site within a defined District Centre for a commercial use is generally considered to be acceptable. The switch from petrol and diesel motor vehicles requires the provision of infrastructure to support the use of alternative zero emission vehicles. In this instance the proposals would utilise a former petrol filling station site to provide a commercial facility to enable users of electric vehicles to charge them. There is no in principle objection to such a use and it should be acknowledged that a range of developments are required throughout the city to enable a switch to zero emission vehicles irrespective of a wider debate about a reduction in the use of private vehicles. In this instance further consideration of impacts on residential amenity and visual amenity is required together with consideration of highway and pedestrian safety impacts.

Design Changes – The proposals seek a departure from the original consent in terms of:

- the removal of the 'bio-diverse' canopy over the charging spaces and replacement with smaller individual canopies
- reduction in retail floorspace from 175sqm to 73sqm
- reduction in green space from 280sqm to 250sqm
- increase in spacing between car parking spaces
- inclusion of new servicing and loading bay
- inclusion of pv array and green roof to the retail unit.

The proposals have undergone further amendments since they were first submitted to increase soft landscaping to the Oldham Road frontage through the inclusion of a hedge, and reprovision for 5 Sheffield cycle stands. The number of electric vehicle charging points remains as 16 with access to the site still provided off Reliance Street.

The applicant has set out the rationale for these changes with the loss of the canopy above the charging spaces being so the spacing between charging units can meet up to date British standards and to ensure all spaces can be accessed by disabled and older people. to ensure the spaces meet the most up to date regulations and provide adequate spacing between charging spaces.

The changes to the retail unit are as a result with potential tenants and their needs for reduced floorspace.

The general principle for the proposed changes is noted. Further consideration of the application is set out below.



Scheme as previously approved

Scheme as proposed

Residential Amenity – Noise, Privacy, Overlooking etc The proposals are accompanied by a Noise Impact Assessment and subsequent to the original planning approval further details have been provided based upon the updated layout that discharged the noise condition (7) attached to the approval.

The submitted assessments have undertaken to review day and night time impacts given the proposed 24 hour use of the proposal. As such whilst the site layout has been amended it is considered that the proposals would not give rise to unacceptable levels of noise to nearby residential properties given the existing baseline noise environment in this area. Conditions are proposed to ensure that external plant and equipment meet the relevant criteria and that the building is acoustically treated to minimise noise outbreak in accordance with the approved acoustic report submitted to discharge condition 7.

Given the nature of the equipment to be used it is not envisaged that this would generate significant noise impacts, it is likely that users of the facility would either wait within their vehicle whilst charging or use the proposed commercial unit to wait.

Due to the reorientation of the proposed building as part of this variation application it is considered necessary to add a further condition to ensure the opening hours of the retail unit are controlled to protect the amenity of residential properties to the south of the site and newer properties being constructed on the opposite side of Oldham Road (although it is acknowledged that the separation by the four lanes of Oldham Road would reduce potential impacts on occupiers of these properties).

It is not considered that the proposals would give rise to impacts on residential amenity associated with noise that would warrant refusal of the application, the site is located within a district centre alongside a busy arterial road, as such existing and future residential occupiers within the area would experience a differing noise climate to other more solely residential areas.

It is not considered that the proposals would give rise to impacts in terms of overlooking or loss of privacy. Oldham Road is a busy arterial route and as such nearby existing and proposed residential properties would already experience a level of activity of vehicles and pedestrians passing by road facing windows. The proposals are sufficiently separated from adjacent residential properties and those under construction opposite to not be considered to give rise to impacts in terms of loss of privacy or overlooking.

Visual Amenity - The current site contributes negatively towards the street scene and area having been vacant for a number of years with poor quality boundary treatments and retained hardstanding on the site. The application proposals offer an opportunity to enable this district centre site to contribute positively towards Oldham Road and the Newton Heath area. The inclusion of a detailed landscaping scheme would enhance and lift the area. Final details of materials and landscaping have been provided and are considered acceptable in this location and would enable a robust contemporary finish to the retail unit.

Sustainability – The proposals would provide off street electric vehicle charging points, this infrastructure would assist in providing required facilities to enable the switch to zero emission vehicles and contribute towards improvements to air quality in the city.

The building would utilise renewable energy through provision of roof top PV panels and air source heat pumps.

The inclusion of substantial landscaping scheme at the site together with the inclusion of a green roof to the retail unit would ensure that biodiversity gains are secured through the development. Further information has also been provided in relation to the maintenance and management of the landscaping. These details are considered acceptable and mitigate the loss of the green roof that was to be installed on the canopy above the charging points. The submitted BNG assessment confirms that well in excess of 10% net gain would be secured on site. This is acceptable.

Highways – Previous concern was raised regarding the potential for non EVs to park on surrounding streets to utilise the commercial unit. Whilst there is the potential for this to happen there is a clear link between the commercial unit and electric vehicle charging points. The unit is of a small scale (further reduced as part of this amended scheme) and is not considered to necessarily become a destination in its own right other than associated with the charging of EVs. There are parking restrictions in place on Oldham Road and its junction with Reliance Street, whilst there are no on street restrictions on Reliance Street. On balance it is not considered that the proposals would give rise to levels of on street parking that would warrant refusal of the proposals.

It is not considered that the proposals would give rise to impacts on pedestrian safety, pavements around the site would be retained and the redundant cross over is to be made good to ensure it provides a continued level pavement around the Oldham road frontage.

Crime and disorder – The proposals do potential give rise to issues relating to potential crime and disorder associated with the use. However, it is understood the business would be largely cashless and would have a member of staff at the site whilst open. The use of the site would provide additional natural surveillance of the area and it is noted that with the residential development opposite would offer a change to the level and type of activity that would be present in this location which is currently absent. As such the proposals offer the removal of a current vacant site with activity that would provide surveillance of the surrounding roads and properties. As such together with a condition that the development achieves secured by design accreditation the proposals are considered acceptable.

Waste – The site can accommodate waste storage facilities and these are generally shown on the submitted drawings. However, further details were required to show bins for pulpal waste and a condition is proposed to be reimposed on consent to deal with this matter.

Lighting – A lighting scheme was previous prepared and assessed. This was considered to be generally acceptable save for a verification report being prepared prior to first use that the approved scheme has been installed and operates in line with the lighting consultants scheme. Given the layout changes to the site including the reorganisation of lighting on the site and whilst it is generally considered that a lighting scheme can be successfully installed that does not give rise to unacceptable impacts, it is considered necessary to amend the condition for a full lighting scheme based upon the revised layout to be submitted for approval and a verification report prepared.

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

The application has been determined in a positive and proactive manner, in this instance amendments were requested from the applicant. Suitably worded conditions are proposed to be attached to any planning approval.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The development must be begun not later than the expiration of three years beginning with the date of planning permission reference 136359/FO/2023 that date being 28th June 2023.

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:

Drawing references:

Oldham Road - Discharge of Condition 14 (Materiality) JULY 2024 received 12th July 2024

DR-A-3.1001 P18 PROPOSED SITE PLAN

612 - AT - ZZ - XX - DR - A - 3.2001 P9

EAST ELEVATION

612 - AT - ZZ - XX - DR - A - 3.2002 P8

WEST ELEVATION

612 - AT - ZZ - XX - DR - A - 3.2003 P7

SOUTH ELEVATION

612 - AT - ZZ - XX - DR - A - 3.2004 P7

NORTH ELEVATION

612 - AT - ZZ - XX - DR - A - 3.3001 P6

SECTION AA

612 - AT - ZZ - GR-DR - A - 3.1002 P9

ROOF PLAN

L_101 D PLANTING PLAN

Planting schedule 10.06.2024 Revision D

Be.EV - RELIANCE STREET . MANCHESTER 07 06 2024 REVISION G PLANTING - UPDATED LAYOUT

BE.ev Reliance Street, five year maintenance and management plan, FFLO Landscape Architects, 19 06 24 Revision B
Biodiversity Net Gain Assessment, Reliance Street, Manchester, Issued: June 2024
Lucion Delta-Simons Project No: 87687.544956
Design and Access Statement June 2024 Rev G
STEON – Neon Flex Steon Datasheet - 3
STEON – Harrier LED Steon Datasheet – 8
900350-002 Rev 3 Electricity North West
A3 ENW MM 02 GA Envico Engineering Ltd
All as received by the local planning authority on the 21 June 2024

CDN/24/0369 -Condition discharge document - : Noise Impact Assessment, Reliance Street, Manchester, Issued: April 2024, Lucion Delta-Simons Project No: 87687.544957
As received by the local planning authority on 7th May 2024

CDN/23/0645 – Condition discharge document - Outline Construction Management Plan 22nd September 2023 and including revised site logistics plan and Traffic Management Plan received by the local planning authority on 16th January 2024

CDN/23/0602 - Condition discharge documents - United Utilities Risk Assessment Guidance, Remediation & Verification Strategy March 2023, prepared by Delta-Simmons, Geo-Environmental Risk Assessment December 2022, prepared by Delta-Simmons, Preliminary Geo-Environmental Risk September 2022, prepared by Delta-Simmons received on the 4th September 2024

Local Labour Agreement ref PP-11652074 prepared by Avison Young
Noise Impact Assessment prepared by Delta-Simons Project No: 22-1496.03
87687.544957 Issued 17th May 2023 (Issue no.4)
Preliminary Geo-Environmental Risk Assessment prepared by Delta-Simons Project No: : 22-1496.01 Issued 27th September 2022 (Issue No.1)
Geo-Environmental Risk Assessment prepared by Delta-Simons Project No: 22-1496.04 / 87687.546937 Issued 22nd December 2022 (Issue No.1)
Remediation & Verification Strategy prepared by Delta-Simons Project No:87687.557155 Issued 16th March 2023 (Issue No.1)

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 construction of the development shall be carried out in accordance with the construction management plan details approved under condition discharge reference CDN/23/0645.

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

- 4) The remediation of the land shall be carried out in accordance with the approved ground condition reports as approved under condition discharge reference CDN/23/0602.

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 policy EN18 of the Core Strategy.

- 5) Prior to the installation of any drainage associated with the development details of a surface water drainage scheme in accordance with Non-Statutory Technical Standards

for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The submitted scheme shall include:

- A finalised drainage layout showing all components, discharge rates, outfalls, levels and connectivity;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;
- 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, i.e. at least a 50% reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates, as the site is located within Conurbation Core Critical Drainage Area;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;
- Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.
- Where surface water is connected to the public sewer, evidence of an agreement in principle from the Water utilities provider (United Utilities) is required that there is adequate spare capacity in the existing system taking future development requirements into account;
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.
- Management and maintenance plan for the lifetime of the development.

The development shall subsequently incorporate the approved drainage scheme.

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.

- 6) When the development commences it shall be carried out in accordance with the previously agreed Remediation Strategy (approved under condition 4 of this decision notice) and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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 in each phase 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 policy EN18 of the Core Strategy.

- 7) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the approved acoustic scheme set out within the documents approved under condition discharge reference CDN/24/0369. The approved scheme shall be implemented in full prior to the use of the installed equipment commences.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

- 8) Prior to the operation of any external plant, equipment and servicing acoustic insulation scheme installed on the site as approved under condition 7 of this decision notice, a verification report of the installed equipment shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise 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 agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

- 9) Prior to the first occupation of the retail unit hereby approved, a verification report shall be submitted to and approved in writing by the City Council as local planning authority. The report shall validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report in respect of the acoustic insulation and treatment of the approved development to limit the break out of noise. 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 agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

- 10)a) Within three months of the commencement of development full details of an external lighting scheme of the site and development including an assessment of levels of illumination of the proposed scheme, shall be submitted to and agreed in writing by the City Council as local planning authority.

- b) Prior to the first use of the approved lighting scheme a verification report shall be prepared and submitted to and agreed in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light scheme. 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 pursuant to policy DM1 of the Core Strategy.

11) Prior to the first use of the retail unit hereby approved, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to policy DM1 of the Core Strategy.

12) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the City Council as local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

13) Within 3 months of the commencement of development the following details for all off site highway works to facilitate the development shall be submitted to and approved in writing by the City Council as local planning authority: technical drawings and details of tactile paving to the vehicle access, together with details of the reinstatement of pavement across the redundant vehicle crossover on Oldham Road together with evidence that an application has been submitted for a section 278 agreement has been submitted to the local Highway Authority to undertaken the works. The agreed details shall be installed prior to the first use of the development.

Reason - In the interests of pedestrian and highway safety pursuant to policy DM1 of the Core Strategy.

14) The development hereby approved shall be carried out in accordance with the schedule of materials as detailed within the document titled "Oldham Road - Discharge of Condition 14 (Materiality) JULY 2024" as received by the City Council as local planning authority on the 12th July 2024.

Reason - In the interests of the visual amenity and character of the area pursuant to policy DM1 and SP1 of the Core Strategy.

15) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing references: L_101 Rev D, 10 06 2024 REVISION G PLANTING - UPDATED LAYOUT, Landscape Maintenance and Management Plan 19 06 24, and "Oldham Road - Discharge of Condition 14 (Materiality) JULY 2024"; shall be implemented not later than 12 months from the date of commencement of works. 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) Prior to the first occupation of the development hereby approved, details of the 'green roof' as identified on the approved plans together with a long term maintenance and management plan and timescale's for its implementation prepared by a suitably qualified specialist shall be submitted to and approved in writing by the City Council as local planning authority. The submitted details shall be installed within the previously agreed timescale and maintained and managed in accordance with the agreed details thereafter.

Reason - To ensure that biodiversity and sustainability measures proposed are installed and maintained thereafter in the interests of increasing biodiversity at the site and adapt to climate change pursuant to policies EN8 and EN15 of the Core Strategy.

17) The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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.

18) Prior to the first use of the development hereby approved, the electric vehicle charging points, cycle parking and charging points, and area for car parking as indicated on the approved plans shall be installed, laid out and demarcated.

Reason - To ensure that adequate parking and charging provision as divulged in the application submission is provided pursuant to policies DM1, EN4 and EN16 of the Core Strategy.

19) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential Accommodation pursuant to policy DM1 of the Core Strategy and Saved Unitary Development Plan policy DC26.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Ecology Unit
Greater Manchester Police
Manchester Cathedral

5 HADDON ROAD, WORSLEY, MANCHESTER, M28 2GP

Flat 18, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 15, 53 Ivy Graham Close, Manchester, M40 3AX

Unit 15B, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL

Units 1 To 3, Enterprise Park, Reliance Street, Manchester, M40 3AL

41 Ivy Graham Close, Manchester, M40 3AS

1071 Oldham Road, Manchester, M40 2EN

53 Ivy Graham Close, Manchester, M40 3AX

Flat 6, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 5, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 3, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 11, 53 Ivy Graham Close, Manchester, M40 3AX

Vehicle Repair Workshop Rear Of Unit 1, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL

Flat 1, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 23, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 20, 53 Ivy Graham Close, Manchester, M40 3AX

Unit 9, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL

43 Ivy Graham Close, Manchester, M40 3AS

Unit 7, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG

Flat 2, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 16, 53 Ivy Graham Close, Manchester, M40 3AX

1077 Oldham Road, Manchester, M40 2EN

Flat 21, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 19, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 10, 53 Ivy Graham Close, Manchester, M40 3AX

47 Ivy Graham Close, Manchester, M40 3AS

51 Ivy Graham Close, Manchester, M40 3AS

Flat 22, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 14, 53 Ivy Graham Close, Manchester, M40 3AX

Warehouse Adjacent Unit 16, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL

1073 Oldham Road, Manchester, M40 2EN

Flat 8, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 12, 53 Ivy Graham Close, Manchester, M40 3AX

1081 Oldham Road, Manchester, M40 2EN

T D AUTOCARE, Workshop, Lonsdale Street, Manchester, M40 2FT

Unit 16, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG

45 Ivy Graham Close, Manchester, M40 3AS

Unit 8, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL

1079 Oldham Road, Manchester, M40 2EN

Flat 24, 53 Ivy Graham Close, Manchester, M40 3AX

Flat 17, 53 Ivy Graham Close, Manchester, M40 3AX

The Amber Club, 1143 Oldham Road, Manchester, M40 2FU

Unit 1B, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG
Unit 1A, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
1133 - 1141 Oldham Road, Manchester, M40 2FU
Unit 2, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG
Unit 8A, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
Unit 1, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG
Focus Diy, Reliance Street, Manchester, M40 3EZ
49 Ivy Graham Close, Manchester, M40 3AS
1075 Oldham Road, Manchester, M40 2EN
Flat 9, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 7, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 4, 53 Ivy Graham Close, Manchester, M40 3AX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Manchester Cathedral Ownership - Manchester Cathedral Newton Heath Manor
Area Team Boundary - Name: NORTH AREA