

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136359/FO/2023

Date registered valid: 10 May 2023

Proposal: Change of use of site and creation of an electric forecourt comprising 16 no. electric vehicle charging points (Sui Generis use), with associated canopy/bio-diverse roof structure, erection of single storey retail unit (Use Class E), hard and soft landscaping, access arrangement and other associated infrastructure.

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

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Iduna Evci Asset Co 1 Limited

Agent (if any): Mrs Larna Smith Avison Young

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

Recommendation: Approve

Date of recommendation: 16.06.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 22.03.2023

Standard consultations:

Printed: 15 March 2023 Expired: 5 April 2023

Neighbour notifications

Printed: 15 March 2023 Expired: 5 April 2023

Site notice

Posted: 22 March 2023 Expired: 12 April 2023

Press advert

Published: 21 March 2023 Expired: 11 April 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

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

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



Streetview picture of the site from 2012 showing the remnants of the former Filling station canopy

Description of development

The proposals are for the creation of an electric charging facility (16 no. EVCP parking spaces) and associated single storey retail/commercial unit (175 sqm). The proposals incorporate a detailed landscaping scheme - including tree planting), boundary treatments and provision for electric charging points for bicycles.

The charging points would be covered with a canopy structure with a sedum roof with structural trees (6no.) planted between parking spaces which would be laid out in a circular pattern accessed via Reliance Street. The commercial unit would be finished in a zinc and timber clad finish again with a sedum roof. As with the previous use on the site it is intended that the site would operate 24 hours a day.

Boundary treatments are proposed to be in the form of 400mm aluminium edged raised planters to the Oldham Road and Reliance Street frontages with timber batten fences to the eastern and southern boundaries.



CGI of Proposal on Oldham Road

Relevant Planning History

100783/JO/2012/N1 - Variation of Condition 2 of Planning Approval F09340, and subsequent approvals to extend the range of A1 retail goods to be sold from the premises. Approved 14.02.2013

100782/FO/2012/N1 - Application for the subdivision of existing class A1 retail warehouse unit to form two separate class A1 retail units of 1,859sqm and 855sqm, external alteration to the unit frontage to create new shop entrances and alterations and enhancements to the existing car park and boundaries. Approved 20.02.2013

027659 - Self service petrol filling station, shop and restaurant – Approved 12.11.1986

Consultations & Notification Responses

A site notice was posted, advertisement posted in the Manchester Evening News and notification letters sent to residents, one responses was received, the comments made are set out below:

- An absolutely ridiculous Americanised proposal which takes up land which could be used for things that actually contribute to the city, such as homes or workspaces. This takes up a prime plot on a busy main thoroughfare and close to Metrolink and bus connections. Wasting it on some Disneyfied car-centric nonsense will harm the area's economic recovery and impact the entire city. Please can the council grow a spine when it comes to car-centric development. Manchester is a city, not a car park. Please start acting in this manner.

MCC Highways - Due to the lack of non-vehicle charging spaces, there are some concerns that there may be overspill parking onto adjacent streets.

The access is set back sufficiently from Oldham Road to provide acceptable visibility and keep clear markings are provided. We require that tactile paving is installed across the access and that the redundant vehicle crossover on Oldham Road is removed for which a

S278 agreement is required.

Five Sheffield cycle stands are proposed for E-Bike charging and cycle parking which is acceptable to us.

Internal waste storage is provided with collection from Reliance Street which is acceptable to Highways.

Conditions would be required relating to construction management and off site highways works if the application is to be approved.

MCC Environmental Health - Request conditions relating to construction management, opening hours to be agreed, delivery hours restrictions, noise insulation of building to prevent breakout and external plant and equipment, lighting no glare, contaminated land condition and waste management.

MCC Flood Risk Management Team – Recommend a drainage condition be attached to any planning approval.

Greater Manchester Ecology Unit – Recommend a condition relating to scrub and vegetation clearance taking place outside of bird nesting season. A biodiversity net gain assessment has been provided that indicates significantly more than 10% would be achieved, they have no objection to the landscape proposals being conditioned.

MCC Arboriculture – Note that the proposed landscaping appears well thought out but requested some additional planting.

GMP Design for Security – Requested the cycle parking be positioned so it could be viewed from the retail unit, and that the retail unit and charging station be built to Secured by Design Standards.

Policy

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

Policy SP1 ‘Spatial Principles – This is a development site within Newton Heath District Centre. The proposal would have a positive impact on visual amenity and the character of the area. The design and appearance of the building would provide a high quality addition to the street scene and complement existing developments in the area.

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

Policy C1 ‘Centre Hierarchy’ – The development would support the local catchment area and the vitality and viability of Newton Heath District Centre.

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

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

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

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

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

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

Policy EN15, 'Biodiversity and Geological Conservation' - The site has limited ecological value and the planting proposed would represent a significant biodiversity enhancement. No clearance of the limited vegetation at the site should take place during bird nesting season.

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

Policy EN18, 'Contaminated Land' – The ground conditions at the site are likely to be constrained due to historic uses of the land. In this instance given the proposed end use suitably worded conditions to deal with this matter are proposed.

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

The Unitary Development Plan for the City of Manchester (1995)

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

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

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

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

NPPF (July 2021)

Para 38 confirms that 'local planning authorities should approach decision making on proposed development in a positive and creative way', working proactively with applicants to secure development that will improve the economic, social and environmental conditions of the area.

Para 81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

Para 86. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Para 111. development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 112. applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Issues

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

In this instance further consideration of impacts on residential amenity and visual amenity is required together with consideration of highway and pedestrian safety impacts.

Residential Amenity – Noise, Privacy, Overlooking etc

The proposals are accompanied by a Noise Impact Assessment which was amended during consideration of the application following comments received for further details of the results of the testing undertaken. This assessment has undertaken to review day and night time impacts given the proposed 24 hour use of the proposal.

It is considered that the proposals would not give rise to unacceptable levels of noise to nearby residential properties given the existing baseline noise environment in this area. Conditions are proposed to ensure that external plant and equipment meet the relevant criteria and that the building is acoustically treated to minimise noise outbreak.

Given the nature of the equipment to be used it is not envisaged that this would generate significant noise impacts, it is likely that users of the facility would either wait within their vehicle whilst charging or use the proposed commercial unit to wait. The building has been designed to face towards the proposed parking spaces so would offer some protection from associated noise from comings and going to the nearest residents to the south of the site, whilst those properties being constructed on the eastern side of Oldham Road would be separated by four lanes of busy road. It is not considered that the proposals would give rise to impacts on residential amenity associated with noise that would warrant refusal of the application, the site is located within a district centre alongside a busy arterial road, as such existing and future

residential occupiers within the area would experience a differing noise climate to other more solely residential areas.

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

Visual Amenity - The current site contributes negatively towards the street scene and area having been vacant for a number of years with poor quality boundary treatments and retained hardstanding on the site. The application proposals offer an opportunity to enable this district centre site to contribute positively towards Oldham Road and the Newton Heath area. The inclusion of a detailed landscaping scheme together with a building and canopy with a simple form clad in complementary zinc and timber cladding would enhance and lift the area. Conditions are proposed for the final details of materials to be agreed and the landscaping scheme submitted is considered acceptable and shall be installed and maintained as part of the development.

Sustainability – The proposals would provide off street electric vehicle charging points, this infrastructure would assist in providing required facilities to enable the switch to zero emission vehicles and contribute towards improvements to air quality in the city. The building would be constructed to exceed current building regulation standards utilising renewable energy through provision of roof top PV panels and air source heat pumps with a 11% reduction in emissions over and above 2021 building regulations.

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

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

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

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

Lighting – A lighting scheme has been submitted which has been assessed. This is considered to be acceptable save for a verification report being prepared prior to first use that the approved scheme has been installed and operates in line with the lighting consultants scheme.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

The application has been determined in a positive and proactive manner. In this instance issues that have arisen during consideration of the application have been discussed with the applicant's agent and suitably worded conditions are proposed.

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

1) The development must be begun not later than the expiration of three years beginning with the date of 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:

Drawing references: 3.1001 Rev P4 'Proposed Site Plan'; 3.1002 Rev P2 'Proposed Roof Plan'
All as received by the local planning authority on the 15th May 2023

3.2.004 Rev P1 'Proposed West Elevations'; 3.2.003 Rev P1 'Proposed North Elevations'; 3.2.002 Rev P1 'Proposed East Elevations'; 3.2.001 Rev P3 'Proposed South Elevations' and ADH2096100 All as received by the local planning authority on the 27th March 2023.

002 'Hard Landscape Layout'; 003 'Planting Plan' both as received on the 27th February 2023

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

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

3) Prior to the commencement of development, a construction management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt shall include:

- Measures to control noise and vibration;
- Dust suppression measures;
- Compound locations where relevant;
- Details of an emergency contact telephone number;
- A community consultation plan;
- Sheeting of construction vehicles.
- The routing of construction traffic;
- Detail the vehicular activity associated with the construction including appropriate sweptpath assessment;
- Details of the location and arrangements for contractor parking;
- Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period
- The identification of the vehicular access points into the site.

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

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

4) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

5) Prior to the installation of any drainage associated with the development details of a surface water drainage scheme in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The submitted scheme shall include:

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

The development shall subsequently incorporate the approved drainage scheme.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

6) When the development commences it shall be carried out in accordance with the previously agreed Remediation Strategy (approved under condition 3 of this decision notice) and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

7) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

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

8) Prior to the operation of any external plant, equipment and servicing acoustic insulation scheme approved under condition 7 of this decision notice, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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

9) Prior to the first occupation of the development hereby approved, a verification report shall be submitted to and approved in writing by the City Council as local planning authority. The report shall validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report in respect of the acoustic insulation and treatment of the approved development to limit the break out of noise. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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

10) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and

requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policy DM1 of the Core Strategy.

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

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

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

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

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

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

14) Prior to the commencement of above ground works, details of all materials to be used on the external elevations of the building and associated canopy structures shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

15) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing references: 002 Rev 02 'Hard landscape layout'; and 003 Rev 02 'Planting Plan'; shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

16) Prior to the first occupation of the development hereby approved, details of the 'sedum green roof' and 'biodiverse roof' together with a long term maintenance and management plan and timescale's for its implementation prepared by a suitably qualified specialist shall be submitted to and approved in writing by the City Council as local planning authority. The submitted details shall be installed within the previously agreed timescale and maintained and managed in accordance with the agreed details thereafter.

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

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

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

18) Prior to the first use of the development hereby approved the electric vehicle charging points as set out within table 1 of the submitted Planning Statement, cycle parking and charging points and area for car parking as indicated on the approved plans shall be installed, laid out and demarcated.

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

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

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

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This informative does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting reference 28900939

2) In order to discharge the waste storage and management condition attached to this approval the following guidance is provided:

The proforma/ Waste Management Strategy must include the following information:

- Estimated volumes and types of waste produced by the development;
- Details of internal and external stores for both waste and recycling, including any plans and designs;
- Location of the proposed collection point and details of the route the collection vehicle will take;
- Details of how waste will be transferred between stores and to the collection location; and
- Details of number and capacity of bins proposed and collection frequency.
- Other details as per 'Waste Proforma v1.0' - refer to guidance at:

http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy

Please ensure that additional bins are provided for pulpable waste.

3) The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

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

Flat 18, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 15, 53 Ivy Graham Close, Manchester, M40 3AX
Unit 15B, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
Units 1 To 3, Enterprise Park, Reliance Street, Manchester, M40 3AL
41 Ivy Graham Close, Manchester, M40 3AS
1071 Oldham Road, Manchester, M40 2EN
53 Ivy Graham Close, Manchester, M40 3AX
Flat 6, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 5, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 3, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 11, 53 Ivy Graham Close, Manchester, M40 3AX
Vehicle Repair Workshop Rear Of Unit 1, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
Flat 1, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 23, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 20, 53 Ivy Graham Close, Manchester, M40 3AX
Unit 9, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
43 Ivy Graham Close, Manchester, M40 3AS
Unit 7, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG
Flat 2, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 16, 53 Ivy Graham Close, Manchester, M40 3AX
1077 Oldham Road, Manchester, M40 2EN
Flat 21, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 19, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 10, 53 Ivy Graham Close, Manchester, M40 3AX
47 Ivy Graham Close, Manchester, M40 3AS
51 Ivy Graham Close, Manchester, M40 3AS
Flat 22, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 14, 53 Ivy Graham Close, Manchester, M40 3AX
Warehouse Adjacent Unit 16, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
1073 Oldham Road, Manchester, M40 2EN
Flat 8, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 12, 53 Ivy Graham Close, Manchester, M40 3AX
1081 Oldham Road, Manchester, M40 2EN
T D AUTOCARE, Workshop, Lonsdale Street, Manchester, M40 2FT
Unit 16, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AG
45 Ivy Graham Close, Manchester, M40 3AS
Unit 8, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL
1079 Oldham Road, Manchester, M40 2EN
Flat 24, 53 Ivy Graham Close, Manchester, M40 3AX
Flat 17, 53 Ivy Graham Close, Manchester, M40 3AX
The Amber Club, 1143 Oldham Road, Manchester, M40 2FU
Unit 1A, Reliance Street Trading Estate, Reliance Street, Manchester, M40 3AL

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

Appendix 2 – Planning constraints

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