MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Kempton Homes
C/o Agent

Agent (if used)

Mrs Caroline Payne
Emery Planning
Units 2 - 4 South Park Court
Hobson Street
Macclesfield
SK11 8BS

Part 1 – Particulars of the application/development

Proposal: Variation of conditions 10 (Servicing), 19 (BREEAM) and 30 (Use Restriction) attached to application ref no 131730/JO/2021

Location: Land Off Oldham Street And Spear Street, Manchester, M4 1LF

Date of application: 20 March 2024

Application number: 139580/JO/2024

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Condition(s) attached to this decision

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

The drawings referenced:

L(--)307 rev -,
696-SK-001,
696-SK-002,
696-SK-003,
696-SK-004

stamped as received by the City Council as local planning authority on 11th September 2015

A(21)001 rev -,

A(21)002 rev -,
A(21)003 rev -

stamped as received by the City Council as local planning authority on 12th October 2015

SK001 stamped as received by the City Council as local planning authority on 11th November 2015

L(sk)002 rev - stamped as received by the City Council as local planning authority on 20th January 2016

L(--)901 rev A stamped as received by the City Council as local planning authority on 11th February 2016

L(SK)005 rev - stamped as received by the City Council as local planning authority on 3rd March 2016

DE 001 Rev P01 and DR 001 Rev P01 received by the City Council as local planning authority on 11th June 2016

KEM-AB-DR-A(90)02 Rev A and KEM-AB-DR-A(90)03 Rev received by the City Council as local planning authority on 1st June 2018

OLD17-WRI-BB-00-DR-A-(22) 03 received by the City Council as local planning authority on 11 June 2018

OLD17-WRI-BB-00-DR-A-(72)04 and OLD17-WRI-AB-00-DR-A(27)01 Rev A received by the City Council as local planning authority on 2 October 2019

OSM-FEA-BA-00-DP-A-2200
OSM-FEA-BA-01-DP-A-2201 Rev P4
OSM-FEA-BA-02-DP-A-2202 Rev P4
OSM-FEA-BA-03-DP-A-2203 Rev P4
OSM-FEA-BA-04-DP-A-2204 Rev P4
OSM-FEA-BA-05-DP-A-2205 Rev P4
OSM-FEA-BA-06-DP-A-2206 Rev P4
OSM-FEA-BA-07-DP-A-2207 Rev P4
OSM-FEA-BA-R1-DP-A-2209 Rev P4
OSM-FEA-BA-L1-DP-A-2208 Rev P5
OSM-FEA-BB-00-DP-A-2200 Rev P5
OSM-FEA-BB-01-DR-A-2201 Rev P8
OSM-FEA-BB-02-DP-A-2202 Rev P8
OSM-FEA-BB-03-DP-A-2203 Rev P8
OSM-FEA-BB-04-DP-A-2204 Rev P8
OSM-FEA-BB-R1-DP-A-2205 Rev P6
OSM-FEA-BB-L1-DP-A-2206 Rev P4
OSM-FEA-BA-XX-DE-A-3700 Rev P3
OSM-FEA-BA-XX-DE-A-3701 Rev P3
OSM-FEA-BB-XX-DE-A-3701 Rev P3
OSM-FEA-BA-XX-DE-A-3702 Rev P4
OSM-FEA-BB-XX-DE-A-3702 Rev P4
OSM-FEA-BB-XX-DR-A-3703 Rev P4
OSM-FEA-BB-00-PL-A-0010 Rev P1

OSM-FEA-BA-XX-DE-A-3703 Rev P3
OSM-FEA-BA-ZZ-DE-A-3704 Rev P3
OSM-FEA-ZZ-ZZ-PL-A-0002 Rev P2
OSM-FEA-BA-L1-PL-A-0004 Rev P2
OSM-FEA-BA-ZZ-DD-A-6605 Rev P5

received by the City Council as local planning authority on 23 September 2024

The Shadow Casting Study prepared by EDSL stamped as received by the City Council as local planning authority on 3rd March 2016
The Vertical Sky Component Calculations stamped as received by the City Council as local planning authority on 3rd March 2016
The Daylight, Sunlight and Overshadowing report stamped as received by the City Council as local planning authority on 3rd March 2016
Points 8, 14, 24, 25, 46 of the Objections Response document stamped as received by the City Council as local planning authority on 8th January 2016
The Design and Access Statement dated 09/2015 rev A prepared by Hodder and partners and stamped as received by the City Council as local planning authority on 5th November 2015
The addendum to the Design and Access Statement, dated 09/2015 rev A prepared by Hodder and Partners in support of planning applications 110074 (2015) and 120586 (2019) received by the City Council as local planning authority on 9 April 2020
The Bauder Photovoltaic Systems product specification document stamped as received by the City Council as local planning authority on 4th March 2016
The Design for Access 2 : Checklist stamped as received by the City Council as local planning authority on 23rd November 2015
The document entitled 'The Review of Low and Zero Carbon Technologies for the provision of Sustainable Building Services to Satisfy Policies EN4 and EN6' stamped as received by the City Council as local planning authority on 25th November 2015
The Demolition Method Statement stamped as received by the City Council as local planning authority on 5th November 2015
The BREEAM UK New Construction 2014 Pre-Assessment Estimator stamped as received by the City Council as local planning authority on 19th November 2015
The Interim Travel Plan v2 prepared by WYG referenced A093376 and dated October 2015
The Transport Statement prepared by WYG referenced A093376 and dated October 2015
The Extended Phase 1 Habitat Survey prepared by bl ecology 0112_15 (RE01) V1 and dated 21st August 2015
Archaeological Desk Based Assessment prepared by Arc Heritage and numbered 2015/36 and dated August 2015
The Report on Preliminary Risk Assessment prepared by Ian Farmer Associates Limited referenced W15/41742 and dated August 2015
The completed Waste Management Proforma
Pedestrian Level Wind Microclimate Assessment Desk Study prepared by RWDI, referenced 1502809-DS and dated 17th August 2015
The Noise Impact Assessment prepared by Hann Tucker Associates referenced 22273/NIA1 Rev A and dated 23rd March 2016
The Television Reception Impact Assessments prepared by GTech Surveys Limited, referenced issue 1.0 and dated 24th August 2015
The Flood Risk Statement prepared by Civic Engineers referenced 696-01 and dated 25th August 2015
Crime Impact Statement prepared by Greater Manchester Police referenced 2015/0654/CIS/01 rev A and dated 24th August 2015

The Mechanical & Electrical Design Proposals Report prepared by S.I.Sealey referenced 12414 rev 03 and dated 16th October 2015
The Phase II Geo-Environmental Site Assessment prepared by e3p and dated January 2017 received by the City Council as local planning authority on 15 May 2018
The Remediation and Enabling Works Strategy prepared by e3p and dated March 2018 received by the City Council as local planning authority on 14 May 2018
The Gas Monitoring Certificate received by the City Council as local planning authority on 22 June 2018,
The Written Scheme of Investigation received by the City Council as local planning authority on 12 June 2018
The indicative timescale and the plan showing proposed evaluation trenches received by the City Council as local planning authority on 25 September 2018
The Construction Management Plan (CMP) prepared by Wright Investments Limited dated May 2018 received by the City Council as local planning authority on 1 June 2018
The Traffic Management Plan prepared by Curtins dated 7 June 2018 received by the City Council as local planning authority on 11 June 2018
The Below Drainage Specification prepared by Civic Engineers received by the City Council as local planning authority on 11 June 2018
The Waste Management Strategy Revision A received by the City Council as local planning authority on 2 October 2018
The Baseline Television and Television Reception Impact Assessment received by the City Council as local planning authority on 14 May 2018
The Tenancy Agreement Prior to Occupation Commercial Units A3 use received by the City Council as local planning authority on 18 October 2018
The Residential MHVR Datasheet received by the City Council as local planning authority on 2 October 2018
The Commercial and Kitchen Datasheet received by the City Council as local planning authority on 2 October 2018
The Bauder Solar Specification document received by the City Council as local planning authority on 2 October 2019
The Oldham Street Programme for the submission of materials information and sample panels received by the City Council as local planning authority on 25 July 2019
The submitted materials sample board
The Sample Panel Mark up, dated 24 July 2019
The report by Hann Tucker referenced 24535/AR1 and dated 24 May 2019
Statement to Support the Brickwork Sample Panel at Oldham Street, Manchester prepared by DLG Architects received by the City Council as local planning authority on 14 October 2020
Block A and B Bin Store sketches received by the City Council as local planning authority on 19 June 2020
The completed Duty of Care: Controlled Waste Transfer Note received by the City Council as local planning authority on 21 August 2020
Archaeological Watching Brief prepared by Wessex Archaeology dated June 2020 received by the City Council as local planning authority on 28 July 2020

The letter from Claire Hodder dated 5th October 2015 (points 20, 24 and 28 only)
The letter from Claire Hodder dated 11th November 2015 (point 7 only)
The letter from Claire Hodder dated 16th February 2016 in relation to Overlooking and Construction Noise and Pollution only
The letter from George Johnson of the Hookstone Group to Darren Wardle of Tricon UK Developments Limited dated 27 July 2020
The letters from Caroline Payne of Emery Planning dated 13 March 2020 and 9 April 2020

The emails from Claire Hodder dated 21st November 2015 and 3rd March 2016
The email from Paul Forshaw of Emery Planning dated 25 September 2018
The email from Caroline Payne of Emery Planning dated 13 December 2018, 19 June 2020 30 June 2020, 10 November 2020 and 11 November 2020
The email from Wiktoria Sypnicka of Emery Planning dated 11 January 2022

Drainage Maintenance and Management Plan prepared by Kempton Homes received by the City Council as local planning authority on 25 July 2022
Maintenance Data Sheet prepared by Radmat Building Products (Rev 1) received by the City Council as local planning authority on 27 June 2022
Operating & Maintenance Manual prepared by Cadmay Roofing Limited received by the City Council as local planning authority on 17 May 2022
Roof Parapet Detail (Drawing OSM-FEA-BB-XX-DD-A-6350 Revision C2 dated 25 April 2022) received by the City Council as local planning authority on 17 May 2022
Photographic Montage/Record of Roof received by the City Council as local planning authority on 17 May 2022

The Waste Strategy Plan Ground Level (Drawing OSM-FEA-B1-XX-PL-A-0006 Revision P1 dated 28 February 2022) - Received 17 May 2022
The Waste Strategy Plan Basement Level (Drawing OSM-FEA-B1-XX-PL-A-0007 Revision P1 dated 28 February 2022) - Received 17 May 2022
The Block A Bin Store (Drawing OSM-FEA-BA-L1-OL-A-0004 Revision P3 dated 01 July 2022) - Received 15 July 2022
The Block B Bin Store (Drawing OSM-FEA-BB-00-PL-A-0005 Revision P1 dated 01 July 2022) - Received 15 July 2022

The Acoustic Report prepared by Hann Tucker Associates (Reference 24535/AR1 dated 24 May 2019) received by the City Council as local planning authority on 17 May 2022
The document prepared by Lighthouse Acoustics (Reference 0718/le/06 dated 25 July 2022) received by the City Council as local planning authority on 25 July 2022

The Secured by Design Certification (Reference 2015/0654/SBD/01 dated 09 May 2022) received by the City Council as local planning authority on 17 May 2022

The Post-Construction Television Signal Survey prepared by GTech Surveys Limited (Reference Issue 0.1 dated 21 April 2022) received by the City Council as local planning authority on 17 May 2022.

The letter from Emery Planning dated 31 January 2024
The hood specifications received by the City Council as local planning authority on 2 February 2024
The drawing referenced 034_PLN_207 Rev P01 received by the City Council as local planning authority on 2 February 2024
The letter from Emery Planning dated 11 December 2023.

The letter from Emery Planning dated 31 January 2024
The email from Emery Planning dated 15 March 2024
The drawing referenced 034_PLN_205 Rev P01 received by the City Council as local planning authority on 2 February 2024.

The letter from Emery Planning dated 31 January 2024,
The email from Emery Planning dated 15 March 2024,

The NEW BX Eco-Connect+ Convection Oven specification document received by the City Council as local planning authority on 15 March 2024.
The Machine Noise Information document received by the City Council as local planning authority on 15 March 2024.
The letter from Emery Planning dated 11 December 2023

The letter from Emery Planning dated 1 May 2024 in relation to Conditions 10 and 19 only.
The Unit 1 Block B Companio Bakery Noise Impact Assessment prepared by Hann Tucker Associates received by the City Council as local planning authority on 23 April 2024.
The BREEAM UK Final Certificate numbered BREEAM-0073-1778 Issue 01 received by the City Council as local planning authority on 20 March 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SO1, SO2, SO3, SO5, SO6, EC1, CC1, CC3, CC4, CC5, CC6, CC7, CC8, CC9, CC10, H1, T1, T2, EN1, EN3, EN4, EN6, EN8, EN9, EN14, EN15, EN16, EN17, EN19, SP1 and DM1 of the Core Strategy, saved policies DC10.1, DC14.1, 14.2 and 14.3, DC18.1, DC19.1, DC20, DC26, RC20 (Area 10) of the Unitary Development Plan and Part 1 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

2) The proposals within the following documents shall have been carried out as part of the development:

Written Scheme of Investigation (WSI) received by the City Council as local planning authority on 12 June 2018,
The indicative timescale and the plan showing proposed evaluation trenches received by the City Council as local planning authority on 25 September 2018
The email from Paul Forshaw of Emery Planning dated 25 September 2018.
The Archaeological Watching Brief prepared by Wessex Archaeology dated June 2020 received by the City Council as local planning authority on 28 July 2020

These documents shall be deposited with the GM Historic Environment Record within 3 months of the date of this decision.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest and to record and advance understanding of heritage assets to be lost and make information about the archaeological heritage interest publicly available, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in Section 16 of the National Planning Policy Framework.

3) The measures for the investigation and remediation of the site shall have been completed as approved by the City Council as local planning authority under application reference CDN/18/0327 on 19 October 2018 and identified in the following documents:

- The Preliminary Risk Assessment prepared by Ian Farmer Associates LTD and dated August 2015 received by the City Council as local planning authority on 15 May 2018.
- The Phase II Geo-Environmental Site Assessment prepared by e3p and dated January 2017 received by the City Council as local planning authority on 15 May 2018.
- The Remediation and Enabling Works Strategy prepared by e3p and dated March 2018 received by the City Council as local planning authority on 14 May 2018.

- The Gas Monitoring Certificate received by the City Council as local planning authority on 22 June 2018.
- The Written Scheme of Investigation received by the City Council as local planning authority on 12 June 2018.
- The indicative timescale and the plan showing proposed evaluation trenches received by the City Council as local planning authority on 25 September 2018
- The email from Paul Forshaw of Emery Planning dated 25 September 2018
- The Completion / Verification Report prepared by Hookstone Demolition Limited dated 27 July 2020 received by the City Council as local planning authority on 21 August 2020
- The completed Duty of Care: Controlled Waste Transfer Note signed by D Wardle received by the City Council as local planning authority on 21 August 2020

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.

4) The Construction of the development hereby approved shall be carried out fully and only in accordance with the following information, as approved by the City Council as local planning authority under application reference 126586/JO/2018 on 3 January 2019:

The Construction Management Plan (CMP) prepared by Wright Investments Limited dated May 2018 and the Traffic Management Plan prepared by Curtins dated 7 June 2018.

The approved documents shall be adhered to throughout the construction period.

Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

5) The approved scheme for the implementation, maintenance and management of the sustainable drainage scheme shall be implemented and thereafter managed and maintained for the lifetime of the development fully and only in accordance with the information within the Below Drainage Specification prepared by Civic Engineers and shown on the drawings referenced DE 001 Rev P01 and DR 001 Rev P01 and the email from Caroline Payne of Emery Planning dated 13 December 2018 as approved by the City Council as local planning authority under application reference 120586/JO/2018 on 03 January 2019.

Reason - To promote sustainable development, secure proper drainage and to manage risk of flooding and pollution in accordance with policies EN8, EN14 and EN17 of the Core Strategy and the guidance within the NPPF and NPPG.

6) The following sustainable drainage scheme shall be complied with throughout the lifetime of the development:

Drainage Maintenance and Management Plan prepared by Kempton Homes received by the City Council as local planning authority on 25 July 2022
Maintenance Data Sheet prepared by Radmat Building Products (Rev 1) received by the City Council as local planning authority on 27 June 2022
Operating & Maintenance Manual prepared by Cadmay Roofing Limited received by the City Council as local planning authority on 17 May 2022
Roof Parapet Detail (Drawing OSM-FEA-BB-XX-DD-A-6350 Revision C2 dated 25 April 2022) received by the City Council as local planning authority on 17 May 2022
Photographic Montage/Record of Roof received by the City Council as local planning authority on 17 May 2022

Reason - To promote sustainable development, secure proper drainage and to manage risk of flooding and pollution in accordance with policies EN8, EN14 and EN17 of the Core Strategy and the guidance within the NPPF and NPPG.

7) The residential accommodation within the development shall be acoustically insulated against noise from Oldham Street and Spear Street fully and only in accordance with the information within the report by Hann Tucker referenced 24535/AR1 and dated 24 May 2019 as approved by the City Council as local planning authority under application reference CDN/18/0389 on 25 July 2019. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Upon completion of the development and within 4 months of the first occupation of the date of this decision, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that above criteria is 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 noise criteria. This report shall be submitted to and approved in writing by the City Council as local planning authority within 6 months of the first occupation of the residential accommodation along with a timescale that confirms when any necessary changes will be implemented.

Reason - To secure a reduction in noise from Oldham Street and Spear Street; in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

8) Before first occupation of each commercial unit of the building, all additional externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Upon completion of the development and within 6 months of the equipment becoming operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that above criteria is 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 noise criteria. This report shall be submitted to and

approved in writing by the City Council as local planning authority within 6 months of the equipment becoming operational along with a timescale that confirms when any necessary changes will be implemented.

The following information has been given approval to allow the occupation of the residential properties and Units 1 and 2 of Block B of the development:

- Acoustic Report prepared by Hann Tucker Associates (Reference 24535/AR1 dated 24 May 2019) received by the City Council as local planning authority on 17 May 2022
- Document prepared by Lighthouse Acoustics (Reference 0718/le/06 dated 25 July 2022) received by the City Council as local planning authority on 25 July 2022
- The letter from Emery Planning dated 31 January 2024,
- The email from Emery Planning dated 15 March 2024,
- The letter from Emery Planning dated 11 December 2023
- The NEW BX Eco-Connect+ Convection Oven specification document received by the City Council as local planning authority on 15 March 2024.
- The Machine Noise Information document received by the City Council as local planning authority on 15 March 2024.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

9) The extraction measures for Unit 1 of Block B of the development shall comply with the information within the letter from Emery Planning dated 31 January 2024 and shown within the document including the hood specifications and the drawing referenced 034_PLN_207 Rev P01 both received by the City Council as local planning authority on 2 February 2024 and on the basis that this remains the case for the duration of the use of Unit 1 of Block B.

The extraction measures for Unit 2 of Block B of the development shall accord with the letter from Emery Planning dated 11 December 2023.

Prior to the occupation of each remaining individual commercial unit a scheme for the extraction of any fumes, vapours and odours from each commercial premises hereby approved (Class E) shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eaves level and/or any openable windows/ventilation intake.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC26; of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

10) No loading or unloading shall be carried out on the site outside the hours of:

Unit 1, Block B:

06:30 to 20:00 - Monday to Saturday,
07:30 to 18:00 - Sundays/Bank Holidays

The delivery hours detailed above shall apply only for the duration of time that the unit operates as a bakery. Should the bakery use cease, the delivery hours shall revert to those specified for all other commercial units below.

All other commercial units:

07:30 to 20:00 - Monday to Saturday,
10:00 to 18:00 - Sundays/Bank Holidays

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

11) The opening hours of the approved Class E uses of the ground and basement floors shall be submitted to and approved in writing by the City Council as local planning authority prior to the commencement of these approved uses. The ground floor and basement premises shall not be open outside of the approved opening hours.

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.

12) The following scheme for the storage (including segregated waste recycling) and disposal of refuse from the residential accommodation shall be fully complied with and shall remain in situ whilst the use or development is in operation:

- Waste Strategy Plan Ground Level (Drawing OSM-FEA-B1-XX-PL-A-0006 Revision P1 dated 28 February 2022) received by the City Council as local planning authority on 17 May 2022
- Waste Strategy Plan Basement Level (Drawing OSM-FEA-B1-XX-PL-A-0007 Revision P1 dated 28 February 2022) received by the City Council as local planning authority on 17 May 2022
- Block A Bin Store (Drawing OSM-FEA-BA-L1-OL-A-0004 Revision P3 dated 01 July 2022) received by the City Council as local planning authority on 15 July 2022
- Block B Bin Store (Drawing OSM-FEA-BB-00-PL-A-0005 Revision P1 dated 01 July 2022) received by the City Council as local planning authority on 15 July 2022

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policy DM1 and EN19 of the Core Strategy for the City of Manchester.

13) The details of an emergency telephone contact number for a person responsible for the site; shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy.

14) The wheels of contractor's vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with the Traffic Management Plan prepared by Curtins referenced 68943/TMP Issue 2 and dated 7 June 2018 as approved by the City Council as local planning authority under application reference 120586/JO/2018 on 03 January 2019 for the duration of the construction works hereby approved.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

15) a) The development shall be constructed using the following materials:

- Bronze anodised window frames and flashings
- Traditional Brick and Stone Maranello Brick
- Cut and bond special Traditional Brick and Stone Maranello Brick
- EA225 Portland Parex Historic Mortar with concave joints

b) In relation to the cut and bond special Traditional Brick and Stone Maranello Brick the quality assurance process described in the emails from Caroline Payne of Emery Planning dated 10 November 2020 and 11 November 2020 shall be complied with during the manufacture, transport, storage and use on site in the construction of the approved development of these approved bricks.

c) The sample panel demonstrating the above materials, which was viewed on site on site on 20th March 2020 shall be retained on site and used for quality assurance purposes until the replacement panel has been approved in writing by the City Council as local planning authority. The approved replacement sample panel shall then be used for quality assurance purposes, including in accordance with the documents listed in b) above.

d) The drips to be used to prevent staining shall be implemented in accordance with drawing OSM-FEA-ZZ-ZZ-PL-A-0002 Rev P2 received by the City Council as local planning authority on 23 September 2021.

The development shall be carried out in accordance with all approved details.

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 EN1, EN3, CC9, SP1 and DM1 of the Core Strategy.

16) Details of the high-quality materials to be used for the footpaths of Oldham Street, Warwick Street, Bradley Street and Houldsworth Street and for the areas between the pavement and the line of the proposed building shall be submitted to and approved in writing by the City Council as the local planning authority within 4 months of the date of this decision. These works shall include dropped kerbs and tactile paving adjacent priority junctions. Any works approved by the City Council as local planning authority shall be implemented in full within four months of the date of this decision.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes and in accordance with policies EN1, T1, CC10, EN1, EN3, CC9, DM1 and SP1; of the Core Strategy and saved policies DC18.1 and DC19.1; of the Unitary Development Plan for the City of Manchester.

17) No part of the development shall be occupied until the space and facilities for bicycle parking have been provided in accordance with the approved plans. These facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to transport mode, pursuant to policies CC10, T1 and T2 of the City of Manchester Core Strategy.

18) The approved Travel Plan prepared by WYG Transport dated January 2019 shall be implemented in full at all times when the development hereby approved is in use.

Within four months of the first use of the date of this decision, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) (a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time) shall be submitted to and approved 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

19) The development hereby approved shall comply with the Very Good score shown on the BREEAM UK Final Certificate numbered BREEAM-0073-1778 Issue 01 received by the City Council as local authority on 20 March 2024 for the duration of its use.

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.

20) No part of the development shall be occupied until the measures/features that are beneficial to wildlife as identified in Section 4 of the report by bl-ecology have been incorporated into the development.

Reason - To enhance, restore or create new biodiversity either on-site or adjacent to the site in order to contribute to linkages between valuable or potentially valuable habitat areas, pursuant to Policy EN15 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework

21) The proposed roof mounted photovoltaic cells, to be installed to meet the required CO2 reductions shall be installed fully and only in accordance with the following documents as approved by the City Council as local planning authority under application reference CDN/19/0389 on 25 July 2019 and shall be maintained for the duration of the approved use:

- Block A Roof plant layout reference 20161-BA-M-50-02-P1
- Block B Roof plant layout reference 20161-BB-M-50-02-C2
- Side view drawing reference ValkPro+L10 - South
- Van Der Valk Specification document
- QCELLS specification Q.PEAK DUO ML-G9 370-390

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 EN1, EN3, CC9, SP1 and DM1 of the Core Strategy.

22) The access measures for disabled people to gain access into and throughout the premises and to occupy the apartments as shown on the drawings referenced 4351-DLG-PL-100, 4351-DLG-PL-101, 4351-DLG-PL-102, 4351-DLG-PL-103, 4351-DLG-PL-104, 4351-DLG-PL-105, 4351-DLG-PL-106, 4351-DLG-PL-107, 4351-DLG-PL-108,

4351-DLG-PL-109, 4351-DLG-PL-110, 4351-DLG-PL-111, 4351-DLG-PL-112, 4351-DLG-PL-113, 4351-DLG-PL-114, 4351-DLG-PL-115, 4351-DLG-PL-119 and described in the document entitled The Design for Access 2 : Checklist and page 38 of the Design and Access Statement dated 09/2015 rev A prepared by Hodder and partners shall be fully implemented before the use hereby approved commences and shall be maintained for the duration of the use hereby approved.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policies SP1 and DM1 of the Adopted Core Strategy for the City of Manchester.

23) The proposed development shall continue to comply with the Secured by Design Certification (Reference 2015/0654/SBD/01 dated 09 May 2022) received by the City Council as local planning authority on 17 May 2022 for the duration of the lifetime of the building.

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

24) The impact of the development on television signal reception shall comply with the Post-Construction Television Signal Survey prepared by GTech Surveys Limited (Reference Issue 0.1 dated 21 April 2022) received by the City Council as local planning authority on 17 May 2022.

Reason - 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.

25) The car parking spaces hereby approved shall be used only by residents occupying Building A or Building B of the development hereby approved and by no other persons.

Reason: To ensure that adequate parking is provided for occupiers of the development in the interests of highway safety and amenity, pursuant to Core Strategy policies SP1 and DM1.

26) None of the apartments hereby approved shall be occupied unless and until the scheme that will provide for the needs of future residents, who may wish to have the use of a motorcar in respect of their domestic needs as described within the Interim Travel Plan v2 prepared by WYG referenced A093376 and dated October 2015 has been fully implemented. This scheme shall remain operational at all times that any residential units are occupied.

Reason - The development does not provide sufficient on-site car parking facilities and in order to provide alternative arrangements (e.g. parking leases with car parking companies) for the needs of future, pursuant to policies CC5 and DM1 of the Core Strategy and the National Planning Policy Framework.

27) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, 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 pursuant to Core Strategy policies SP1, H1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

28) The site shall be drained on a separate system, with only foul drainage connected into the foul sewer unless otherwise agreed in writing by the City Council as local planning authority. Surface water should discharge to a Sustainable Drainage System. No surface water from this development shall be discharged directly into the combined sewer network.

Reason - To promote sustainable development, secure proper drainage and to manage risk of flooding and pollution in accordance with policies EN8, EN14 and EN17 of the Core Strategy and the guidance within the NPPF and NPPG.

29) A signage strategy for the commercial units shall be submitted to and agreed in writing by the City Council as local planning authority prior to first occupation of the development. The signage should be minimised and suitably formed and located. The signage shall then be implemented only in accordance with the approved strategy.

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 CC9, EN1, EN3, SP1 and DM1 of the Core Strategy, saved policies DC14, DC18.1 and DC19.1 of the Unitary Development Plan and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

30) This permission relates to a development comprising:-

- Residential development of 2no. buildings - Building A and Building B:

Building A comprises:
- 33 number one bedroom, 33 number two bedroom and 6 number three-bedroom apartments;
- 3 number commercial units (Unit 1- 741.9 sq.m, Unit 2 - 866.9 sq.m, Unit 3 - 871.5 sq.m) as identified on drawings L(--)B1 rev A and L(--)000 rev A for uses falling within use classes A1, A3 and B1 of The Town and Country Planning (Use Classes) Order 1987 as amended.

Building B comprises:
2 no. one bedroom and 26 no. two bedroom apartments.
- 1 number 741.9 sq.m commercial unit as identified on drawings L(--)B1 rev A and L(--)000 rev A for uses falling within use classes A1, A2 and B1 of The Town and Country Planning (Use Classes) Order 1987 as amended.

No commercial unit within Building A or Building B as identified on the approved drawings shall be combined with another or subdivided unless planning permission is specifically granted.

Reason - For the avoidance of doubt as changes to any element of the development may have consequences in terms of national and local policy considerations. Pursuant to policies EC1, CC1, CC3, CC4, CC5, CC6, CC7, CC8, CC10, H1, T1, T2, SP1 and DM1 of the Core Strategy, saved policies DC10.1, DC26 and RC20 (Area 10) of the Unitary Development Plan and Part 1 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

31) Prior to the occupation of each individual commercial unit hereby approved a scheme for the storage (including segregated waste recycling) and disposal of refuse from each of the commercial uses 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.

The scheme for the storage and disposal of refuse generated by Unit 1 of Block B shall be managed in accordance with the letter from Emery Planning dated 31 January 2024, the email from Emery Planning dated 15 March 2024 and the drawing referenced 034_PLN_205 Rev P01 received by the City Council as local planning authority on 2 February 2024.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policy DM1 and EN19 of the Core Strategy for the City of Manchester.

Informatives

Building Regulations 2010
This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements
Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:
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.

Associated vehicles will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions.

Date: 15 May 2024

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision . The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

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

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase 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.