

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

Manchester City Football Club Ltd
C/o Agent

Agent (if used)

Mr John Cooper
Deloitte LLP
Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Alterations to the Etihad Stadium North Stand and adjoining land to provide an overall increase in Stadium capacity, hospitality, and concourse facilities available for use both during and outside of event days, an ancillary TV Studio (Sui Generis), a Roof-Walk Attraction (Use Class F1(c)) together with the erection of a 9 storey, 391 bed hotel (Use Class C1) with a further 10 suites provided within the North Stand of the Etihad Stadium for hotel or hospitality space (Use Class C1 / Sui Generis); restaurant at Level 1 (Use Class C1 / Class E), erection of an 8-storey building comprising: a new Club Shop and Ticket Office (Use Class E) at Ground and Level 1, City Museum at Level 2, Leisure Attraction at Level 3 (Class F1(c)); and workspace (Class E) at Levels 4, 5, 6 and 7 and a new covered City Square fan zone and flexible event space with ground floor commercial, leisure, food and drink use (Use Class E and/ or drinking establishment (Sui Generis)) within each of the interrelated buildings adjoining the proposed square with associated landscaping and public realm works, servicing and access arrangements, and other associated works.

Location: Etihad Stadium (North Stand), Etihad Campus, Manchester, M11 3FF

Date of application: 18 April 2023

Application number: 136763/FO/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. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with other matters. 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 than the expiration of three years beginning with the date of this permission.

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

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

Drawings

NSE-POP-ZZ-ZZ-DR-A-000090 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009100 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009101 REV 01, NSE-POP-ZZ-ZZ-DR-A-009102 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009103 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009104 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009105 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009106 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009107 rev 01, NSE-POP-ZZ-ZZ-DR-A-009108 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009109 Rev 01, NSE-POP-ZZ-ZZ-DR-A-009110 Rev 01, NSE-POP-NS-ZZ-DR-A-000200 Rev 01, NSE-POP-NS-ZZ-DR-A-000301 Rev 01, NSE-POP-NS-ZZ-DR-A-000302 Rev 01, NSE-POP-NS-ZZ-DR-A-000303 Rev 01, NSE-POP-NS-ZZ-DR-A-000304 Rev 01, NSE-POP-NS-ZZ-DR-A-000240 Rev 02, NSE-POP-NS-ZZ-DR-A-000241 Rev 01, NSE-POP-NS-ZZ-DR-A-000243 Rev 01, NSE-POP-HT-ZZ-DR-A-000244 Rev 01, NSE-POP-CM-ZZ-DR-A-000245 Rev 01 and NSE-POP-ZZ-00-DR-A-000600 rev 04

All stamped as received by the City Council, as Local Planning Authority, on the 18 April 2023

Supporting information

Design and Access Statement (Including Signage Strategy and Landscaping and Public Realm Strategy) prepared by Populous, Planning Statement prepared by Deloitte, Archaeological Desktop Report prepared by Salford Archaeology, Archaeological Watching Brief prepared by Salford Archaeology, Statement of Consultation prepared by Deloitte, Crime Impact Statement prepared by GMP, Crowd Modelling prepared by Movement Strategies, Daylight/Sunlight Assessment prepared by Buro Happold, Ecology including the Preliminary Ecological Assessment prepared by Helen Hamilton Ecology, Heritage Statement prepared by Deloitte, Operating Schedule / Event Management Strategy prepared by Manchester City Football Club, Sustainability Statement prepared by Buro Happold including the following technical appendices:

1. Green and Blue Infrastructure Statement prepared by Deloitte
2. BREEAM Pre-Assessment prepared by ME Engineers
3. Energy Statement prepared by ME Engineers
4. Whole Life Carbon Assessment prepared by ME Engineers
5. Local Labour Agreement prepared by Manchester City Football Club
6. Social Value Toolkit prepared by Deloitte
7. Economic Impact Assessment prepared by Amion

Topographical Survey prepared by Survey Operations, TV Reception Survey prepared by ME Engineers, Ventilation, Extraction and Odour prepared by ME Engineers and Waste Management Strategy prepared by Buro Happold

Environmental Impact Assessment

Volume 1 - Environmental Statement

- Introductory Chapters Deloitte
- Chapter 5 Construction Management and Phasing Proposed Contractors
- Chapter 6 Air Quality BuroHappold
- Chapter 7 Climate Change BuroHappold
- Chapter 8 Water Quality, Drainage and Flood Risk BuroHappold
- Chapter 9 Ground Conditions BuroHappold
- Chapter 10 Human Health Enfusion
- Chapter 11 Noise and Vibration
- Chapter 12 Townscape and Visual Impact Planit-ie
- Chapter 13 Traffic and Transport Arup
- Chapter 14 Wind Microclimate BuroHappold
- Chapter 15 Lighting ME Engineers
- Chapter 16 Socio-Economic Deloitte
- Chapter 17 Summary of Cumulative Effects Deloitte
- Chapter 18 Type 1 Cumulative Effects Deloitte

Appendices

EIA Methodology

Appendix 2.1. EIA Scoping Report

Appendix 2.2. EIA Scoping Response (dated 12 April 2023)

Alternatives and Design Solution

No appendices

Site, Surroundings and Description of Proposals

No appendices

Construction Methodology and Programme

Appendix 5.1 Construction Management Plan - Laing O'Rourke

Appendix 5.2 Construction Management Plan and Method Statement - Sisk

Air Quality

Appendix 6.1 Construction Assessment Methodology

Appendix 6.2 IAQM Assessment Criteria for Operational Impacts

Appendix 6.3 Traffic Data

Appendix 6.4 Model Verification

Appendix 6.5 Human Receptor Locations and Addresses

Appendix 6.6 Modelling Results - Construction

Appendix 6.7 Modelling Results - Operation

Appendix 6.8 Construction Mitigation

Greenhouse Gas Emissions

Appendix 7.1 Greenhouse Gas Calculations

Flood Risk and Drainage

Appendix 8.1: Flood Risk Assessment

Appendix 8.2: Drainage Strategy

Ground Conditions

Appendix 9.1: Geo-Environmental Assessment

Appendix 9.2: Coal Mining Assessment

Appendix 9.3: Generic Qualitative Risk Assessment

Appendix 9.4: Groundwater Risk Assessment

Appendix 9.5: Factual Ground Investigation Report

Human Health

No appendices

Noise and Vibration

Appendix 11.1. National Planning Guidance Noise Hierarchy

Appendix 11.2. Construction Data

Appendix 11.3 Operational Road Traffic Data

Appendix 11.4 Noise Survey Results

Appendix 11.5 Construction Results

Appendix 11.6 Operational Road Traffic Results

Townscape and Visual Impact

Appendix 12.1 Townscape Effects Table: Baseline and Sensitivity

Appendix 12.2. Visual Effects Table: Baseline and Sensitivity

Appendix 12.3 Townscape Figures

Appendix 12.4 Key views and Photomontage

Traffic and Transport

Appendix 13.1: Transport Assessment

Appendix 13.2: Framework Travel Plan

Appendix 13.3: Scoping Correspondence

Appendix 13.4: Construction Traffic Data

Appendix 13.5: Modal Share

Wind Microclimate

No appendices

Lighting

Appendix 15.1 Lighting Assessment

Socio-Economic

Appendix 16.1 Economic Impact Assessment

Summary of Residual Effects

No appendices

Type 1 Cumulative Effects

No appendices

All stamped as received by the City Council, as Local Planning Authority, on the 18 April 2023

TA Addendum (ref1662023_V1.2) received by the City Council, as Local Planning Authority, on the 19 June 2023

Noise response (ref. 053810-0820-1-PN-02-P0) received by the City Council, as Local Planning Authority, on the 27 June 2023

Highway note received by the City Council, as Local Planning Authority, on the 13 July 2023

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) Prior to the commencement, a detailed construction management plan outlining working practices and highway management shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Consultation with local residents/businesses;
- o Measures to prevent leakages into the Ashton Canal;
- o Noise and vibration monitoring;
- o Hoarding location and design;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Parking of construction vehicles and staff;
- o Sheeting over of construction vehicles;
- o Details to prevent any impact on tram infrastructure;
- o Loading and unloading of plant and materials;
- o Construction and demolition methods, including use of cranes, (which must not oversail the tramway);
- o Swept path analysis;
- o Dilapidation survey; and
- o Traffic management strategy.

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

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

Reason - To safeguard the amenities of nearby residents, highway safety, tram safety, air quality and water quality pursuant to policies SP1, EN17, EN16, EN19 and DM1 of the Manchester Core Strategy (2012).

4) All vehicles entering and leaving the site during the construction period shall pass through a wheel wash.

Reason - To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

5) No construction vehicle movements outside of the agreed site hoarding line shall take place immediately prior to, during or after a major event / match at the Etihad Stadium. Any construction vehicle movements outside of the agreed site hoarding line

prior to, during or after a major event at any of the MCC venues on Campus shall be in strict accordance with a protocol agreed in advance with the MCC Venue responsible for the event.

Reason - In the interest of highway and pedestrian safety together with reducing congestion of the surrounding highway network pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

6) No contractor parking will take place at the Etihad Campus immediately prior to, during or after a major event / match at the Etihad Stadium. Contractor parking will not use car parks associated with a major event at any of the MCC venues on Campus, so contractor parking will continue at the Etihad Campus when a major event is being held at any of the MCC venues.

Reason - In the interest of highway and pedestrian safety together with reducing congestion of the surrounding highway network pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

7) Prior to the commencement of the development, a Metrolink Specific Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved Metrolink CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone including:

- the retention of 24hr unhindered access to the Metrolink equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.
- storage of plant and materials used in constructing the development;
- construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway or Metrolink coralling infrastructure);
- the erection and maintenance of security hoarding; and;
- measures to control the emission of dust and dirt during construction.

The approved plan shall be implemented for the duration of the construction period.

Reasons: To ensure an appropriate plan is in place for the safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

8) Prior to the commencement of the development, a strategy for a permanent coralling system to facilitate the safe queuing of Metrolink customers, including designs for, lighting, CCTV and ticket validation, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first use of the development hereby approved.

Reason: To ensure that Metrolink customers are adequately and safely accommodated without detriment to Metrolink Operations pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

9) Prior to the commencement of the development, a crowd modelling strategy, for during both construction and when the development becomes operational shall be submitted for approval in writing by the City Council, as Local Planning Authority. This strategy shall include the worst case scenario, demonstrate that Metrolink customers are not exposed to unacceptable levels of crowding when trying to access the tram stop and the risks associated with overcrowding. The approved strategy shall be implemented as part of the development and thereafter remain in use at all times when the development is both under construction and becomes operational.

Reason: To ensure the risks associated with overcrowding are safely managed pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

10) No excavation or piling works shall be carried out until an appropriate monitoring regime of the Metrolink retaining structures and lift shaft has been submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall be implemented for the duration of the construction period.

Reason: To safeguard Metrolink infrastructure and operations pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

11) Prior to the commencement of the development, the method for piling, or any other foundation design using penetrative methods, for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of the development.

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

12) No vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the removal works including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

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

13) a) Prior to the commencement of the development, details of a Local Labour Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

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

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

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

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

14) (1) A programme of archaeology works shall be carried out in accordance with the Watching Brief prepared by Salford Archaeology received by the City Council, as Local Planning Authority, on the 18 April 2023. The works are to be undertaken in accordance with the watching brief, which cover the following:

(2). A programme for post investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological and historical interest represented.

(3). Dissemination of the results commensurate with their significance.

(4). Provision for archive deposition of the report and records of the site investigation.

(5). Nomination of a competent person or persons / organisation to undertake the works set

out within the approved watching brief.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy.

15) Prior to the commencement of the development,

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

Shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved intrusive site investigations and remedial works shall be carried out in accordance with the approved documents.

Reason - In the interest of establishing previous coal mining activity pursuant to policy DM1 of the Manchester Core Strategy (2012).

16) Prior to the first use of the development hereby approved, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the

completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason - In the interest of establishing previous coal mining activity pursuant to policy DM1 of the Manchester Core Strategy (2012).

17) The drainage strategy shall be carried out in accordance with the Project North Stand Manchester Site Improvement Works Drainage Strategy Project no 053810 (Date 25 April 2023) received by the City Council, as Local Planning Authority, on the 26 April 2023 and Email from seweradoptions@uuplc.co.uk dated 06 June 2023 (approved as part of planning permission 135764/FO/2022). The approved details shall be implemented as part of the development.

Reason - In the interest of a satisfactory drainage scheme being prepared for the site pursuant to policy EN14 of the Manchester Core Strategy (2012).

18) Notwithstanding the following information:

- Environmental Statement: Volume 1, Chapter 9, Ground Conditions, Deloitte, April 2023;
- Project North Stand Manchester, Ground Engineering Desk Study, Buro Happold, Reference: 0053810 Revision P03, 13 April 2023.
- Project North Stand Manchester, Coal Mining Risk Assessment, Buro Happold, Reference: 0053810 Revision P03, 13 April 2023.
- Project North Stand Manchester, Generic Quantitative Risk Assessment, Buro Happold, Reference: 0053810 Revision P02, 13 April 2023.
- Etihad Campus Site Improvement Works, Groundwater Risk Assessment, Buro Happold, Reference: 0053810 Revision P01, 24 February 2023
- Etihad Ground Investigation, Factual Ground Investigation Report, Geotechnical Engineering Ltd, Reference: 37349, 17 March 2023

Prior to the commencement of the development, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Updated ground gas risk assessment following additional monitoring due to no previous readings under low and falling pressure.
- Submission of an updated Remediation Strategy (if required)

The remediation of the site shall be carried out in accordance with the approved 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 EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

19) If, during the development, contamination or conditions not previously identified as part of the agreed documents within condition 18 are found to be present at the site (or in the monitored vicinity) then no further operations shall be carried out until a strategy which details how this unsuspected circumstance shall be dealt with has been submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented and then verified as required by condition 20.

Reason - To ensure that the works to be undertaken do not contribute to, or adversely affect, unacceptable levels of water pollution from previously unidentified contamination sources pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

20) Prior to the development hereby approved being brought into first use, and following completion of the remediation strategy approved as part of condition (18), a Completion/Verification Report shall be submitted for approval in writing by the City Council as Local Planning Authority. This shall demonstrate that the completion of works has been carried out in accordance with the approved remediation strategy and has been effective. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site has been appropriately remediated prior to the commencement of works associated with the redevelopment of the site, pursuant to policies EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

21) Prior to the commencement of development, samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with reveals, jointing and fixing details, details of the drips to be used to prevent staining, soffits, air bricks and a strategy for quality control management.

The approved materials used shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Manchester Core Strategy (2012).

22) Prior to the commencement of development, samples and specifications of the louvre screen strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall be included in the materials panel to be agreed as part of condition 21.

The approved louvre strategy used shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Manchester Core Strategy (2012).

23) The stadium capacity hereby approved shall not be used by more than 61,958 spectators at any time.

Reason - To ensure no unacceptable impacts with regards to noise and operational impacts on the residential amenity pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

24) Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) the development here approved shall be used as follows:

- Stadium, hospitality, and concourse facilities available for use both during and outside of event days, an ancillary TV Studio (Sui Generis),
- a Roof-Walk Attraction (Use Class F1(c))
- 391 bed hotel (Use Class C1) with a further 10 suites provided within the North Stand of the Etihad Stadium for hotel or hospitality space (Use Class C1 / Sui Generis); restaurant at Level 1 (Use Class C1 / Class E),
- Workspace Building including a new Club Shop and Ticket Office (Use Class E) at Ground and Level 1, City Museum at Level 2, Leisure Attraction at Level 3 (Class F1(c)); and workspace (Class E) at Levels 4, 5, 6 and 7 and a new covered City Square fan zone and flexible event space with ground floor commercial, leisure, food and drink use (Use Class E and/ or drinking establishment (Sui Generis))

Reason - To ensure that the development is used solely for the intended purpose to safeguard the character of the area pursuant to policies SP1, EC7 and DM1 of the Manchester Core Strategy (2012).

25) (a) Notwithstanding NSE-POP-ZZ-00-DR-A-000600 rev 04 received by the City Council, as Local Planning Authority, on the 18 April 2023, prior to the first use of the development hereby approved, details of hard and soft landscaping treatments (including tree planting, street tree planting, tree species, boundary treatments and appropriate samples of materials of hard landscaping) shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented prior to the first use 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.

(c) The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason - To ensure that a satisfactory landscaping scheme for the development and to secure appropriate wind mitigation pursuant to policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

26) Prior to the first use of the development hereby approved, a detailed landscaped management plan shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how the hard and soft landscaping areas will be maintained including maintenance schedules and repairs. The management plan shall then be implemented as part of the development and remain in place for as long as the development remains in use.

Reason - To ensure that the satisfactory landscaping scheme for the development is maintained in the interest of the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

27) Prior to the first use of the development hereby approved, full details of the specification and locations of bat and bird boxes, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The bat and bird boxes shall be installed prior to the first use of the development and therefore be retained and remain in situ.

Reason - To ensure the creation of new habitats and biodiversity in order to comply with policy EN15 of the Manchester Core Strategy (2012).

28) The development hereby approved shall be carried out in accordance with the Sustainability Statement prepared by Buro Happold including the following technical appendices received by the City Council, as Local Planning Authority, on the 18 April 2023.

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 Manchester Core Strategy (2012) and the National Planning Policy Framework.

29) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least an 'Very Good' rating. 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 Manchester Core Strategy (2012) and the National Planning Policy Framework.

30) (a) Prior to the first use of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved under part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant noise on the local area 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).

31) The testing of the emergency diesel generators hereby approved shall be restricted to the following hours and to total no more than 4 hours a year (hotel and commercial buildings) and 8 hours per year (North Stand),

Monday to Friday 09:00 to 18:00

No testing to be undertaken at the weekend or on a Bank Holiday

Reason - In the interests of residential amenity 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).

32) (a) The acoustic insulation of the North Stand hereby approved shall be implemented in accordance with the following documents:

- Noise response (ref. 053810-0820-1-PN-02-P0) received by the City Council, as Local Planning Authority, on the 27 June 2023
- Chapter and Appendices 11 of the Environmental Statement received by the City Council, as Local Planning Authority, on the 18 April 2023

(b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved within part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To ensure no unacceptable noise outbreak from the development in the interest of residential amenity 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).

33) Each commercial unit, within the development, shall remain as one unit 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.

34) The development hereby approved shall be carried out in accordance with Waste Management Strategy prepared by Buro Happold received by the City Council, as Local Planning Authority, on the 18 April 2023. The details shall be implemented prior to the first event at the development and thereafter retained and maintained in situ.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

35) Prior to the first use of the commercial spaces within the development, details of any external areas associated with these commercial spaces (including an Operating Schedule) shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The Operating Schedule shall contain the following details:

- a. A scaled layout plan showing the proposed seating area, including layout of furniture and demarcation of the area;
- b. Full details of the measures proposed to ensure that the proposed seating area is fully accessible by disabled people;
- c. Details of the proposed furniture, including any barriers;
- d. A detailed management strategy that includes information on how the proposed external seating area would be managed in terms of potential noise disturbance, additional movement and activity, litter and storage of furniture at night;
- e. days and hours of operation.

The approved plan shall be implemented upon first use of the commercial uses in and thereafter retained.

No amplified sound or any music shall be produced or played in any part of the site outside the building.

Reason - To safeguard the amenities of the occupiers of nearby properties and to ensure age friendly public realm is created, pursuant to policies SP1 and DM1 of the Core Strategy.

36) Prior to the first use of the commercial uses within the development, a schedule of opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall then be implemented and thereafter the uses shall operate in accordance with them.

There shall be no amplified sound or any amplified music at any time within these spaces unless it can be shown as part of condition 37 that there would be no unacceptable impact on residential amenity.

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.

37) (a) Notwithstanding Noise response (ref. 053810-0820-1-PN-02-P0) received by the City Council, as Local Planning Authority, on the 27 June 2023 and Chapter and Appendices 11 of the Environmental Statement received by the City Council, as Local Planning Authority, on the 18 April 2023, prior to the first use of commercial units, workspaces, hotel, gymnasium (and any other ancillary commercial spaces excluding the North Stand), a scheme of acoustic insulation for those spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125HZ octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively

(b) Prior to the first use of those spaces within a relevant phase of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - 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).

38) Prior to the first use of the development, 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 use of the development and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

39) The development hereby approved shall include a building and site lighting scheme including details of illumination of external areas, potential impact on the tram line during the period between dusk and dawn and details of lighting being turned off when not in use. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first use of the development hereby approved.

The approved scheme shall be implemented in full prior to the first use of development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction, personal safety, the safety of the tram lines and impact on the canal corridor in order to comply with the requirements of policies SP1 and DM1 of the Manchester Core Strategy (2012).

40) 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 Manchester Core Strategy (2012).

41) The development shall be carried out in accordance with the Crime Impact Statement (Rev D ref. 2006/0905/CIS/02) prepared by Design for Security at Greater Manchester Police received by the City Council, as Local Planning Authority, on the 18 April 2023. 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 Manchester Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

42) The hotel and workspace buildings hereby approved shall be carried out in accordance with the Framework Travel Plan (Appendix 13.2 of the Environmental Statement) received by the City Council, as Local Planning Authority, on the 18 April 2023.

In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those visiting and working at the development;
- ii) a commitment to surveying the travel patterns of spectators and staff during the first three months of the first use of the building and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the 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 spectators, staff and visitors, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

43) Prior to the first use of the development hereby approved, details of the location and specification of 200 covered cycle spaces within the Etihad Campus shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first use of the development and thereafter 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 occupants in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

44) Prior to the first use of the development hereby approved, a scheme of highway works shall be submitted for approval in writing by the City Council, as Local Planning Authority.

this shall include the following:

- Modifications to the junction of Gate 3/Alan Turing Way including widening of pedestrian footways to 2 metres, integration with Alan Turing Way and installation of tactile paving;
- Access from Gate 3 upgraded.

The approved scheme shall be implemented and be in place prior to the first use 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).

45) Prior to the first use at the development hereby approved, details of a servicing and operational management plan shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include how servicing arrangements will be managed at the development including ensuring the access road remains unrestricted. The approved plan shall be implemented upon the first use of the development and thereafter retained and maintained.

Reason - In the interest of highway and pedestrian safety pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

46) Excluding vehicle activity associated with the operation of events at the development, and movement of waste within the Etihad Campus between the development and the existing Etihad Waste Compound, deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Sunday 07:30 to 20:00

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

47) Notwithstanding the TV reception survey prepared by ME Engineers received by the City Council, as Local Planning Authority, on the 18 April 2023, within one month of the practical completion or at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first used or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

48) Prior to the first use of the development, details of any external roller shutters to the ground floor of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first use of the arena 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).

49) Prior to the first use of the development, details of the siting, scale and appearance (including samples of materials) of the boundary treatments shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented and be in place prior to the first use of the development. The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason - To ensure that appropriate boundary treatment is put in place in the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

50) Prior to the first use of the development hereby approved, details of the specification, siting, scale and appearance of the solar panels to the roof (including cross sections). The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are of the appropriate specification and appearance in the interest of the overall sustainability of the building and visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

51) Prior to the first use of the development hereby approved, final details of a signage strategy for the building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be used to inform future signage for the development.

Reason - In the interest of achieving a suitable signage solution for the development of the arena pursuant to policy DM1 of the Manchester Core Strategy (2012).

52) Prior to the first use of the development, details of the siting, scale and appearance of the air source heat pumps to the buildings hereby approved. The air source heat pumps must also comply with the noise criteria as specified in condition 30. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the air source heat pumps are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

53) Prior to the first use of the development, an electric vehicle car parking strategy for the provision electric car charging car parking spaces shall be submitted for approval in

writing by the City Council, as Local Planning Authority. The scheme shall include the following details:

- (a) Layout and location of electric vehicle charging points;
- (b) Provision for 4 new 22kw EVC; in addition, a further 4 22kw EVC will replace existing 7kw chargers. The 7kw will be relocated to City Football Academy;

The electric vehicle car parking strategy shall be implemented prior to the first use of the development and retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of minimise the impact on local air quality conditions pursuant to policy EN16 of the Manchester Core Strategy (2012).

54) Prior to any above ground works, details of a swept path analysis for the vehicle pick and drop off to the hotel and coach movements shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include modifications to the layout and pick up and drop off arrangements should this be necessary. The approved details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the development can accommodate the vehicle sizes pursuant to highway and pedestrian safety with policy DM1 of the Manchester Core Strategy (2012).

55) Prior to any above ground works, details of the location, size and specification of the accessible hotel bedrooms shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the hotel accommodation is accessible to all pursuant to policy DM1 of the Manchester Core Strategy (2012).

56) a) Three months prior to the first occupation of the development, a Local Benefit Proposal Framework that outlines the approach to local recruitment for the end use(s), shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the occupation of the development.

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

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

(b) Within 6 months of the first occupation of the development, a Local Benefit Proposal which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council, as Local Planning Authority. Any Local Benefit Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is operation.

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

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

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

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

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

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

58) Prior to the first use of the development hereby approved, details of a coach and bus parking/servicing strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there adequate provision for coach parking at the development pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

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:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

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.

- Cranes, whilst they are temporary, can be a hazard to air safety. The developer or crane operator must therefore contact Manchester Airport's Control of Works Office using the details provided below, at least 21 days in advance of intending to erect a crane or other tall construction equipment on the site. This is to obtain a Tall Equipment Permit and to ascertain if any operating restrictions would be required. Any operating restrictions that are subsequently imposed by Manchester Airport must be fully complied with. Email: control-of-works@magairports.com Tel: 0161 489 6114
- There is a high pressure pipe line in close proximity of the site. No works should be undertaken in the vicinity of the gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted. Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk> In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.
- Works in close proximity to the Ashton Canal - The applicant/developer is advised to contact the Infrastructure Services Team on ((01782 779909)) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & I & River Trust. 2) The Applicant should contact the Canal & River Trust directly to establish the position regarding the need the canal and carry out works along the Ashton Canal, including lighting, vegetation clearance and signage. The applicant is advised to contact the Trusts Estate Management Team on 0303 040 4040 or email Matthew.Hart@canalrivertrust.org.uk.
- All gates should open inwards and not impact on the adopted highway.

Date: 24 October 2023

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 his 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.

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.

Appendix A



The Coal Authority

INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024