

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

Nuvu Development Limited
C/o Agent

Agent (if used)

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

Part 1 – Particulars of the application/development

Proposal: Application for development comprising 378 dwellings (134 apartments and 244 houses) (Use Class C3) and a new community building with ground floor commercial floorspace (up to 671 sq.m) (Use Classes E, F1 and F2), all with associated car parking, highways, landscaping, community park and pocket park, and other associated works, with all matters to be considered; together with an outline application with all matters reserved except for means of access , for a new secondary school (Use Class F1), with associated car parking, highways arrangements, landscaping and other associated works, and the erection of up to 338 dwellings (Use Class C3), with associated car parking, highways, landscaping and new public realm creation, and other associated works.

Location: Former Jacksons Brickworks Site , Ten Acres Lane, Manchester

Date of application: 17 May 2022

Application number: 133700/FO/2022

Part 2 – Particulars of decision

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

Article 35 Declaration

Condition(s) attached to this decision

0) Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about the provision of electric charging points , highways matters, biodiversity , measures in relation to the canal towpath, and affordable housing, these matters has been satisfactorily resolved and the appropriate conditions have been attached.

1) The first phase of 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) Phases 1a,1b and 1c of the development hereby approved shall be carried out in accordance with the following drawings and documents:

Red line boundary plan ref:2490-PLA-00-00-DR-LA-0057 rev.P06

Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 ;

Jacksons Community Park GA Plan ref: 2490-PLA-00-00-DR-LA-0043 rev.P07 ;

Ten Acres Pocket Park Plan ref: 2490-PLA-00-00-DR-LA-0044 rev.P06 ;

Hallam Green GA plan ref: 2490-PLA-00-00-DR-LA-0065 rev.P02 ;

Phase 1 Boundary Treatments Plan ref: 2490-PLA-00-00-DR-LA-0050 rev.P08;

Phase 1 Hardworks Plan ref: 2490-PLA-00-00-DR-LA-0051 rev.P06;

Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (not withstanding the indicated ratio of native to non native planting;

Combined Masterplan ref: 2490-PLA-00-00-DR-LA-0056 rev.P08;

Typical External layout of single dwellings Plan ref: 2490-PLA-00-00-DR-LA-0058 rev.P04;

Lighting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0059 rev.P04;

House Type D End (2B4P) plan ref: 32576 A-P19-004 rev.P4;

House Type E Mid (2B4P) plan ref: 32576 A-P19-005 rev.P4;

House Type F End (3B4P) plan ref: 32576 A-P19-006 rev.P4;

House Type G Mid (3B4P) plan ref: 32576 A-P19-006 rev.P4;

House Type H End (3B4P) plan ref: 32576 A-P19-008 rev.P4;

House Type I Corner Turner (3B5P) plan ref: 32576 A-P19-009 rev.P4;

House Type J End (3B5P) plan ref: 32576 A-P19-010 rev.P4;

House Type K Mid (3B5P) plan ref: 32576 A-P19-011 rev.P4;

House Type L Mid (3B6P) plan ref: 32576 A-P19-012 rev.P4;

House Type M Detached (4B6P) plan ref: 32576 A-P19-013 rev.P4;

House Type N End (4B6P) plan ref: 32576 A-P19-014 rev.P4;

House Type O End (4B8P) plan ref: 32576 A-P19-015 rev.P4;

House Type P Mid (4B8P) plan ref: 32576 A-P19-016 rev.P4;

CGI Street Scene - View 01- The Avenue plan ref: 32576 A-P21-001 rev.P1;

CGI Street Scene - View 02- Canalside plan ref: 32576 A-P21-002 rev.P1;

CGI Street Scene - View 03- Corner Apartment plan ref: 32576 A-P21-003 rev.P1;

CGI Street Scene - View 04- Mews plan ref: 32576 A-P21-004 rev.P1;

CGI Street Scene - View 05- Hallam Green plan ref: 32576 A-P21-005 rev.P1;

CGI Street Scene - View 06- Hallam Modal filter plan ref: 32576 A-P21-006;

CGI Street Scene - View 07- Hub Building plan ref: 32576 A-P21-007 rev.P1 ;

Environmental Statement Volume 1 dated May 2022

Environmental Statement Volume 2 Technical Appendices;

Environmental Statement Volume 3: Non-Technical Summary

Archaeological Desk Based Assessment ref: 211585 Issue 15 November 2011;

Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01;

Energy report revision F Document No. 23/080/R/01 F dated May 2022;

Local Labour Statement ;

Planning Statement;

Statement of Community Involvement dated April 2022;

Sustainability Strategy and Environmental Standards Statement;

Ventilation Report Document No. 23/080/VR/01 D dated April 2022;

Financial Viability Appraisal April 2022;

Travel Plan and Accessibility Audit ref: VN201804 dated May 2022;
 Design and Access Statement dated 28th April 2022;
 Nesting Bird Survey April 2022
 Received 6th May 2022
 Financial Viability report dated April 2022
 Transport Assessment Addendum - Response to Highways Comments
 Ref: VN201804 Post App TN01 and Jacksons Distribution spreadsheet received 8th
 September 2022;
 Phase 1 Site Layout ref: 32576 BW01 rev.F;
 Adoption layout ref: 32576 02 rev.C;
 Parking Allocation Plan ref: 32576 BW 03 rev.C;
 EV Charging Allocation layout plan ref: 32576 BW 04 rev.C;
 Refuse Strategy Layout ref: 32576 BW05 rev.D,
 GA Floor plan (Ground and First floor Community Hub) ref: A- P11-010 rev.P1
 Received 9th September 2022
 Transport Assessment Addendum Response to Highways Comments: Junction
 Modelling Update VN201804 Post App TN02 received 13th September 2022;
 GA Plans Apartment Block A plan ref: 32576 A-P11-001 rev.P3
 GA Plans Apartment Block B Ground and first floor plan ref: 32576 A-P11-002
 rev.P3;
 GA Plans Apartment Block C plan ref: 32576 A-P11-004 rev.P3;
 GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010
 rev.P3; received 14th September 2022;
 Email from Planning agent dated 10th October 2022.
 Street Furniture Plan ref: 2490-PLA-00-00-DR-LA-0060 rev.P03;
 Temporary Arrangement with Phase 1 implemented Plan ref: 2490-PLA-00-00-DRLA-
 0061 rev.P03;
 Tree Protection Plan Phase 1 plan ref: 2490-PLA-00-00-DR-LA-0062 rev.P01;
 Illustrative Masterplan ref: 2490-PLA-00-00-DR-U-0046 rev.P02 ;
 Phasing plan ref: plan ref: 2490-PLA-00-00-DR-U-0064 rev.P01;
 Street Elevations Sheet 1 of 2 plan ref: 32576 A-P10-100 rev.P1;
 Street Elevations Sheet 2 of 2 plan ref: 32576 A-P10-101 rev.P1;
 GA Plans Apartment Block A plan ref: 32576 A-P11-001 rev.P2
 GA Plans Apartment Block B Ground and first floor plan ref: 32576 A-P11-002
 rev.P2;
 GA Plans Apartment Block B 2nd floor and roof plan ref: 32576 A-P11-003 rev.P2;
 GA Plans Apartment Block C plan ref: 32576 A-P11-004 rev.P2;
 GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010
 rev.P2;
 GA Plans Apartment Block D 2nd and 3rd floor plan ref: 32576 A-P11-0011 rev.P2;
 GA Plans Apartment Block D roof plan ref: 32576 A-P11-0012 rev.P1;
 GA elevations Apartment Block A plan ref: 32576 A-P13-001 rev.P2;
 GA elevations Apartment Block B plan ref: 32576 A-P13-002 rev.P2;
 GA elevations Apartment Block C plan ref: 32576 A-P13-003 rev.P2;
 GA Elevations Hub Building Block D plan ref: 32576 A-P13-004 rev.P3;
 House Type A Muse End (2B3P) plan ref: 32576 A-P19-001 rev.P5;
 House Type B End (2B3P) plan ref: 32576 A-P19-002 rev.P4;
 House Type C Mid (2B3P) plan ref: 32576 A-P19-003 rev.P4;

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) Development shall be carried out in accordance with the Phasing shown on plan reference: Phasing Plan 2490-PLA-00-00-DR-U-0064 rev.P4 received 12th September 2022.

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).

4) Prior to the commencement of Phase 1a, Phase 1b or Phase 1c of the development, a detailed construction management plan outlining working practices during development relating to that Phase shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- o The routing of construction traffic (No construction traffic (vehicular or pedestrian) shall use Hallam Road at any time) ;
 - o Detail the vehicular activity associated with the construction including appropriate swept path assessment;
 - o Details of the location and arrangements for contractor parking;
 - o The identification of the vehicular access points into the site;
 - o 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;
 - o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
 - o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.
 - o Identify measures to reduce noise emissions;
- Development shall be carried out in accordance with the approved construction management plan.

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

5) Prior to above ground works commencing in Phase 1a, Phase 1b or Phase 1c of the development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, and traffic calming) relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

6) Prior to the commencement of Phase 1a, Phase 1b or Phase 1c of the development a detailed construction environmental management plan outlining working practices during development relating to that Phase shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:-

- Construction Logistics Plan (incl. dust and odour monitoring)
- Dust Management Plan
- Lighting drawings and specifications
- Site compound facilities plan

- Details of perimeter fencing (including location)
- Surface Water Management Plan
- Noise and Vibration Management Plan
- Non-native species Management Plan
- Air Quality Statement
- Construction Dust Assessment
- Traffic Management Plan
- Site Waste Management Plan
- Materials Management Plan
- Environmental Response Plan

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

7) Prior to the commencement of on-site remediation works, in Phase 1a, Phase 1b or Phase 1c of the development , the applicant shall submit, for written approval to the Local Planning Authority an additional site investigation, where necessary, based on and further to current submitted reporting, providing detailed investigation of the risk to all potential on-site and off-site receptors that maybe be affected by contamination derived from the site relating to that Phase. The development relating to that Phase shall be implemented in full accordance with the details so approved.

Reason- The current combined Phase I & II Ground investigation reporting submitted, does not adequately characterise site conditions in accordance with paragraph 183 of the NPPF. In particular, with regards to controlled waters, the current Phase I & II reporting submitted does provide definitive clarity regarding what groundwater and leachate (liquid in contact with waste) has been sampled. Further to this, an upwelling of liquid with a foul odour and coloration has been identified which warrants further investigation; there is a potential this upwelling is derived from the known deposited waste mass present within the site, pursuant policies EN17 and EN18 of the Manchester Core Strategy (2012).

8) Prior to the commencement of on-site remediation works in Phase 1a, Phase 1b or Phase 1c of the development, the applicant shall submit, for written approval, to the Local Planning Authority a detailed assessment of risks to human and environmental receptors (including those off-site) relating to that Phase. The development relating to that Phase shall be implemented in full accordance with the details so approved.

Reason - To provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation strategy submitted (JC/MP/MW/LD10162/LET-006-REV D) and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

9) Prior to the commencement of on-site works in Phase 1a, Phase 1b or Phase 1c of the development, a Ground Stabilisation Works Plan relating to that Phase shall be developed, submitted to, and approved in writing by the Local Planning Authority. The Ground Stabilisation works plan should include details (per phase where relevant), as to how identified ground hazards (such as underground structures and boreholes) are to be addressed and decommissioned relating to that Phase . Any changes to plan for that Phase will require the written consent of the local planning authority. The plan for that Phase shall be implemented as approved.

Reason - To ensure the protection of the development from underground hazards, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

10) Prior to the commencement of Phase 1a, Phase 1b or Phase 1c of the development, a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed on the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) should be submitted and approved in writing by the City Council as local planning authority. The development relating to that Phase, shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development phasing plan, that the detailed remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

11) Prior to the commencement of Phase 1a, Phase 1b or Phase 1c of the development a verification phasing plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy (per phase as identified in the site phasing plan, drawing reference 2490- PLA-00-00-DR-U-0064) are complete, shall be submitted to and approved in writing by the City Council as local planning authority. The development relating to that Phase shall be implemented in full accordance with the details so approved.

Reason - To ensure that unacceptable risks to the environment and human health can be addressed and that a safe development can be achieved using the identified remediation techniques without adverse impact to human and environmental receptors on and off-site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

12) On completion of Phase 1a, Phase 1b or Phase 1c of the development (as set out in the agreed verification phasing plan), a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority relating to that Phase . The report shall include results of sampling and inspections carried out in accordance with the approved verification phasing plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012), and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012.

13) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination is known or suspected is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters in Phase 1a, Phase 1b or Phase 1c of the development. The development relating to that Phase shall be carried out in accordance with the approved details.

Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

14) If, during the undertaking of site works in respect of Phase 1a, Phase 1b or Phase 1c of the development, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority. Written agreement shall then be obtained from the local planning authority to enable onsite works to recommence within the area(s) not affected by the contamination identified. Works shall not recommence with the defined area of contamination until the developer has submitted and obtained written approval, from the local planning authority, of a remediation strategy detailing how the identified contamination shall be dealt with relating to that Phase . The remediation strategy shall be implemented as approved relating to that Phase .

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

15) Piling or any other foundation designs using penetrative methods shall not be permitted in Phase 1a, Phase 1b or Phase 1c of the development other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development relating to that Phase shall be carried out in accordance with the approved details.

Reason - For the future protection of the Water Environment from risks arising from land contamination and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

16) No development shall take place in Phase 1a, Phase 1b or Phase 1c of the development, until a document highlighting a temporary surface water drainage strategy, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, has been submitted to and approved in writing by the Local Planning Authority relating to that Phase . The development relating to that Phase shall be implemented in accordance with the approved temporary surface water drainage strategy.

Reason - To secure surface water drainage arrangements and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Core Strategy for Manchester (2012).

17) A wildflower meadow is to be implemented on site if construction works for the redevelopment of Phases 1a , 1b and 1c of the site have not commenced within 12 months of the completion and validation of the remediation works. Details of the soft landscaping scheme to form the wildflower meadow shall be submitted to and approved in writing by the Local Planning Authority. The approved wildflower meadow shall then be implemented, within 3 months of the approval of the scheme.

Reason - To safeguard the amenities of nearby residents , pursuant to policies SP1, EN9, and DM1 of the Manchester Core Strategy (2012).

18) No development in Phase 1a, Phase 1b or Phase 1c shall take place until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out adjacent to the canal relating to that Phase has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o demonstration that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;
- o include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with the construction of the buildings and the associated swales and landscaping works;
- o provide details of the tree planting/removal for the trees (including species) adjacent to the canal corridor and the steps taken to prevent root damage to the canal infrastructure and include details of the tree pits/root barrier systems to be provided;
- o details specifying how the canal and its users will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;
- o include details of the proposed temporary bund (or other structure) to be provided to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.

The development of that Phase shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason- To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 184 of the National Planning Policy Framework 2021, and policies EN15 and EN17 of the Manchester Core Strategy (2012).

19) No development in Phase 1a, Phase 1b or Phase 1c shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority relating to that Phase .

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 pursuant to policies EN8 and EN14, of the Manchester Core Strategy (2012)

20) No development in Phase 1a, Phase 1b or Phase 1c hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority for that Phase. The scheme for that Phase shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;

o 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.

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 EN8 and EN14 of the Manchester Core Strategy (2012)

21) Prior to any above ground works in Phase 1a, Phase 1b or Phase 1c of the development, samples and specifications of all materials to be used on all external elevations of the development within that Phase shall be submitted to and approved in writing by the City Council as local planning authority. The development within that Phase shall be carried out in accordance with the agreed details.

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

22) The development in Phase 1a, Phase 1b and Phase 1c hereby approved shall be implemented in accordance with Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01, in particular sections 3.3 and 4. The development within each Phase hereby approved shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation for the development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

23) The car parking indicated on the approved plan ref: Parking Allocation Plan ref: 32576 BW 03 rev.C be surfaced, demarcated in accordance with the hard landscaping details on plan ref: Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 and made available for use prior to the new dwellings hereby approved within each Phase being occupied, and maintained in situ thereafter .The car parking shall then be available at all times in perpetuity.

Reason - To ensure that there is adequate car parking for the development proposed when the dwellings are occupied, pursuant to policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

24) Prior to above ground works commencing in Phase 1a, Phase 1b or Phase 1c of the development, finalised detailed designs for the provision of space for cycle storage within that Phase shall be submitted to and approved in writing by the City Council as local planning authority. The development relating to that Phase shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings within that Phase being occupied.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN8 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National

25) Prior to the occupation of Phase 1a, Phase 1b or Phase 1c of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved within that Phase, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

26) Prior to first occupation of Phase 1a, Phase 1b or Phase 1c of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Ten Acres Lane and Hallam Road within that Phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme relating to that Phase to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

27) Before the development forming Phase 1a, Phase 1b or Phase 1c hereby approved is first occupied a full Travel Plan for that Phase of development shall be submitted to and agreed in writing by the City Council as Local Planning Authority. 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 residents and those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development 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 that Phase of development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development within that Phase hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

28) The development in Phase 1a, Phase 1b or Phase 1c shall be implemented in accordance with the Lighting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0059 rev.P04. Detailed designs of all lighting columns , lanterns and bollard lighting shall be submitted to and approved in writing by the City Council as local planning authority, prior to the first occupation of the dwellings hereby approved within that Phase. The development shall be implemented in accordance with the approved details and shall be retained and maintained thereafter within that Phase .

Reason - To ensure adequate lighting within the development, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

29) If , when the lighting units in Phase 1a, Phase 1b or Phase 1c are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties within that Phase , such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority within that Phase.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

30) a) Before the Phase 1a, Phase 1b or Phase 1c residential development commences a scheme for acoustically insulating the proposed residential accommodation against noise within that Phase from Ten Acres Lane, commercial /industrial premises , proposed community hub and the proposed school, shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises that should be taken into account. The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme relating to that Phase shall be completed before any of the dwelling units within that Phase are occupied. Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units in Phase 1a, Phase 1b or Phase 1c , a verification report relating to that Phase shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal 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 internal noise criteria within that Phase.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

31) a) 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 residential use hereby approved in Phase 1, 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.

b) Prior to the occupation of the residential dwellings in Phase 1a, Phase 1b or Phase 1c, a verification report relating to that Phase 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 in that Phase 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 within that Phase 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 in that Phase.

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 policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

32) a) Before the residential development in Phase 1a, Phase 1b or Phase 1c commences a scheme for the storage and disposal of refuse (including elevational design of bin stores) within that Phase and shall be submitted to and approved in writing by the City Council as local planning authority. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development within that Phase and shall remain in situ whilst the use or development within that Phase is in operation.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

33) a) Prior to commencement of the residential development in Phase 1a, Phase 1b or Phase 1c, an air quality exposure assessment for that Phase together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development within that Phase any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development relating to that Phase is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

34) a) Fumes, vapours and odours shall be extracted and discharged from the

Community Hub (Class E , F1 and F2 uses) accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the uses commence.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the community use and commercial premises hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of the occupiers nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) .

35) The hours of use of the Community Hub (Class E , F1 and F2 uses) are to be submitted to and agreed in writing by the City Council as Local Planning Authority, prior to the first occupation of the building for those uses. The development shall only be carried out in accordance with the approved hours of opening.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

36) Deliveries, servicing and collections to the Community Hub (Class E , F1 and F2 uses) 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 policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

37) a) The Community Hub (Class E , F1 and F2 uses) premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

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.

b) Prior to occupation of the Community Hub (Class E , F1 and F2 uses) premises, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that 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 policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

38) a) 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 Community Hub (Class E , F1 and F2 uses) premises 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.

b) Prior to the operation of the community /commercial premises commencing 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 policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

39) a) Before the Community Hub (Class E , F1 and F2) uses commence, 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.
New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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 policies EN19 and DM1 of the Manchester Core Strategy (2012).

40) a) Prior to commencement of the Community Hub premises, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

41) No remediation ground works in Phase 1a, Phase 1b or Phase 1c shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works for that Phase . The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI

shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological watching brief;
 - dependent on the above, more detailed archaeological excavation (subject to a separate WSI).
2. A programme for post-investigation assessment to include:
 - production of a final report(s) on the investigation results.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. A scheme to disseminate the results of the 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- In accordance with NPPF Section 16, Paragraph 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

42) Prior to the first occupation of the residential units hereby approved in Phases 1a 1b and 1c, finalised details of species for the landscaping scheme on plan ref: Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 and notwithstanding the details on plan ref: Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (and on going management regime for the landscaping scheme Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06) for that Phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that Phase shall be implemented not later than 12 months from the date the buildings within that phase are first occupied. 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 in that phase of development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within that phase of development.

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 Manchester Core Strategy (2012).

43) Prior to any above ground works in Phase 1a, Phase 1b and Phase 1c of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase , shall be submitted to and approved in writing by the City Council as the local planning authority (including the provision of bird boxes and bat bricks) The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to providing habitats for birds and bats to improve the ecological value of the application, to comply with policy EN15 of the Manchester Core Strategy (2012).

44) In this condition "retained tree" means an existing tree, shrub or hedge which is shown as retained on the Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DRLA-0052 rev.P07 (notwithstanding the indicated ratio of native to non native planting; specified in condition no.2 and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

45) The development hereby approved in Phase 1a, Phase 1b and Phase 1c shall be carried out in accordance with the Energy and Sustainability Statement dated 1st December 2020 received by the City Council, as Local Planning Authority, on the 11th December 2020. A post construction review certificate/statement relating to each Phase 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 principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

46) Prior to any above ground works in Phase 1a, Phase 1b or Phase 1c , the finalised details of the positions, heights, and elevational design of the boundary treatment (including gates) within that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property is first occupied and retained as such thereafter.

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, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning

Guidance.

47) The boundary treatment in Phase 1a, Phase 1b or Phase 1c 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 (or removed), 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).

48) a) Prior to commencement of development in Phase 1a, Phase 1b or Phase 1c , a condition survey (via photographs) of towpath immediately adjacent to the site boundary for that Phase shall be undertaken and submitted to the City Council as Local Planning Authority.

b) Within 6 months of Phase 1a, Phase 1b or Phase 1c construction/fit-out works having completed, the same towpath within that Phase shall be re-surveyed and the results submitted to the Local Planning Authority. Should any damage have been caused due to the onsite works (within that Phase) any damage will be repaired to an equivalent standard (subject to agreement with Canal and River Trust for unencumbered access). These works shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Manchester Core Strategy (2012).

49) Before first occupation of the development thereby approved, the proposed bedroom window at first floor level on the rear elevation to the House Type A Muse End properties on plot nos. 40-46 , as shown on plan ref: 32576 A-P19-001 rev.P5 shall be obscurely glazed to a height of 1.7m above the finished internal floor level to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, and shall remain so in perpetuity.

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy (2012).

50) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches, roof alterations or outbuildings shall be erected onto the new build properties within Phase 1a, Phase 1b or Phase 1c development hereby approved, other than those expressly authorised by this permission.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

51) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward

extensions to the buildings within Phase 1a, Phase 1b or Phase 1c of the development hereby approved, shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

52) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses within Phase 1a, Phase 1b or Phase 1c of the development hereby approved, other than those shown on the approved drawings outlined in condition 2.

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

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

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

54) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

55) All highways within Phase 1a, Phase 1b, or Phase 1c of the development hereby approved shall be subject to 20 mph speed restrictions. A scheme to achieve this

restriction for any Phase shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development of each Phase shall be implemented in full accordance with the approved details.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012)

56) Prior to any above ground works, a Stage 2 Road Safety Audit and servicing plan for the Phase 1a, Phase 1b or Phase 1c of the development hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall detail the appropriate mitigation dependant on the outcome of the Road Safety Audit for that Phase . Any approved mitigation shall be implemented prior to the first occupation of the residential units within that Phase and thereafter retained and maintained .

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

57) The ground floor community hub and community cafe at ground floor level in Block D, as indicated on drawing GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010 rev.P2; as received by the City Council, as Local Planning Authority, on the 6th May 2022, shall be occupied as community hub and community cafe in the identified areas on the plan and for no other purpose in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, in the interest of residential amenity, pursuant policies SP1 and DM1 of the Manchester Core Strategy (2012).

58) Before occupation of the residential units hereby approved, finalised design details of the street furniture to be sited in the locations shown on plan ref: Street Furniture Plan ref: 2490-PLA-00-00-DR-LA-0060 rev.P03; shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details.

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

59) a) The Phase 1a, Phase 1b or Phase 1c development shall not commence until details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development for that Phase , 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 relating to that Phase .

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 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).

60) Prior to above ground works in Phase 1c of the development hereby approved, finalised details of the long term management and maintenance strategy for the community centre shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved long term management and maintenance strategy shall apply to the ground floor of Block D, and all facilities forming the community centre. The development shall not be used at any time other than in strict compliance with the approved long term management and maintenance strategy.

Reason - To secure well managed safe community access to community centre , to ensure benefit to the local community, pursuant to policy DM1 of the Manchester Core Strategy (2012).

61) Prior to any development hereby approved first commencing detailed drawings including elevations shall be submitted to and agreed in writing with the Local Planning Authority, to prevent any access or egress from Hallam Road to the development hereby approved. The agreed details shall then be implemented in full prior to the occupation of any part of the development hereby approved. Such measures shall be retained at all times thereafter.

Reason - In the interests of pedestrian and highway safety , pursuant to policies T1 and DM1 of the Manchester Core Strategy (2012).

62) Applications for approval of reserved matters for Phase 2 of the development must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

63) Approval of the details of the access, (other than to Mitchell Street and the connection to Phase 1 of the development) scale, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

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

Red line boundary plan ref:2490-PLA-00-00-DR-LA-0057 rev.P06

Phase 2 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0042 rev.P07 ;

Combined Masterplan ref: 2490-PLA-00-00-DR-LA-0056 rev.P08;

Illustrative Masterplan ref: 2490-PLA-00-00-DR-U-0046 rev.P02 ;
 Phase 2 Parameters - Land Use plan ref: 2490-PLA-00-XX-DR-U-0034 rev.P03;
 Phase 2 Parameters - Heights plan ref: 2490-PLA-00-XX-DR-U-0035 rev.P03;
 Phase 2 Parameters - Blue and Green Infrastructure plan ref: 2490-PLA-00-00-DRU-0038 rev.P03;
 Phase 2 Parameters - Access and Movement plan ref: 2490-PLA-00-00-DR-U-0039 rev.P03;
 Phasing plan ref: plan ref: 2490-PLA-00-00-DR-U-0064 rev.P01;
 Environmental Statement Volume 1 dated May 2022
 Environmental Statement Volume 2 Technical Appendices;
 Environmental Statement Volume 3: Non-Technical Summary
 Archaeological Desk Based Assessment ref: 211585 Issue 15 November 2011;
 Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01;
 Energy report revision F Document No. 23/080/R/01 F dated May 2022;
 Local Labour Statement ;
 Planning Statement;
 Statement of Community Involvement dated April 2022;
 Sustainability Strategy and Environmental Standards Statement;
 Ventilation Report Document No. 23/080/VR/01 D dated April 2022;
 Financial Viability Appraisal April 2022;
 Travel Plan and Accessibility Audit ref: VN201804 dated May 2022;
 Design and Access Statement dated 28th April 2022;
 Nesting Bird Survey April 2022
 Received 6th May 2022
 Financial Viability report dated April 2022
 Transport Assessment Addendum - Response to Highways Comments
 Ref: VN201804 Post App TN01 and Jacksons Distribution spreadsheet received 8th September 2022;
 Transport Assessment Addendum Response to Highways Comments: Junction Modelling Update VN201804 Post App TN02 received 13th September 2022;
 Agent email dated 20th September 2022 confirming a dedicated school drop off location to be incorporated into the Phase 2 school proposals.
 Agent email dated 10th October 2022
 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).

65) Development shall be carried out in accordance with the Phasing shown on plan ref: 2490-PLA-00-00-DR-U-0064 received on 6th May 2022.

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).

66) Prior to the commencement of Phase 2 of the development, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- o The routing of construction traffic (No construction traffic (vehicular or pedestrian) shall use Hallam Road at any time);
- o Detail the vehicular activity associated with the construction including appropriate swept path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;

- o 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;
 - o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
 - o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.
 - o Identify measures to reduce noise emissions;
- Development shall be carried out in accordance with the approved construction management plan.

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

67) Prior to above ground works commencing in Phase 2 of the development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, and traffic calming) relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

68) Prior to the commencement of Phase 2 of the development a detailed construction environmental management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:-

- Construction Logistics Plan (incl. dust and odour monitoring)
- Dust Management Plan
- Lighting drawings and specifications
- Site compound facilities plan
- Details of perimeter fencing (including location)
- Surface Water Management Plan
- Noise and Vibration Management Plan
- Non-native species Management Plan
- Air Quality Statement
- Construction Dust Assessment
- Traffic Management Plan
- Site Waste Management Plan
- Materials Management Plan
- Environmental Response Plan

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

69) Prior to the commencement of on-site remediation works, in Phase 2 of the development , the applicant shall submit, for written approval to the Local Planning Authority an additional site investigation, where necessary, based on and further to current submitted reporting, providing detailed investigation of the risk to all potential

on-site and off-site receptors that maybe be affected by contamination derived from the site. The development shall be implemented in full accordance with the details so approved.

Reason- The current combined Phase I & II Ground investigation reporting submitted, does not adequately characterise site conditions in accordance with paragraph 183 of the NPPF. In particular, with regards to controlled waters, the current Phase I & II reporting submitted does provide definitive clarity regarding what groundwater and leachate (liquid in contact with waste) has been sampled. Further to this, an upwelling of liquid with a foul odour and coloration has been identified which warrants further investigation; there is a potential this upwelling is derived from the known deposited waste mass present within the site, pursuant policies EN17 and EN18 of the Manchester Core Strategy (2012).

70) Prior to the commencement of on-site remediation works in Phase 2 of the development, the applicant shall submit, for written approval, to the Local Planning Authority a detailed assessment of risks to human and environmental receptors (including those off-site). The development shall be implemented in full accordance with the details so approved.

Reason - To provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation strategy submitted (JC/MP/MW/LD10162/LET-006-REV D) and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

71) Prior to the commencement of on-site works in Phase 2 of the development, a Ground Stabilisation Works Plan shall be developed, submitted to, and approved in writing by the Local Planning Authority. The Ground Stabilisation works plan should include details (per phase where relevant), as to how identified ground hazards (such as underground structures and boreholes) are to be addressed and decommissioned. Any changes to plan will require the written consent of the local planning authority. The plan shall be implemented as approved.

Reason - To ensure the protection of the development from underground hazards, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

72) Prior to the commencement of Phase 2 of the development, a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed on the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) should be submitted and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development phasing plan, that the detailed remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

73) Prior to the commencement of Phase 2 of the development a verification phasing plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy (per phase as identified in the

site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) are complete, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that unacceptable risks to the environment and human health can be addressed and that a safe development can be achieved using the identified remediation techniques without adverse impact to human and environmental receptors on and off-site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

74) On completion of phase 2 of the development (as set out in the agreed verification phasing plan), a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and inspections carried out in accordance with the approved verification phasing plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012), and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012.

75) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination is known or suspected is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters in Phase 2 of the development. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

76) If, during the undertaking of site works in respect of Phase 2 of the development, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority. Written agreement shall then be obtained from the local planning authority to enable onsite works to recommence within the area(s) not affected by the contamination identified. Works shall not recommence with the defined area of contamination until the developer has submitted and obtained written approval, from the local planning authority, of a remediation strategy detailing how the identified contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

77) Piling or any other foundation designs using penetrative methods shall not be permitted in Phase 2 of the development other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason - For the future protection of the Water Environment from risks arising from land contamination and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

78) No development shall take place in Phase 2 of the development, until a document highlighting a temporary surface water drainage strategy, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved temporary surface water drainage strategy.

Reason - To secure surface water drainage arrangements and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Core Strategy for Manchester (2012).

79) A wildflower meadow is to be implemented on the site comprising phase 2 if construction works for the redevelopment of the site have not commenced within 12 months of the completion and validation of the remediation works. Details of the soft landscaping scheme to form the wildflower meadow shall be submitted to and approved in writing by the Local Planning Authority. The approved wildflower meadow shall then be implemented, within 3 months of the approval of the scheme.

Reason - To safeguard the amenities of nearby residents , pursuant to policies SP1, EN9, and DM1 of the Manchester Core Strategy (2012).

80) No development in Phase 2 shall take place until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out adjacent to the canal has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o demonstration that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;
- o include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with the construction of the buildings and the associated swales and landscaping works;
- o provide details of the tree planting/removal for the trees (including species) adjacent to the canal corridor and the steps taken to prevent root damage to the canal infrastructure and include details of the tree pits/root barrier systems to be provided;
- o details specifying how the canal and its users will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;
- o include details of the proposed temporary bund (or other structure) to be provided to prevent the discharge of silt-laden run-off, materials or dust or any accidental

spillages entering the canal.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason- To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 184 of the National Planning Policy Framework 2021, and policies EN15 and EN17 of the Manchester Core Strategy (2012).

81) No development in Phase 2 shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

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 pursuant to policies EN8 and EN14, of the Manchester Core Strategy (2012)

82) No development in Phase 2 hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;
- o 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.

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 EN8 and EN14 of the Manchester Core Strategy (2012)

83) Prior to any above ground works in Phase 2 of the development, samples and specifications of all materials to be used on all external elevations of the development 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 -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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

84) Phase 2 of the development hereby approved shall be implemented in accordance with Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01, in particular sections 3.3 and 4. The development hereby

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

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

85) Prior to the first occupation of the residential development within phase 2, the car parking layout shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure that there is adequate car parking for the development proposed when the dwellings are occupied, pursuant to policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

86) Prior to the first occupation of the school development within phase 2, the car parking layout and servicing arrangements shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

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

87) Prior to above ground works commencing in Phase 2 of the development, finalised detailed designs for the provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings being occupied.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN8 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

88) Prior to the occupation of Phase 2 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

89) Prior to the occupation of Phase 2 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the school hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

90) Prior to first occupation of Phase 2 of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Mitchell Street, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

91) Before the development forming Phase 2 hereby approved is first occupied a full Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. 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 residents and those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development 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 development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

92) Prior to above ground works , a lighting strategy for the development in Phase 2 including detailed designs of all lighting columns , lanterns and bollard lighting shall be submitted to and approved in writing by the City Council as local planning authority, prior to the first occupation of the dwellings hereby approved. The development shall be implemented in accordance with the approved details and shall

be retained and maintained thereafter.

Reason - To ensure adequate lighting within the development, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

93) If , when the lighting units in Phase 2 are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

94) a) Before the Phase 2 residential development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Ten Acres Lane, commercial /industrial premises , proposed community hub and the proposed school, shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises that should be taken into account
The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.
Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units in Phase 2, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

95) a) 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 residential use hereby approved in Phase 2, 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.

b) Prior to the occupation of the residential dwellings in Phase 2, 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 policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

96) a) Before the residential development in Phase 2 commences a scheme for the storage and disposal of refuse (including elevational design of bin stores) and shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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 policies EN19 and DM1 of the Manchester Core Strategy (2012).

97) a) Prior to commencement of the residential development in Phase 2, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason -To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

98) a) Fumes, vapours and odours shall be extracted and discharged from the school premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eaves level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the school use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) .

99) a) The school premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

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.

b) Prior to occupation of the school a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that 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 policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

100) a) Before the development of the school hereby approved commences a scheme for acoustically insulating the proposed classrooms against noise shall be submitted to and approved in writing by the City Council as local planning authority. There may also be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the classrooms are occupied.

Noise survey data shall include measurements taken during a rush-hour/ noisy period to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the school , a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal 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 internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect pupils and teachers from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

101) a) 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 school 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.

b) Prior to the operation of the school commencing 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 policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

102) Prior to commencement of any sporting activities at the school hereby approved a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority.

The NMP shall include an assessment of noise from all activities associated with the use and shall not give rise to any significant adverse impacts on the occupants of nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby residential Accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

103) Prior to the occupation of the school hereby approved, hours of use of the school shall be submitted to and approved in writing by the City Council as Local Planning Authority. The school shall then be used in accordance with the approved hours.

Reason - To safeguard the amenities of the occupiers of nearby accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

104) No activity on any school pitch/field/court facilities shall be permitted outside the hours of:

Mondays to Saturdays, 09:00 to 21:00hrs, Sundays and Bank Holidays , 10:00 to 20:00hrs.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

105) a) Before the school development commences 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.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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 policies EN19 and DM1 of the Manchester Core Strategy (2012).

106) a) Prior to commencement of the school development, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.
b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

107) Prior to the installation of flood lighting of any sports pitches, hours of use of the flood lighting shall be submitted to and approved in writing by the City Council as Local Planning Authority. The flood lighting to the sports pitches/multi use games courts shall then be used in accordance with the approved hours.

Reason - To safeguard the amenities of the occupiers of nearby accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

108) Prior to the occupation of the school hereby approved, , a community use agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the referenced sports facilities within the school development and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason - To secure well managed safe community access to sports facilities, to ensure benefit to the development of sport pursuant to policy EN10 of the Manchester Core Strategy (2012).

109) Deliveries, servicing and collections to the school 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 policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

110) No remediation ground works in Phase 2 shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological watching brief;
 - dependent on the above, more detailed archaeological excavation (subject to a separate WSI).
2. A programme for post-investigation assessment to include:

- production of a final report(s) on the investigation results.
- 3. Deposition of the final report with the Greater Manchester Historic Environment Record.
- 4. A scheme to disseminate the results of the 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- In accordance with NPPF Section 16, Paragraph 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

111) Prior to any above ground works in Phase 2, a hard and soft landscaping treatment scheme shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. 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 Manchester Core Strategy (2012).

112) Prior to any above ground works in phase 2 of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase, shall be submitted to and approved in writing by the City Council as the local planning authority (including the provision of bird boxes and bat bricks). The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to providing habitats for birds and bats to improve the ecological value of the application, to comply with policy EN15 of the Manchester Core Strategy (2012).

113) The development hereby approved in Phase 2 shall be carried out in accordance with the Energy and Sustainability Statement dated 1st December 2020 received by the City Council, as Local Planning Authority, on the 11th December 2020. 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 principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

114) Prior to any above ground works in Phase 2, the details of the positions,

heights, and elevational design of the boundary treatment (including gates) within that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property is first occupied and retained as such thereafter.

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, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

115) The boundary treatment in Phase 2 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 (or removed), 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).

116) a) Prior to commencement of development in Phase 2, a condition survey (via photographs) of towpath immediately adjacent to the site boundary shall be undertaken and submitted to the City Council as Local Planning Authority.

b) Within 6 months of Phase 2 construction/fit-out works having completed, the same towpath shall be re-surveyed and the results submitted to the Local Planning Authority. Should any damage have been caused due to the onsite works any damage will be repaired to an equivalent standard (subject to agreement with Canal and River Trust for unencumbered access). These works shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Manchester Core Strategy.

117) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the buildings within Phase 2 of the development, shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

118) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as

amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

119) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

120) All highways within Phase 2 of the development hereby approved shall be subject to 20 mph speed restrictions. A scheme to achieve this restriction shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

121) Prior to any above ground works, a Stage 2 Road Safety Audit and servicing plan for the Phase 2 of the development hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall detail the appropriate mitigation dependant on the outcome of the Road Safety Audit. Any approved mitigation shall be implemented prior to the first occupation of the residential units and thereafter retained and maintained .

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

122) The Phase 2 development shall not commence until details of a Local Benefit 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 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 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).

123) The drop off and pick up arrangement for pupils shall take place with the area identified for the school development as shown on Phase2 parameters - Land Use plan ref: 2490-PLA-00-XX-DR-U-0034 rev.P03 .

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

124) Prior to the school hereby approved being brought into use, details of safe vehicular and pedestrian routes from the surrounding highway network shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved safe vehicular and pedestrian access shall be fully implemented before the school is brought into use , and retained at all times thereafter.

Reason - In the interests of pedestrian and highway safety , pursuant to policies T1 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.

The applicant/developer is advised to contact the Canal & River Trust Infrastructure Services Team on 01782 779909 or email Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust 'Code of Practice for Works affecting the Canal & River Trust' to ensure the waterways are protected and safeguarded.

The applicant is advised to contact the Canal & River Trusts Estate Management Team on 0303 040 4040 or email Matthew.Hart@canalrivertrust.org.uk directly to discuss the necessary consents/agreements required to form the towpath access points.

Model Procedures and good practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

It is recommended that developers should:

- o Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management (LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination
 - o Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
 - o Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
 - o Refer to the contaminated land pages on gov.uk for more information
 - o Refer to 'The Environment Agency's approach to groundwater protection'
- All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- o excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
 - o treated materials can be transferred between sites as part of a hub and cluster project
 - o some naturally occurring clean material can be transferred directly between sites
- Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed onsite operations are clear. If in doubt, the Environment Agency should be contacted for

advice at an early stage to avoid any delays.

It is recommended that developers should refer to:

- o the position statement on the Definition of Waste: Development Industry Code of Practice
- o The waste management page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which

includes:

- o Duty of Care Regulations 1991
- o Hazardous Waste (England and Wales) Regulations 2005
- o Environmental Permitting (England and Wales) Regulations 2016
- o The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised

both chemically and physically in line with British Standard BS EN 14899:2005

'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or

greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Introduction of SUDS

Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Date: 5 May 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

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