

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Beech Holdings
C/o Agent

Agent (if used)

Mr Tom Flanagan
Paul Butler Associates Ltd
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Variation of condition 31 (Highways Works) attached to planning permission 134503/JO/2022 to remove reference to the provision of street trees

Location: Land Bounded By Thompson Street, Mason Street, Bendix Street And Rochdale Road, Manchester

Date of application: 28 March 2023

Application number: 136605/JO/2023

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

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. The proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) attached to this decision

- 1) The development must be begun not later 23 May 2021.

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:

Document submitted as part of planning application 136605/JO/2023

Covering letter and 'Tree Pit Review' (Ref: SCP/220429/TN02 Rev B, 13 March 2023) has been prepared by SCP Transportation Planning : Infrastructure Designs received by the City Council, as Local Planning Authority, on the 28 March 2023

Documents submitted as part of planning application 123371/JO/2019

Drainage Strategy Report (ref. GM-AJP-ZZ-RP-C-3010) DATED 14.11.2018 stamped as received by the City Council, as Local Planning Authority, on the 18 April 2020

Drawings and documents approved as part of planning permission 118120/FO/2017

Drawings

101 Rev P5, 103 rev P4, 104, 105, 106, 107, 108 rev P4, 109, 110 rev P2, 112, 113 rev P2, 114, 115, 116 rev P1 and 117 rev P1 stamped as received by the City Council, as Local Planning Authority, on the 17 November 2017

101 rev P6, 102 rev P5, 200 rev P5, 201 rev P5, 202 rev P5, 203 rev P5, 220 rev P5, 221 rev P5, 222 rev P2, 223 rev P2, 224 rev P2, 225 rev P2, 500 rev P1, 501 rev P1, 502 rev P1, 503 rev P1, 504 rev P1, 505 rev P1 and 506 rev P1 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018

Supporting Information

Noise report prepared by Sandy Brown, TV reception survey report prepared by SCS, Flood risk assessment and detailed drainage strategy prepared by Curtins, air quality report prepared by Air Quality consultants, daylight and sunlight report prepared by GIA, Statement of consultation, Historic Environment Desk Based Assessment prepared by TEP, Framework travel plan prepared by SCP, Ecological assessment prepared by TEP, Ventilation Strategy report prepared by Parker Wilson consulting, Crime Impact Statement (Version A) (ref. 2017/0523/CIS/01) prepared by design for security at GMP, Waste management strategy, Residential management strategy, transport statement prepared by SCP, Environmental standards statement prepared by Parker Wilson, wind microclimate assessment prepared by Urban microclimate, phase 1 geo environmental investigation prepared by Integra consulting, design and access statement and planning statement stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017

Updated Noise report stamped as received by the City Council, as Local Planning Authority, on the 5 January 2018

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) (a) The development shall be carried out in accordance with Local economics benefit plan stamped as received by the City Council, as Local Planning Authority, on the 11 July 2018

The approved document shall be implemented as part of the construction and occupation phases of the development.

(b) Within six months of the first occupation of the development details of the results of the scheme shall be submitted for consideration.

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

4) The archaeological investigations have been completed and approved in accordance with Archaeological Investigations at Hatter Street (land bounded by Thompson Street, Mason Street, Bendix Street and Rochdale Road), Ancoats, Manchester (ARS Ltd Report No. 2019/165 OASIS No. archaeol5-364881) stamped as received by the City Council, as Local Planning Authority, on the 8 November 2019.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

5) The development hereby approved shall be carried out in accordance Drainage Strategy Report (ref. GM-AJP-ZZ-RP-C-3010) DATED 14.11.2018 stamped as received by the City Council, as Local Planning Authority, on the 18 April 2020.

Verification details were approved under CDN/23/0266 as follows:

- Drawing C-24134-HYD-XX-XX-TN-C-0001 received by the City Council, as Local Planning Authority, on the 4 August 2023
- Drawings C-24134-HYD-XX-XX-DR-C-0530 and C-24134-HYD-XX-XX-DR-C-0500 S185 received by the City Council, as Local Planning Authority, on the 14 November 2023
- Drawing C24134-HYD-XX-XX-DR-C-05 received by the City Council, as Local Planning Authority, on the 24 November 2023

The drainage scheme shall be retained 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).

6) (a)The ground conditions shall be carried out in accordance with phase 1 geoenvironmental report stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017, letter from James Doyle of Groundtech Consulting dated 18 April 2019, Certificate of reoccupation prepared by APEC Environmental and Waste classification appraisal prepared by Groundtech Consulting dated April 2019 (all stamped as received by the City Council, as Local Planning Authority, on the 30 April 2019) and Remedial Validation Report (Ref: GRO-17046-3731, dated 15 July 2022) prepared by Groundtech Consulting received by the City Council, as Local Planning Authority, on the 1 August 2022 (as approved under CDN/22/0519).

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 - There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

7) The construction management activities shall be carried out in accordance with the Construction management plan prepared by Create Construction, Site logistics details prepared by Create Construction and traffic management plan prepared by Create Construction all stamped as received by the City Council, as Local Planning Authority, on the 11 July 2018

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

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN9, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

8) The development hereby approved shall be carried out in accordance with the materials approved in the following documents: - 006-SK500 Revision P2 Ancoats Gardens Façade Mock Up Panel Detail, 103 Ancoats Gardens - Sample Panel Review Aug 2021 and 103 Ancoats Gardens - Quality Control Sample Strategy Aug 2021

All were stamped as received by the City Council, as Local Planning Authority, on the 13 August 2021 (As approved under CDN/21/0602).

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.

9) The management and maintenance of the drainage shall be carried out in accordance with the following documents as approved under CDN/23/0266

- Drawing C-24134-HYD-XX-XX-TN-C-0001 received by the City Council, as Local Planning Authority, on the 4 August 2023

- Drawings C-24134-HYD-XX-XX-DR-C-0530 and C-24134-HYD-XX-XX-DR-C-0500 S185 received by the City Council, as Local Planning Authority, on the 14 November 2023

- Drawing C24134-HYD-XX-XX-DR-C-05 received by the City Council, as Local Planning Authority, on the 24 November 2023

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).

10) The hard and soft landscaping shall be carried out in accordance with:

- 00-001 P1 Proposed Landscape GA Materials
- 00-002 P1 Proposed Landscape GA Planting Schedule
- 0422-001 C00 Overall Landscape GA
- 0422-401 C00 Lawn Detail
- 0422-402 C00 Level 7 & 9 Typical Build-Up Details
- 0422-403 C00 Threshold & Planter Typical Details
- 0422-404 C00 Ground Floor Planter Typical Details
- 0422-GF-GATES C00 Ground Floor Security Gates and Fence
- 0422-GF-HEX C00 Ground Floor Hex Benches
- 0422-GF-P1 C00 Ground Floor Planter 01
- 0422-GF-P2 C00 Ground Floor Planter 02
- 0422-L9-P1 C00 Level 9 Planter 01
- 0422-L9-P2 C00 Level 9 Planter 02
- 0422-L9-P3 C00 Level 9 Planter 03
- 0422-L9-P4 C00 Level 9 Planter 04
- 0422-L9-P5 C00 Level 9 Planter 05
- 0422-L9-P6 C00 Level 9 Planter 06
- 0422-L9-P7 C00 Level 9 Planter 07
- 0422-PBS C00 Level 07 & 09 Picnic Bench Sets

Above were received by the City Council, as Local Planning Authority, on the 21 April 2023 as approved under CDN/23/0266

The approved scheme shall be implemented prior to the first occupation 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.

11) The boundary treatment shall be carried out in accordance with drawing 103_50_127 C1 'Bendix Street Boundary Treatment received by the City Council, as Local Planning Authority, on the 2 August 2022 (as approved under CDN/22/0519). The approved details shall then be implemented prior to the first occupation of the residential element of the scheme hereby approved and shall thereafter be retained and maintained in accordance with these details.

Reason - To ensure that the pedestrian entrance is appropriate in terms of visual amenity, and the impact on the Conservation Area, and is secure pursuant to comply policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy.

12) The development hereby approved shall be carried out in accordance with the Environmental Standards statement stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017. A post construction review certificate/statement 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.

13) The plant shall be carried out in accordance with the Covering letter and associated drawings received by the City Council, as Local Planning Authority, on the 2 November 2022 (as approved under CDN/22/0792).

The approved scheme shall be implemented prior to the first occupation of the development and 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).

14) Notwithstanding the noise assessment stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017 and update stamped as received by the City Council, as Local Planning Authority, on the 5 January 2018, (a) prior to the first use of the commercial units and gym area as indicated on drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved scheme shall then be implemented and a post completion survey submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of each of the commercial units and the gym area. The measures implemented shall be retained and maintained for as long as the development remains in use.

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).

15) The acoustic insulation of the residential accommodation shall be carried out in accordance with the Planning Condition 15 Discharge Report, ref: 17287-R04-C, dated 13 July 2023 prepared by Sandy Brown as approved under CDN/23/0509.

The measures implemented shall be retained and maintained for as long as the development remains in use.

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).

16) Prior to the first occupation of the residential accommodation and first use of the commercial units hereby approved, the refuse arrangements and waste management strategy, as indicated on drawing 103_100 Rev P5 stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017, drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018 and within waste management strategy stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017 shall be implemented.

The approved scheme shall thereafter be retained and maintained in situ for as long as the development remains in use.

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

17) Prior to the first use of each of commercial units, as indicated on drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018, details of a scheme to extract fumes, vapours and odours from the premises 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 each 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).

18) Prior to the first use the commercial units as indicated on drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the 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).

19) The development hereby approved shall be carried out in accordance with the Ground floor lighting plan indicating the external lighting design; External lighting calculations and Luminaire Schedule for the external lighting received by the City Council, as Local Planning Authority, on the 7 December 2022 (as approved under CDN/22/0887). 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 the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

20) 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.

21) 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).

22) The commercial units hereby approved, as indicated on drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018, shall not be open outside the following hours:-

Where the use is Use Class A3, the opening hours are as follows:

Monday to Saturday	06.30hrs - 23.00hrs
Sundays	09.00hrs - 23.00hrs

Where the use is Use Class A1 or B1, the opening hours are as follows:

Monday to Saturday	07.00hrs - 23.00hrs
Sundays	09.00hrs - 23.00hrs

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

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.

23) The 2 commercial units as shown on drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018, 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.

24) The commercial units, as indicated on drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018 can be occupied as A1, A3 or B1. The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

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 .

25) In the event that any of the commercial units, as indicated on drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018, are occupied as an A3 use, prior to their first use the following details

must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. For the avoidance of doubt this shall include:
 - o Dispersal policy;
 - o Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

26) The letting strategy shall be carried out in accordance with the Management Strategy prepared by Manchester Design & Build received by the City Council, as Local Planning Authority, on the 1 August 2022 (as approved under CDN/22/0519). The approved management plan shall be implemented from the first occupation and be retained in place for as long as the development remains in use.

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.

27) The development shall be carried out in accordance with the Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017. The development shall only be carried out in accordance with these approved details. 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.

28) The development hereby approved shall be carried out in accordance with the Travel plan framework stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017.

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 use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

29) Prior to the first use of the building, the provision of 155 cycle spaces/provision, as indicated on drawing 103_100 Rev P5 stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017 and drawing 103_101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018 shall be implemented prior to the first occupation of the residential element of the development hereby approved and retained and maintained in situ for as long as the development remains in use.

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).

30) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing 103_100 Rev P5 stamped as received by the City Council, as Local Planning Authority, on the 7 November 2017 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

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

31) Prior to the first use of the residential element of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm in relation to Rochdale Road, Bendix Street, Mason Street and Thompson Street 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:

- Alternation/re-instatement works to the adopted highway;
- Topping up of Hatter Street;
- Creation of vehicular entrance to Mason Street;
- Details of materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building/public realm

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved 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).

32) No tree felling or pruning works or vegetation clearance should take place during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

33) The development here by approved shall be carried out in accordance with the TV Reception report received by the City Council, as Local Planning Authority, on the 29 November 2022 (as approved under CDN/22/0869).

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.

34) Within 6 months of the residential element of the development hereby approved being first occupied, details of a car parking review detailing the demands/uptake of car parking at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This review shall set out the demands for car parking at the development including a strategy for the provision of further off site car parking should this been deemed necessary.

In the event of a strategy is approved for the implementation of additional off site car parking, this strategy shall be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason - To ensure an adequate supply of car parking at the development pursuant to policies T2 and DM1 of the Manchester Core Strategy (2012).

35) The EV charging shall be carried out in accordance with the EV Bays Plan has been provided which identifies the EV charger bays within the scheme together with Electrical Specification document EV Chargers provides details of the installation received by the City Council, as Local Planning Authority, on the 1 August 2022 (as approved under CDN/22/0519).

The approved details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - to promote sustainable travel options and choice at the development pursuant to policies T2 and DM1 of the Manchester Core Strategy (2012).

36) The scheme for mechanical ventilation with Nitrogen Oxide Filter for all apartments on floors 1 to 6 on the Rochdale Road façade shall be carried out in accordance with Details received by the City Council, as Local Planning Authority, on the 27 October 2022, 13 and 27 January 2023 (as approved under CDN/22/0778).

The approved details shall then be implemented prior to the first occupation of the residential accommodation and thereafter retained and maintained.

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

37) The Gym area, as shown on drawing 101 Rev P6 stamped as received by the City Council, as Local Planning Authority, on the 31 January 2018, shall be for the use by those occupying the residential element of this development only.

Reason - To ensure that the gym area remains ancillary accommodation for the residents of the development pursuant to policies SP1, C9 and DM1 of the Manchester Core Strategy (2012).

38) All windows at ground level, 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.

39) The development hereby approved shall include for full disabled access to be provided to all areas of public realm 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.

40) The signage strategy shall be carried out in accordance with Drawing 103_66_116 Rev T2 'Signage Layout - Ground Floor', Drawing 103_66_117 Rev T2 'Signage Elevations - Ground Floor' and Drawing 103_66_118 Rev T2 'Signage Elevations - Ground Floor' received by the City Council, as Local Planning Authority, on the 19 October 2023 (as approved under CDN/23/0509).

The approved strategy shall then be implemented and used to inform future signage applications at the development.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

41) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential element of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). 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.

42) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) 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(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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.

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.

Date: 30 January 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.