

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137093/NMC/2023
Date registered valid: 26 May 2023
Proposal: Non material amendment to application ref no 121375/FO/2018 to amend triggers for discharge of conditions 3,4,5,7,8,9,10,12,16,20,31,33 and to add a phasing condition
Address: 20 - 36 High Street, Manchester, M4 1QB
Ward(s): Piccadilly Ward
Applicant: n/a ES Manchester High Limited
Agent (if any): Mr John Cooper Deloitte
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 09-06-23

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order: Not applicable

The application relates to 24-36 High Street - a 1960's building consisting of a with a two storey podium with four block above. It is set back from the pavement on Church Street and 20-22 High Street – a four storey building which is a non-designated heritage asset.

Consent was granted in October 2020 under application ref no 121375/FO/2018 for the Construction of a 22 storey building comprising 361 residential apartments (122 x 1 bed 2 person, 119 x 2 bed 3 person, 94 x 2 bed 4 person, 21 x 3 bed 5 person and 5 x 3 bed 6 person (34% 1 bed, 59% 2 bed and 7% 3 bed) ground floor commercial floorspace (Use Classes A1 (Shop), A3 (Restaurant and Cafe), A4 (Drinking Establishment) and A5 (Hot Food Take-away) associated landscaping, including new public realm and pedestrian route, together with servicing, cycle parking, access and other associated works following demolition of buildings at 20-22 and 24-26 High Street and 5 market stalls to Church Street.

Description of area

The site is on the edge of the Northern Quarter which contains a mix of commercial and residential uses including independent businesses that help to distinguish the Northern Quarter from other parts the City Centre. The Market stalls are part of that offer. The Arndale Centre is opposite and is a major component of the retail core and also includes a growing number of food and drink operations.

The site is in the south-west corner of the Smithfield Conservation Area, close to the Shudehill and Upper King Street Conservation Areas and immediately to the north of the Grade II Debenhams.

Description of development

Consent is sought to amend triggers for discharge of conditions 3,4,5,7,8,9,10,12,16,20,31,33 and to add a phasing condition.

The changes are to allow for the delivery of some early works and amendments to the conditions are necessitated by those changes. The move to a phased deliver has resulted from a change of site ownership and the extreme difficulties associated with delivering the development in accordance with the approved timescales. Principally these relate to the change of ownership and their due diligence processes having delayed the commencement of the detailed design process necessary to deliver the main works and the extremely complex and constrained site conditions (in particularly noting the need for substantial input from TFGM to protect their assets within and adjacent to the site to ensure the continued safe and uninterrupted operation of Metrolink and the links to this in terms of the process of detailed design development).

Adding a phasing condition, would enable the development to be carried out under two phases: (1) *“Early Works”* and (2) *“Main Works”*.

The ‘Early Works’ would comprised the following:

- The demolition of the red brick nib wall, shutter and brick header infill (between 20-22 & 24-36 buildings on the Birchin Lane elevation).
- The digging of a trial pit to the bottom of foundation level, and removal of all waste materials.
- The installation of a primary structure, as approved by Building Control. This will include a section of pile cap, with connections provided to future-proof the extension of the pile cap (as part of the approved “*Main Works*” substructure design). The above ground primary structure will be installed in accordance with the consented façade layout.
- The demolition of an existing roof structure, as shown on Drawing No. 097-FCBS-XX-XX-SK-A-15v. Once demolition works have been completed, this area on Level 2 will be kept safe and secure, with appropriate edge protection, where required.

Consultations & Notification Responses

None

Issues

The existing wording of the relevant conditions and proposed amendments are set out below:

In addition to the request to amend conditions by the applicant condition 2 also needs to be amended to include the phasing plans within the approval.

Original Condition 2

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

(a) Dwgs 1816-FCBS/P/0099-Existing Site Plan- P1, 1816-FCBS/P/0100-Site Location Plan-P1, 1816-FCBS/P/0110-Proposed Site Plan-P1

(b) Dwgs 1816-FCBS/P/0200B-Proposed Basement Plan-P1
 1816-FCBS/P/0200-Proposed Ground Floor Plan-P2
 1816-FCBS/P/0200M-Proposed Mezzanine Plan-P2
 1816-FCBS/P/0201-Proposed First Floor Plan-P2
 1816-FCBS/P/0202-Proposed Typical Floor Plan (Levels 02-14)-P2
 1816-FCBS/P/0215-Proposed Fifteenth Floor Plan-P2
 1816-FCBS/P/0216-Proposed Sixteenth Floor Plan-P2
 1816-FCBS/P/0217-Proposed Seventeenth Floor Plan-P2
 1816-FCBS/P/0218-Proposed Eighteenth Floor Plan-P2
 1816-FCBS/P/0219-Proposed Nineteenth Floor Plan-P2
 1816-FCBS/P/0220-Proposed Twentieth Floor Plan-P2
 1816-FCBS/P/0216-Proposed Roof Plan-P1
 1816-FCBS/P/0700-Proposed Section AA-P1
 1816-FCBS/P/0701-Proposed Section BB-P1
 1816-FCBS/P/0800-Proposed High Street Elevation-P1
 1816-FCBS/P/0801-Proposed Church Street Elevation-P1
 1816-FCBS/P/0802-Proposed Birchin Lane Elevation-P1
 1816-FCBS/P/0803-Proposed Bridgwater Place Elevation-P1
 1816-FCBS/P/0804-Church Street / High Street Corner Elevation-P1
 1816-FCBS/P/0301- Typical Bay Elevation to Retail- P1
 1816-FCBS/SK106-A - Proposed High Street Plan
 RFM-XX-00-DR-L-0001-Ground Floor General Arrangement
 RFM-XX-22-DR-L-0002-Roof Terrace General Arrangement

RFM-XX-00-DR-L-0003-Ground Floor Illustrative Masterplan
RFM-XX-22-DR-L-0004-Roof Terrace Illustrative Masterplan
RFM-XX-00-DR-L-0005-Ground Floor Illustrative Sections
RFM-XX-22-DR-L-0006-Roof Terrace Illustrative Sections; and
RFM-XX-22-DR-L-0007-Planting Strategy

(c) FCBS Planning Design Intent Quality Note 18-01-19;

(d) Waste Management Strategy Pages 112-113 of FCB Architects High Street Manchester Design and Access Statement;

(e) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Assessment Version A dated 11/09/18; and

(f) FCSB High Street Accommodation Schedule;

(g) Archaeological Desk-based Assessment, 24-32 & 20-22 High Street, Manchester by the University of Salford;

(h) Mitigation Measures within Chapter 6 and Appendix 6.1 -6.4 (Energy Centre modelling methodology within High Street Manchester) of the Environmental Statement August 2018 by Deloitte Real Estate;

(i) Mitigation measures within Chapters 8, 9, 11 and 12 and Appendices 8.1, 9.1-9.3, 11.1-11.2 and 12.1 of the Environmental Statement August 2018 by Deloitte Real Estate;

(j) Measures detailed within Avison Young's Commercial Letting and Management Statement in Relation to: High Street, Manchester
On behalf of CEG Partnership; and

(k) Mitigation measures set out in High Street Manchester - Environmental Statement Volume 1, August 2018 and Appendix 6.1 Energy Centre modelling methodology.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan policies DC18.1 DC19.1, DC20 and DC26.1.

Proposed

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

(a) Dwgs 1816-FCBS/P/0099-Existing Site Plan- P1, 1816-FCBS/P/0100-Site Location Plan-P1, 1816-FCBS/P/0110-Proposed Site Plan-P1

(b) Early Works and Main Phase works as detailed in Phasing Plans Nos. 2097-FCBXX-00-SK-A-SK1010 Rev. P01, and 2097-FCB-XX-00-SK-A-SK1011 Rev. P01, and 2097-FCBS-XX-XX-SK-A-15 Existing Roof Proposed Demolition Sketch_03, stamped as received on 26-05-23;

(c) Dwgs 1816-FCBS/P/0200B-Proposed Basement Plan-P1
1816-FCBS/P/0200-Proposed Ground Floor Plan-P2

1816-FCBS/P/0200M-Proposed Mezzanine Plan-P2
 1816-FCBS/P/0201-Proposed First Floor Plan-P2
 1816-FCBS/P/0202-Proposed Typical Floor Plan (Levels 02-14)-P2
 1816-FCBS/P/0215-Proposed Fifteenth Floor Plan-P2
 1816-FCBS/P/0216-Proposed Sixteenth Floor Plan-P2
 1816-FCBS/P/0217-Proposed Seventeenth Floor Plan-P2
 1816-FCBS/P/0218-Proposed Eighteenth Floor Plan-P2
 1816-FCBS/P/0219-Proposed Nineteenth Floor Plan-P2
 1816-FCBS/P/0220-Proposed Twentieth Floor Plan-P2
 1816-FCBS/P/0216-Proposed Roof Plan-P1
 1816-FCBS/P/0700-Proposed Section AA-P1
 1816-FCBS/P/0701-Proposed Section BB-P1
 1816-FCBS/P/0800-Proposed High Street Elevation-P1
 1816-FCBS/P/0801-Proposed Church Street Elevation-P1
 1816-FCBS/P/0802-Proposed Birchin Lane Elevation-P1
 1816-FCBS/P/0803-Proposed Bridgwater Place Elevation-P1
 1816-FCBS/P/0804-Church Street / High Street Corner Elevation-P1
 1816-FCBS/P/0301- Typical Bay Elevation to Retail- P1
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 RFM-XX-00-DR-L-0005-Ground Floor Illustrative Sections
 RFM-XX-22-DR-L-0006-Roof Terrace Illustrative Sections; and
 RFM-XX-22-DR-L-0007-Planting Strategy

(d) FCBS Planning Design Intent Quality Note 18-01-19;

(e) Waste Management Strategy Pages 112-113 of FCB Architects High Street Manchester Design and Access Statement;

(f) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Assessment Version A dated 11/09/18; and

(g) FCSB High Street Accommodation Schedule;

(h) Archaeological Desk-based Assessment, 24-32 & 20-22 High Street, Manchester by the University of Salford;

(i) Mitigation Measures within Chapter 6 and Appendix 6.1 -6.4 (Energy Centre modelling methodology within High Street Manchester) of the Environmental Statement August 2018 by Deloitte Real Estate;

(j) Mitigation measures within Chapters 8,9,11 and 12 and Appendices 8.1, 9.1-9.3, 11.1-11.2 and 12.1 of the Environmental Statement August 2018 by Deloitte Real Estate;

(k) Measures detailed within Avison Young's Commercial Letting and Management Statement in Relation to: High Street, Manchester
On behalf of CEG Partnership; and

(l) Mitigation measures set out in High Street Manchester - Environmental Statement Volume 1, August 2018 and Appendix 6.1 Energy Centre modelling methodology.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan polices DC18.1 DC19.1, DC20 and DC26.1.

Original Condition 3

(a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

Samples and specifications of all materials to be used on all external elevations, drawings to illustrate details of full sized sample panels that will be produced. The panel to be produced shall include jointing and fixing details between all component materials and any component panels, details of external ventilation requirements for the residential accommodation, details of the drips to be used to prevent staining and details of the glazing and frames, a programme for the production of the full sized sample panels and a strategy for quality control management; and

(b) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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

Proposed

3) a) Notwithstanding the details submitted with the application, prior to the commencement of development of Main Works, the following shall be submitted for approval in writing by the City Council, as Local Planning Authority: Samples and specifications of all materials to be used on all external elevations, drawings to illustrate details of full sized sample panels that will be produced. The panel to be produced shall include jointing and fixing details between all component materials and any component panels, details of external ventilation requirements for the residential accommodation, details of the drips to be used to prevent staining and details of the glazing and frames, a programme for the production of the full sized sample panels and a strategy for quality control management; and

(b) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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

Original Condition 4

The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works for the redevelopment of the site has been made, and evidence of that contract has been supplied to the City Council as local planning authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building pursuant to

saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

Proposed

The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the Main Works has been made, and evidence of that contract has been supplied to the City Council as local planning authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

Original Condition 5

No development shall commence unless or until an equipment protection and network disruption strategy and TfGM equipment access, fire, security, ventilation and maintenance strategy has been agreed with TfGM relating to the safeguarding and maintaining of equipment currently installed in the basement of 20-22 High Street and evidence of the approved strategy and agreed triggers for its implementation has been supplied to the City Council as local planning authority.

In relation to equipment protection and network disruption this shall include:

1. Measures to be implemented during piling operations (which may require, for example, the replacement of protection relays with anti-vibration components or other equipment modifications at the developer's cost)
2. Network disruption mitigation measures (which shall be agreed with TfGM and funded by the developer) to provide network resilience to enable the maintenance of the current operational service pattern. For the avoidance of doubt this may include the installation of additional equipment beyond the development footprint.
3. Maintenance of the low voltage power supply to TfGM equipment so as to be available and operational throughout the construction period including replacement if required and provision for any downtime (all at the developer's cost)
4. Measures to be taken to ensure 24 hour, 7 days per week access to TfGM infrastructure during demolition and construction
5. Provision of a single nominated point of contact to manage the strategy and liaise with TfGM and the Metrolink operator throughout the demolition and construction phases of the project. The nominated contact shall keep TfGM fully informed of progress via meetings and reports (at a frequency of no less than monthly) and shall provide site supervision of any construction activities which could impact on Metrolink infrastructure

In relation to the TfGM equipment access, fire, security, ventilation and maintenance strategy this shall include:

1. Evidence that the access route between the street and the TfGM premises provides sufficient space to transport the largest piece of Metrolink equipment. The evidence shall include a "swept path" analysis to prove that the lift, corridors, door openings etc. are of sufficient dimensions to enable the movement of the equipment.
2. Security measures to be employed to protect the access route to the TfGM premises and only allow access by authorised persons (which shall be available on a continuous 24 hour basis).
3. Detailed proposals for fire safety management of the TfGM premises including integration with the main building systems and provision of an early warning system with a direct link to the Metrolink Operator
4. Detailed proposals for provision of a ventilation system to provide a suitable operational temperature for the equipment in the TfGM premises and air quality for persons working and accessing the equipment rooms
5. Detailed proposals for a security alarm system for the TfGM premises with remote monitoring by the Metrolink operator.

The agreed strategies shall be implemented prior to demolition and shall thereafter be retained and maintained in situ.

Reason - To ensure that suitable mitigation for the continued operation of the Metrolink system is agreed and appropriate mitigation is in place prior to development commences pursuant to the provisions Core Strategy policy DM1

Proposed

5) No development under the Main Works shall commence unless or until an equipment protection and network disruption strategy and TfGM equipment access, fire, security, ventilation and maintenance strategy has been agreed with TfGM relating to the safeguarding and maintaining of equipment currently installed in the basement of 20-22 High Street and evidence of the approved strategy and agreed triggers for its implementation has been supplied to the City Council as local planning authority.

In relation to equipment protection and network disruption this shall include:

1. Measures to be implemented during piling operations (which may require, for example, the replacement of protection relays with anti-vibration components or other equipment modifications at the developer's cost)
2. Network disruption mitigation measures (which shall be agreed with TfGM and funded by the developer) to provide network resilience to enable the maintenance of the current operational service pattern. For the avoidance of doubt this may include the installation of additional equipment beyond the development footprint.
3. Maintenance of the low voltage power supply to TfGM equipment so as to be available and operational throughout the construction period including replacement if required and provision for any downtime (all at the developer's cost)
4. Measures to be taken to ensure 24 hour, 7 days per week access to TfGM infrastructure during demolition and construction
5. Provision of a single nominated point of contact to manage the strategy and liaise with TfGM and the Metrolink operator throughout the demolition and construction phases of the project. The nominated contact shall keep TfGM fully informed of progress via meetings and reports (at a

frequency of no less than monthly) and shall provide site supervision of any construction activities which could impact on Metrolink infrastructure.

In relation to the TfGM equipment access, fire, security, ventilation and maintenance strategy this shall include:

1. Evidence that the access route between the street and the TfGM premises provides sufficient space to transport the largest piece of Metrolink equipment. The evidence shall include a "swept path" analysis to prove that the lift, corridors, door openings etc. are of sufficient dimensions to enable the movement of the equipment.
2. Security measures to be employed to protect the access route to the TfGM premises and only allow access by authorised persons (which shall be available on a continuous 24 hour basis).
3. Detailed proposals for fire safety management of the TfGM premises including integration with the main building systems and provision of an early warning system with a direct link to the Metrolink Operator
4. Detailed proposals for provision of a ventilation system to provide a suitable operational temperature for the equipment in the TfGM premises and air quality for persons working and accessing the equipment rooms
5. Detailed proposals for a security alarm system for the TfGM premises with remote monitoring by the Metrolink operator. The agreed strategies shall be implemented prior to demolition associated with the Main Works and shall thereafter be retained and maintained in situ.

The agreed strategies shall be implemented prior to demolition and shall thereafter be retained and maintained in situ.

Reason - To ensure that suitable mitigation for the continued operation of the Metrolink system is agreed and appropriate mitigation is in place prior to development commences pursuant to the provisions Core Strategy policy DM1.

Original Condition 7

Prior to the commencement of development a programme for submission of final details of the public realm works and highway works as shown in dwg numbered RFM-XX-00-DR-L-0001, FM-XX-22-DR-L-0002, RFM-XX-00-DR-L-0003, RFM-XX-22-DR-L-0004, RFM-XX-00-DR-L-0005, RFM-XX-22-DR-L-0006 and RFM-XX-22-DR-L-0007; shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

- (a) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on High Street, Church Street, Birchin Lane and Bridgewater Place;
- (b) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include consideration of Bat bricks and/or tubes, green/brown roof, green walls, bird boxes and appropriate planting;
- (c) A strategy for the planting of street trees within the pavements on Church Street and High Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance;
- (d) Improvements to Street Lighting around the site;
- (e) A management strategy for the courtyard area and building entrances including hours during which the courtyard and routes through would be open to the public;
- (f) opening hours for the communal roof terraces;
- (g) A building cleaning schedule.;
- (h) Details of the location of any retained features as agreed through the discharge of condition 44.

and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

The approved scheme shall be implemented not later than 12 months from the date the proposed building is 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 safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and 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 R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

Proposed

Prior to the commencement of development under the Main Works programmes for submission of final details of the public realm works and highway works as shown in dwg numbered RFM-XX-00-DR-L-0001, FM-XX-22-DR-L-0002, RFM-XX-00-DR-L-0003, RFM-XX-22-DR-L-0004, RFM-XX-00-DR-L-0005, RFM-XX-22-DR-L-0006 and RFM-XX-22-DR-L-0007; shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

- (a) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on High Street, Church Street, Birchin Lane and Bridgewater Place;
- (b) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include consideration of Bat bricks and/or tubes, green/brown roof, green walls, bird boxes and appropriate planting;
- (c) A strategy for the planting of street trees within the pavements on Church Street and High Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance;
- (d) Improvements to Street Lighting around the site;
- (e) A management strategy for the courtyard area and building entrances including hours during which the courtyard and routes through would be open to the public;
- (f) opening hours for the communal roof terraces;
- (g) A building cleaning schedule.;
- (h) Details of the location of any retained features as agreed through the discharge of condition 44.

and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

The approved scheme shall be implemented not later than 12 months from the date the proposed building is 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 safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and 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 R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

Original Condition 8

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

(b) In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

(c) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Section 11 of the National Planning Policy Framework and policy EN18 of the Core Strategy.

Proposed

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

(b) In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

c) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Section 11 of the National Planning Policy Framework and policy EN18 of the Core Strategy.

Original Condition 9

Prior to the commencement of the development of, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority with consideration to include consultation with TFGM (Metrolink) which for the avoidance of doubt should include;

- *Display of an emergency contact number;

- *Details of Wheel Washing;

- *Dust suppression measures;

- *Compound locations where relevant; *Location, removal and recycling of waste; *Routing strategy and swept path analysis; *Parking of construction vehicles and staff; *Sheeting over of construction vehicles; *Details of how measures in relation to safe working near to Metrolink will be complied with;

- *Communication strategy with residents which shall include details of how there will be engagement, consult and notify residents during the works;

- *Agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period; the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.

- * Details of the loading and unloading of plant and materials;

- * Details of the storage of plant and materials used in constructing the development;

- *Construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);

- *Details showing the erection and maintenance of security hoarding at a minimum distance of 1.5m from the kerb which demarcates the tramway path, unless otherwise agreed with Transport for Greater Manchester;

*The provision of a "mock up" security hoarding to review and mitigate any hazards associated with positioning next to an operational tramway prior to permanent erection.

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 (July 2012).

Proposed

9) Prior to the commencement of each phase the development of, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority with consideration to include consultation with TFGM (Metrolink) which for the avoidance of doubt should include;

*Display of an emergency contact number;

*Details of Wheel Washing;

*Dust suppression measures;

*Compound locations where relevant; *Location, removal and recycling of waste; *Routing strategy and swept path analysis; *Parking of construction vehicles and staff; *Sheeting over of construction vehicles; *Details of how measures in relation to safe working near to Metrolink will be complied with;

*Communication strategy with residents which shall include details of how there will be engagement, consult and notify residents during the works;

*Agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period; the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.

* Details of the loading and unloading of plant and materials;

* Details of the storage of plant and materials used in constructing the development;

*Construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);

*Details showing the erection and maintenance of security hoarding at a minimum distance of 1.5m from the kerb which demarcates the tramway path, unless otherwise agreed with Transport for Greater Manchester;

*The provision of a "mock up" security hoarding to review and mitigate any hazards associated with positioning next to an operational tramway prior to permanent erection.

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 (July 2012).,

Original Condition 10

No development shall take place until the applicant or their agents or successors in title has secured the implementation of a a historic building recording for 20-22 High St. 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:

- a Historic England Level 3 historic building survey
- a watching brief during stripping out work to record historic fabric

2. A programme for post investigation assessment to include:

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

3. Dissemination of the results commensurate with their significance.
4. Provision for archive deposition of the report and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

GMAAS will monitor the implementation of the recording on behalf of Manchester

Proposed

Development shall be carried out in accordance with the approved Written Scheme of Investigation (dated July 2022, approved under Ref. CDN/22/0510), unless otherwise agreed in writing

No development under the Main Works shall take place until the following has been submitted and approved in writing by the Local Planning Authority

1. A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds
 - production of a final report on the significance of the historical interest represented.
2. Dissemination of the results commensurate with their significance.
3. Provision for archive deposition of the report and records of the site investigation.
4. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

GMAAS will monitor the implementation of the recording on behalf of Manchester

Original Condition 12

No development 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.

In order to discharge the above drainage condition the following additional information has to be provided:

*Maximise use of green SuDS in design;

*Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;

*Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building. Hydraulic calculation needs to be provided;

*Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

*Construction details of flow control and SuDS attenuation elements.

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

The development shall be constructed in accordance with the approved details within an agreed timescale.

Proposed

No development under the Main Works 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.

In order to discharge the above drainage condition the following additional information has to be provided:

*Maximise use of green SuDS in design;

*Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;

*Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building. Hydraulic calculation needs to be provided;

*Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

*Construction details of flow control and SuDS attenuation elements.

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

The development shall be constructed in accordance with the approved details within an agreed timescale.

Original Condition 16

Before the development commences a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads and the adjacent tram and mitigating vibration and reradiated noise levels associated with the operation of the adjacent tram line shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme and vibration and reradiated noise mitigation measures shall be completed before any of the dwelling units are occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

Proposed

Prior to the commencement of the development of Main Works a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads and the adjacent tram and mitigating vibration and reradiated noise levels associated with the operation of the adjacent tram line shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme and vibration and reradiated noise mitigation measures shall be completed before any of the dwelling units are occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

Original Condition 20

a) Prior to the commencement of the development, 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).

Proposed

20) a) Prior to the commencement of development of Main Works 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).

Original condition 31

Before development commences a scheme for dealing with the discharge of surface water and which demonstrates that the site will be drained on a separate system, with only foul drainage connected into the foul sewer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the residential premises first commences.

Reason - Pursuant to National Planning Policy Framework policies (PPS 1 (22) and PPS 25 (F8))

Proposed

Prior to the commencement of development of Main Works a scheme for dealing with the discharge of surface water and which demonstrates that the site will be drained on a separate system, with only foul drainage connected into the foul sewer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the residential premises first commences.

Reason - Pursuant to National Planning Policy Framework policies (PPS 1 (22) and PPS 25 (F8))

Original condition 33

No development shall take place unless and until a scheme for the provision of overhead line building fixings to replace the existing overhead line fixing has been submitted to, and approved in writing by Manchester City Council as Local Planning Authority.

Reason - In order to contribute toward the reduction of street clutter and improve visual amenity by reducing the number of overhead line poles directly adjacent to buildings, pursuant to Core Strategy policies DM1 and SP1.

Proposed

No development under the Main Works shall take place unless and until a scheme for the provision of overhead line building fixings to replace the existing overhead line fixing has been submitted to, and approved in writing by Manchester City Council as Local Planning Authority.

Reason - In order to contribute toward the reduction of street clutter and improve visual amenity by reducing the number of overhead line poles directly adjacent to buildings, pursuant to Core Strategy policies DM1 and SP1.

Proposed

Additional Phasing Condition

45) Notwithstanding the details within condition 2 no development other than in the Early Works Phase (as detailed in Phasing Plans Nos. 2097-FCBXX-00-SK-A-SK1010 Rev. P01, and 2097-FCB-XX-00-SK-A-SK1011 Rev. P01, and 2097-FCBS-XX-XX-SK-A-15 Existing Roof Proposed Demolition Sketch_03, stamped as received on 26-05-23) shall be carried out pursuant to this permission if the contract for the demolition, construction and completion of the building hereby permitted has not been let by 2nd October 2026 (and evidence provided to the reasonable satisfaction of the LPA) any development activities on the site shall cease and no further development permitted by this planning permission shall be carried out.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy and to ensure that the development is fully implemented within a defined timescale which allows for the particular site constraints associated with this site.

Principle of amendment to include a Phasing condition

The change to allow for the delivery of some early works through an additional phasing condition and amendments to the conditions are necessitated by the extreme difficulties associated with delivering the development in accordance with the approved timescales some of which have been detailed such that there is a need to extend the timescales for the discharge of pre-commencement conditions and the delivery of the approved main development.

It is noted that the Applicant is liaising with TfGM to ascertain how the proposals would adequately protect the equipment; to formulate access, fire, security, ventilation and maintenance strategies in place; and to minimise risks of disturbing the network. Condition 5 attached to the consent includes a full list of information that needs to be agreed with TfGM, prior to the commencement works. This is a substantial list of information and requires ongoing liaison between both parties.

The wording of the phasing condition has been amended from that suggested by the applicants. Whilst the complex constraints and issues associated with the new ownership as set out above are acknowledged and appreciated any changes cannot in the interests of realising the regeneration of this key site within the Northern Quarter, allow for an open ended timescale for full commencement on site of the approved development and need to ensure that the redevelopment is delivered within a reasonable timescale notwithstanding the above constraints.

The proposed changes would have no material impact upon the previously approved scheme and the works would not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

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

1) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed additional phasing condition and changes to the condition triggers will have no material impact upon the

previously approved scheme and will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

2) Reason 2: The change to allow for the delivery of some early works through an additional phasing condition and amendments to the conditions are necessitated by the extreme difficulties associated with delivering the development in accordance with the approved timescales. Principally these relate to the extremely complex and constrained site conditions, in particularly noting the need for substantial input from TFGM to protect their assets within and adjacent to the site to ensure the continued safe and uninterrupted operation of Metrolink and the links to this in terms of the process of detailed design development. The wording of the phasing condition is such that it would not allow for an open ended timescale for full commencement on site of the approved development and ensure that the redevelopment is delivered within a reasonable timescale given the above constraints.

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

(a) Dwgs 1816-FCBS/P/0099-Existing Site Plan- P1, 1816-FCBS/P/0100-Site Location Plan-P1, 1816-FCBS/P/0110-Proposed Site Plan-P1

(b) Early Works and Main Phase works as detailed in Phasing Plans Nos. 2097-FCBXX-00-SK-A-SK1010 Rev. P01,
and 2097-FCB-XX-00-SK-A-SK1011 Rev. P01, and 2097-FCBS-XX-XX-SK-A-15 Existing Roof Proposed Demolition Sketch_03,
stamped as received on 26-05-23;

(c) Dwgs 1816-FCBS/P/0200B-Proposed Basement Plan-P1
1816-FCBS/P/0200-Proposed Ground Floor Plan-P2
1816-FCBS/P/0200M-Proposed Mezzanine Plan-P2
1816-FCBS/P/0201-Proposed First Floor Plan-P2
1816-FCBS/P/0202-Proposed Typical Floor Plan (Levels 02-14)-P2
1816-FCBS/P/0215-Proposed Fifteenth Floor Plan-P2
1816-FCBS/P/0216-Proposed Sixteenth Floor Plan-P2
1816-FCBS/P/0217-Proposed Seventeenth Floor Plan-P2
1816-FCBS/P/0218-Proposed Eighteenth Floor Plan-P2
1816-FCBS/P/0219-Proposed Nineteenth Floor Plan-P2
1816-FCBS/P/0220-Proposed Twentieth Floor Plan-P2
1816-FCBS/P/0216-Proposed Roof Plan-P1
1816-FCBS/P/0700-Proposed Section AA-P1
1816-FCBS/P/0701-Proposed Section BB-P1
1816-FCBS/P/0800-Proposed High Street Elevation-P1
1816-FCBS/P/0801-Proposed Church Street Elevation-P1
1816-FCBS/P/0802-Proposed Birchin Lane Elevation-P1
1816-FCBS/P/0803-Proposed Bridgwater Place Elevation-P1
1816-FCBS/P/0804-Church Street / High Street Corner Elevation-P1
1816-FCBS/P/0301- Typical Bay Elevation to Retail- P1
1816-FCBS/SK106-A - Proposed High Street Plan
RFM-XX-00-DR-L-0001-Ground Floor General Arrangement
RFM-XX-22-DR-L-0002-Roof Terrace General Arrangement
RFM-XX-00-DR-L-0003-Ground Floor Illustrative Masterplan
RFM-XX-22-DR-L-0004-Roof Terrace Illustrative Masterplan
RFM-XX-00-DR-L-0005-Ground Floor Illustrative Sections

RFM-XX-22-DR-L-0006-Roof Terrace Illustrative Sections; and
RFM-XX-22-DR-L-0007-Planting Strategy

(d) FCBS Planning Design Intent Quality Note 18-01-19;

(e) Waste Management Strategy Pages 112-113 of FCB Architects High Street Manchester Design and Access Statement;

(f) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Assessment Version A dated 11/09/18; and

(g) FCSB High Street Accommodation Schedule;

(h) Archaeological Desk-based Assessment, 24-32 & 20-22 High Street, Manchester by the University of Salford;

(i) Mitigation Measures within Chapter 6 and Appendix 6.1 -6.4 (Energy Centre modelling methodology within High Street Manchester) of the Environmental Statement August 2018 by Deloitte Real Estate;

(j) Mitigation measures within Chapters 8, 9, 11 and 12 and Appendices 8.1, 9.1-9.3, 11.1-11.2 and 12.1 of the Environmental Statement August 2018 by Deloitte Real Estate;

(k) Measures detailed within Avison Young's Commercial Letting and Management Statement in Relation to: High Street, Manchester
On behalf of CEG Partnership; and

(l) Mitigation measures set out in High Street Manchester - Environmental Statement Volume 1, August 2018 and Appendix 6.1 Energy Centre modelling methodology.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan policies DC18.1, DC19.1, DC20 and DC26.1.

3) a) Notwithstanding the details submitted with the application, prior to the commencement of development of Main Works, the following shall be submitted for approval in writing by the City Council, as Local Planning Authority: Samples and specifications of all materials to be used on all external elevations, drawings to illustrate details of full sized sample panels that will be produced. The panel to be produced shall include jointing and fixing details between all component materials and any component panels, details of external ventilation requirements for the residential accommodation, details of the drips to be used to prevent staining and details of the glazing and frames, a programme for the production of the full sized sample panels and a strategy for quality control management; and

(b) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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

4) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the Main Works has been made, and evidence of that contract has been supplied to the City Council as local planning authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

5) No development under the Main Works shall commence unless or until an equipment protection and network disruption strategy and TfGM equipment access, fire, security, ventilation and maintenance strategy has been agreed with TfGM relating to the safeguarding and maintaining of equipment currently installed in the basement of 20-22 High Street and evidence of the approved strategy and agreed triggers for its implementation has been supplied to the City Council as local planning authority.

In relation to equipment protection and network disruption this shall include:

1. Measures to be implemented during piling operations (which may require, for example, the replacement of protection relays with anti-vibration components or other equipment modifications at the developer's cost)
2. Network disruption mitigation measures (which shall be agreed with TfGM and funded by the developer) to provide network resilience to enable the maintenance of the current operational service pattern. For the avoidance of doubt this may include the installation of additional equipment beyond the development footprint.
3. Maintenance of the low voltage power supply to TfGM equipment so as to be available and operational throughout the construction period including replacement if required and provision for any downtime (all at the developer's cost)
4. Measures to be taken to ensure 24 hour, 7 days per week access to TfGM infrastructure during demolition and construction
5. Provision of a single nominated point of contact to manage the strategy and liaise with TfGM and the Metrolink operator throughout the demolition and construction phases of the project. The nominated contact shall keep TfGM fully informed of progress via meetings and reports (at a frequency of no less than monthly) and shall provide site supervision of any construction activities which could impact on Metrolink infrastructure.

In relation to the TfGM equipment access, fire, security, ventilation and maintenance strategy this shall include:

1. Evidence that the access route between the street and the TfGM premises provides sufficient space to transport the largest piece of Metrolink equipment. The evidence shall include a "swept path" analysis to prove that the lift, corridors, door openings etc. are of sufficient dimensions to enable the movement of the equipment.
2. Security measures to be employed to protect the access route to the TfGM premises and only allow access by authorised persons (which shall be available on a continuous 24 hour basis).
3. Detailed proposals for fire safety management of the TfGM premises including integration with the main building systems and provision of an early warning system with a direct link to the Metrolink Operator
4. Detailed proposals for provision of a ventilation system to provide a suitable operational temperature for the equipment in the TfGM premises and air quality for persons working and accessing the equipment rooms
5. Detailed proposals for a security alarm system for the TfGM premises with remote monitoring by the Metrolink operator. The agreed strategies shall be implemented prior to demolition associated with the Main Works and shall thereafter be retained and maintained in situ.

The agreed strategies shall be implemented prior to demolition and shall thereafter be retained and maintained in situ.

Reason - To ensure that suitable mitigation for the continued operation of the Metrolink system is agreed and appropriate mitigation is in place prior to development commences pursuant to the provisions Core Strategy policy DM1.

7) Prior to the commencement of development under the Main Works programmes for submission of final details of the public realm works and highway works as shown in dwg numbered RFM-XX-00-DR-L-0001, FM-XX-22-DR-L-0002, RFM-XX-00-DR-L-0003, RFM-XX-22-DR-L-0004, RFM-XX-00-DR-L-0005, RFM-XX-22-DR-L-0006 and RFM-XX-22-DR-L-0007; shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

- (a) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on High Street, Church Street, Birchin Lane and Bridgewater Place;
- (b) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include consideration of Bat bricks and/or tubes, green/brown roof, green walls, bird boxes and appropriate planting;
- (c) A strategy for the planting of street trees within the pavements on Church Street and High Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance;
- (d) Improvements to Street Lighting around the site;
- (e) A management strategy for the courtyard area and building entrances including hours during which the courtyard and routes through would be open to the public;
- (f) opening hours for the communal roof terraces;
- (g) A building cleaning schedule.;
- (h) Details of the location of any retained features as agreed through the discharge of condition 44.

and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

The approved scheme shall be implemented not later than 12 months from the date the proposed building is 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 safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and 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 R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

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

(b) In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

c) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Section 11 of the National Planning Policy Framework and policy EN18 of the Core Strategy.

9) Prior to the commencement of each phase the development of, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority with consideration to include consultation with TFGM (Metrolink) which for the avoidance of doubt should include;

- *Display of an emergency contact number;

- *Details of Wheel Washing;

- *Dust suppression measures;

- *Compound locations where relevant; *Location, removal and recycling of waste; *Routing strategy and swept path analysis; *Parking of construction vehicles and staff; *Sheeting over of construction vehicles; *Details of how measures in relation to safe working near to Metrolink will be complied with;

- *Communication strategy with residents which shall include details of how there will be engagement, consult and notify residents during the works;

- *Agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period; the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.

- * Details of the loading and unloading of plant and materials;

- * Details of the storage of plant and materials used in constructing the development;

- *Construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);

- *Details showing the erection and maintenance of security hoarding at a minimum distance of 1.5m from the kerb which demarcates the tramway path, unless otherwise agreed with Transport for Greater Manchester;

*The provision of a "mock up" security hoarding to review and mitigate any hazards associated with positioning next to an operational tramway prior to permanent erection.

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 (July 2012).,

10) Development shall be carried out in accordance with the approved Written Scheme of Investigation (dated July 2022, approved under Ref. CDN/22/0510), unless otherwise agreed in writing

No development under the Main Works shall take place until the following has been submitted and approved in writing by the Local Planning Authority

1. A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds
 - production of a final report on the significance of the historical interest represented.
2. Dissemination of the results commensurate with their significance.
3. Provision for archive deposition of the report and records of the site investigation.
4. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

GMAAS will monitor the implementation of the recording on behalf of Manchester

12) No development under the Main Works 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.

In order to discharge the above drainage condition the following additional information has to be provided:

*Maximise use of green SuDS in design;

*Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;

*Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building. Hydraulic calculation needs to be provided;

*Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

*Construction details of flow control and SuDS attenuation elements.

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

The development shall be constructed in accordance with the approved details within an agreed timescale.

16) Prior to the commencement of the development of Main Works a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads and the adjacent tram and mitigating vibration and reradiated noise levels associated with the operation of the adjacent tram line shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme and vibration and reradiated noise mitigation measures shall be completed before any of the dwelling units are occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

20) a) Prior to the commencement of development of Main Works 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).

31) Prior to the commencement of development of Main Works a scheme for dealing with the discharge of surface water and which demonstrates that the site will be drained on a separate system, with only foul drainage connected into the foul sewer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the residential premises first commences.

Reason - Pursuant to National Planning Policy Framework policies (PPS 1 (22) and PPS 25 (F8))

33) No development under the Main Works shall take place unless and until a scheme for the provision of overhead line building fixings to replace the existing overhead line fixing has been submitted to, and approved in writing by Manchester City Council as Local Planning Authority.

Reason - In order to contribute toward the reduction of street clutter and improve visual amenity by reducing the number of overhead line poles directly adjacent to buildings, pursuant to Core Strategy policies DM1 and SP1.

45) Notwithstanding the details within condition 2 no development other than in the Early Works Phase (as detailed in Phasing Plans Nos. 2097-FCBXX-00-SK-A-SK1010 Rev. P01, and 2097-FCB-XX-00-SK-A-SK1011 Rev. P01, and 2097-FCBS-XX-XX-SK-A-15 Existing Roof Proposed Demolition Sketch_03, stamped as received on 26-05-23) shall be carried out pursuant to this permission if the contract for the demolition, construction and completion of the building hereby permitted has not been let by 2nd October 2026 (and evidence provided to the reasonable satisfaction of the LPA) any development activities on the site shall cease and no further development permitted by this planning permission shall be carried out.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy and to ensure that the development is fully implemented within a defined timescale which allows for the particular site constraints associated with this site.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Conservation Area - Smithfield Conservation Area 1987

Area Team Boundary - Name: CENTRAL