



Planning

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Mr John Cooper
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Date: 23 August 2023

Dear Sir/Madam,

Application under Section 96a of the Town & Country Planning Act 1990 (as amended) for a Non-Material change to a planning permission

Application No: 137803/NMC/2023

Description: Non material amendment to planning permission referenced 133099/JO/2022 to amend conditions 2,, 4, 5, 6, 7, 9, 10, 13, 14, 15, 16, 17, 19, 22, 23, 26, 28, 34, 35 and 36 to reflect details which have been discharged together with the introduction of a phasing condition

Location: Land At Downley Drive, Manchester,

I refer to your application for a non-material amendment to planning permission reference 133099/JO/2022.

The proposal seeks to amend conditons 2, 4, 5, 6, 7, 9, 10, 13, 14, 15, 16, 17, 19, 22, 23, 26, 28, 34, 35 and 36 to reflect details which have been discharged together with the introduction of a phasing condition

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

Therefore I can confirm that the proposed amendments are hereby **approved**.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 133099/JO/2022. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 133099/JO/2022 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended conditions also now apply:

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

- 8801-BA-00-00-DR-A-(04) 007-C1 recieved by the City Council, as Local Planning Authority, on the 8 August 2023

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.

4) The development hereby approved shall be carried out in accordance with the approved Local Labour Statement of Intent and the Local Labour Employment Proposals in writing by the City Council, as Local Planning Authority on 28th October 2022 through CDN/22/0334.

The approved document shall be implemented during the construction of the development.

(b) Within one month prior to construction work being completed on each phase of the development identified on plan ref: 8801-BA-00- 00-DR-A-(04) 007-C1, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to the approved Local Labour Employment Proposals 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).

5) Notwithstanding the Flood Risk and Drainage Strategy prepared by Carley Daines and Partners stamped as received by the City Council, as Local Planning Authority on the 13 May 2021, each phase of the development hereby approved shall be carried out in accordance with the approved detailed surface water drainage strategy including:

- General S104 Drainage for Adoption dated April 2022
- Proposed Surface Water Catchment Areas Plan dated April 2022
- Email response to LLFA queries dated August 2022
- Flow Control details dated July 2022
- Overland flood routes sketch dated August 2022
- Attenuation tank construction detail dated August 2022
- Controlled water summary risk assessment dated July 2021
- Microdrainage calculations for S104 dated April 2022
- Drainage strategy Drawing dated September 2021
- Hydraulic characteristics dated July 2022
- Flood Risk Assessment and Drainage Strategy dated April 2021 prepared by Carley Daines approved in writing by the City Council as the Local Planning Authority on 28th October 2022 under CDN/22/0334.

Each phase of the development on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1 shall be constructed in accordance with the approved details.

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

6) (1) The development hereby approved shall be carried out in accordance with the Written Scheme of Investigation (WSI) submitted to and approved in writing by the City Council, as Local Planning Authority on 20th June 2022 under CDN/22/0374.

Prior to the first use of a phase of development hereby approved, the following matters shall be submitted for approval in writing by the City Council, as Local Planning Authority:

2. A programme for post-investigation assessment to include:

- production of a final report on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the archaeological investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.

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

7) (a) Each phase of the development on plan ref: 8801-BA-00-00-DR-A- (04) 007-C1 shall be carried out in accordance with the Phase 1 Preliminary Risk Assessment- Downley Drive, Manchester, Carley Daines and Partners Limited, reference 19-B-12490, dated October 2019, Phase 2 Geo-environmental investigation and assessment - Downley Drive, Manchester, Carley Daines and Partners Limited, Reference: 19-B-12490/Downley Drive, Dated: 25 January 2021, Supplementary Report on Gas Monitoring - Carley Daines and Partners Limited, Reference: 19-B-12490/Downley Drive, Dated: 9 March 2021 and Phase 3 Remediation Statement - Downley Drive, Manchester, Carley Daines and Partners Limited, Reference: 19-B-12490/Downley Drive, Dated: 9 March 2021, approved under 130390/FO/2021 and Phase 2 Site Investigations dated January 2021, Phase 3 Remediation Statement dated March 2021, and Calibration Certificate dated December 2020 approved in writing by the City Council as Local Planning Authority on 28th July 2022 under CDN/22/0334.

(b) When each phase of the development commences, that phase of the development shall be carried out in accordance with the agreed Remediation Strategy in Part a) and a Completion / Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the first occupation of each phase of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before each phase of the development is occupied, then development shall cease and 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 phase of the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

9) Each phase of the development identified on plan ref: 8801-BA-00-00-DRA-(04) 007-C1 hereby approved shall be carried out in accordance with the detailed construction management plan dated April 2021 approved in writing by the local planning authority on 28th October 2022 under CDN/22/0334.

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.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

10) Each phase of the development identified on plan ref: 8801-BA-00-00-DRA-(04) 007-C1 hereby approved shall be carried out in accordance with the External Materials Schedule and Sample Photos approved in writing by the City Council, as Local Planning Authority on 6th July 2023 under CDN/23/0237.

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.

11) The window reveals and soffits for each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1 shall be carried out in accordance with drawing 8801-BA-00-00-DR-A- (31) 001-8 stamped as received by the City Council, as Local Planning Authority, on the 24 May 2021. The extent of the window reveals and detailing will be as follows: -

- Minimum window reveal 180 mm and brick soffit (apartments);
- Minimum window reveal 180 mm and brick soffit (dwellings) (front elevations and road facing side elevations only)

Reason - In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

12) The boundary treatment for each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1 hereby approved shall be carried out in accordance with drawings 1907/p105, 1907/p/05 Rev C and stamped as received by the City Council, as Local Planning Authority, on the 30 June 2021 and drawing 1907/p/01 Rev F stamped as received by the City Council, as Local Planning Authority, on March 2022.

The approved details shall be implemented as part of the development and be in place prior to the first occupation of the development.

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

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

13) The development hereby approved shall be carried out in accordance with the Environmental Standards and Energy Statement prepared by Watt Energy & Consulting Engineers ("Watt") stamped as received by the City Council, as Local Planning Authority, on the 13 May 2021. The development shall achieve a minimum of 20% improvement over Part L 2013 using SAP09 Carbon Factors and shall aim to achieve 61.1% in carbon on Part L 2013 Building Regulations SAP 09 Carbon Factors.

A post construction review certificate/statement shall be submitted for approval in writing by the City Council, as Local Planning Authority, within 3 months of first occupation of each phase of the development on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1 hereby approved.

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.

14) Prior to the first occupation of each phase of the development on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include:

- Verification report providing photographic evidence of construction as per design drawings.
- As built construction drawings if different from design construction drawings.
- 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 implementation of the management and maintenance plan shall be implemented for each phase of development in accordance with the timescales agreed and retained for as long as the phase of the development remains in use.

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

15) (a) The landscaping for each phase of the development hereby approved shall be carried out in accordance with the following hard and soft landscaping drawings:

- Planting Plan (Ref: 1907/C/108)
- Landscaping Plan (Ref: 1907/C/04)
- Site Levels Plan (Ref: 1907/C/05)
- Housing Hard Surfaces and Levels Plan (Ref: 1907/C/06)
- Paving and Edging Details (Ref: 1907/C/101)
- Bin Store Details (Ref: 1907/C/102)
- Fencing Details (Ref: 1907/C/103)
- Steel Railings and Gates (Ref: 1907/C/104)
- Gates and Railings (Ref: 1907/C/105)
- Entrance Details (Ref: 1907/C/106)
- General Retaining Wall Detail (Ref: 1907/C/107)
- Landscape Plan (Ref: 1907/C/01)
- Layout Plan (Ref: 1907/C/02)
- Boundary Treatment Plan (Ref: 1907/C/03)

received and approved in writing by the City Council, as Local Planning Authority on 22nd November 2022 under CDN/22/0802

(b) 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.

16) (a) Notwithstanding the Noise Assessment prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority 13 May 2021, prior to the first occupation of each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007- C1, a scheme for acoustically insulating the proposed residential accommodation against noise from the local traffic network shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of that phase of the development.

Noise survey data must include measurements taken during a rushhour period and nighttime to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

- Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)
- Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq
- Gardens and terraces (daytime) 55 dB L Aeq

Prior to the first occupation of each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1, 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 phase of the development complies with part (a) of this planning condition.

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

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

17) (a) Prior to the first occupation of each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of

doubt, externally mounted plant, equipment, and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (Laeq) below the typical background (La90) level at the nearest noise sensitive location.

(b) Prior to the first occupation of each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1, 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 phase of 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 be 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).

18) The waste management arrangements for each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1, hereby approved shall be carried out in accordance with Waste Management and Servicing Strategy (including MCC's Waste Proforma) prepared by Buttress Architects stamped as received by the City Council, as Local Planning Authority, on the 13 May 2021.

The details shall be implemented prior to the first occupation of each phase of 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.

19) Each phase of the development identified on plan ref: 8801-BA-00-00-DR-A- (04) 007-C1, hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn.

Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of each the phase of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the phase of the development and shall remain in operation for so long as the phase of 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.

22) Prior to the first occupation of "Phase 1" of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1, the siting, scale and appearance of a suitable cycle store for each dwellinghouse shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The cycle storage arrangements for the apartment, "phase 2" of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1 shall be carried out in accordance with

drawing 8801-BA-00-00-DR-A-(04) 200 stamped as received by the City Council, as Local Planning Authority, on the 13 May 2021.

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

Reason - To ensure there is sufficient cycles 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).

23) Prior to the first occupation of each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1 hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the following:

- Details of new areas of highway including possible adoption.
- Alterations of existing highway including creation of new vehicular access points, dropped kerbs and tactile paving to Woodward Place, Woodward Street, Kingham Drive, Downley Drive and St Vincent Street.
- Details of the uncontrolled crossing points at Downley Drive junction with the new road and at St Vincent Street.
- Resurfacing of existing carriageway and footway including introduction of tactile paving to crossing points.
- Double yellow lines waiting restrictions to St. Vincent Street and the introduction of No Waiting at Any Time restrictions for of St. Vincent Street east in its entirety including the turning head and a section of St. Vincent Street west.
- No Waiting at Any Time restrictions to Downley Drive turning head; and,
- Waiting restrictions at the following junctions (as shown in Drawing No. 1741/01)
 - o Downley Street / Woodward Street;
 - o St. Vincent Street / Woodward Street; and,
 - o Woodward Place / Woodward Street.

The approved scheme shall be implemented and be in place prior to the first occupation of each phase of the development hereby approved and thereafter retained and maintained in situ for as long as each phase of the development remains in use.

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).

26) Prior to the first occupation of each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1 hereby approved, details of the number, siting and appearance bird and bat boxes for each phase of the development 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 occupation of each phase of the development hereby approved and shall thereafter be retained and maintained in situ.

Reason - In the interest of providing habitats for birds and bats and to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

27) Prior to the first occupation of each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1, details and specification of 7 kw fast charging electric car charging points for each dwellinghouse in relation to "Phase 1", and 20% of the apartments car parking space in relation to "Phase 2", shall be submitted for approval in

writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first occupation of the phase of the development and thereafter retained and maintained in situ.

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

28) Prior to the installation of the proposed driveways and car parking areas hereby approved, a drainage scheme in relation to each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007- C1 shall be submitted to and approved in writing by the City Council as Local Planning Authority. Each phase of the development shall be carried out in accordance with the approved details and maintained in situ thereafter.

Reason - To prevent the increased risk of flooding, improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

34) Each phase of development hereby approved shall be carried out in accordance with the Travel Plan Framework prepared by Ashley Helme stamped as received by the City Council, as Local Planning Authority, on the 13 May 2021.

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

- vi. the measures proposed to be taken to reduce dependency on the private car by those living at the development.
- vii. a commitment to surveying the travel patterns of residents during the first three months of the first use of the development and thereafter from time to time.
- viii. mechanisms for the implementation of the measures to reduce dependency on the private car.
- ix. measures for the delivery of specified travel plan services.
- x. measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first occupation of each phase of the development identified on plan ref: 8801-BA-00-00-DR-A-(04) 007-C1, 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 relevant phase of 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).

35) Prior to the first use of "Phase 2" of the development on plan ref: 8801-BA00-00-DR-A-(04) 007-C1 hereby approved, details of the siting, scale and appearance of the solar panels to the apartments (including cross sections).

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

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

36) Prior to the first use of each phase of the development on plan ref: 8801-BA00-00-DR-A-(04) 007-C1 hereby approved, details of the siting, scale and appearance of the air source heat pumps to the apartments - in relation to "Phase 2", and the dwelling houses - in relation to "Phase 1", hereby approved. The air source heat pumps must also comply with the noise criteria as specified in condition 17. The approved details shall then be implemented prior to the first use of each phase of the development and thereafter retained and maintained in situ.

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

37) The development shall be delivered on a phased basis as shown on drawing 8801-BA-00-00-DR-A-(04) 007-C1 received by the City Council, as Local Planning Authority, on the 8 August 2023

Reason - To clarify that this is a phased development pursuant to policy DM1 of the Manchester Core Strategy (2012).

Should you wish to discuss the matter further, please contact Jennifer Atkinson using the details above.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe
Director of Planning, Building Control & Licensing