

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

Samantha Hadland
Threadneedle Curtis Ltd
Cannon Place
78 Cannon Street
London
EC4N 6AG

Agent (if used)

Mrs Emily Davies
Avison Young
Norfolk House
Norfolk Street
Manchester
M2 1DW

Part 1 – Particulars of the application/development

Proposal: Erection of three terraces of Class B8 warehouse units (13,560m² gross internal floor area) with associated parking, access and landscaping, following demolition of existing buildings

Location: Argosy Drive, Manchester Airport, Manchester, M90 5PL

Date of application: 20 June 2022

Application number: 134103/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

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

Condition(s) attached to this decision

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received on 13th February 2023:

- 1) Red line plan - 020687-RPS-SI-XX-DRA-0100 P02
- 2) Existing Site Plan - 020687-RPS-SI-XX-DR-A-0101 P02

- 3) Proposed Site Plan - 020687-RPS-SI-XX-DR-A0110-P06
- 4) Phasing Plan - 020687-RPS-SI-XX-DR-A0111 P05
- 5) Cycle Shelters - 020687-RPS-SI-XX-DR-A-0112 P05
- 6) Proposed Elevations Unit 1 - 020687-RPS-SI-XX-DR-A0121 P05
- 7) Proposed Building Plan Unit 1 - 020687-RPS-SI-XX-DR-A0122 P05
- 8) Site Sections Unit 1 - 020687-RPS-SI-XX-DR-A0123 P04
- 9) Proposed Roof Plan Unit 1 - 020687-RPS-SI-XX-DR-A0124 P04
- 10) Proposed Elevations Unit 2 - 020687-RPS-SI-XX-DR-A0131 P02
- 11) Proposed Building Plan Unit 2 - 020687-RPS-SI-XX-DR-A0132 P02
- 12) Site Sections Unit 2 - 020687-RPS-SI-XX-DR-A0133 P03
- 13) Proposed Roof Plan Unit 2 - 020687-RPS-SI-XX-DR-A0134 P02
- 14) Proposed Elevations Unit 3 - 020687-RPS-SI-XX-DR-A0141 P03
- 15) Proposed Building Plan Unit 3 - 020687-RPS-SI-XX-DR-A0142 P02
- 16) Site Sections Unit 3 - 020687-RPS-SI-XX-DR-A0143 P03
- 17) Proposed Roof Plan Unit 3 - 020687-RPS-SI-XX-DR-A0144 P02
- 18) Ecological Enhancements and Planting Plan Part 1 - AT.22.1242.200r3
- 19) Ecological Enhancements and Planting Plan Part 2 - AT.22.1242.201r3
- 20) Off Site Tree Planting Plan - AT.22.1242.204r2
- 21) Logistics Drawings - KM-ADM-DR-002-RevA
- 22) Swept Path Drawings - KM-ADM-DR-003 Rev A, KM-ADM-DR-004 Rev A, KM-ADM-DR-005 Rev A, KM-ADM-DR-006 Rev A and KM-ADM-DR-007 Rev A
- 23) Waste Management Strategy
- 24) Arboricultural Impact Assessment (AECOM 60663052-ACM-ArA-XX-RP-AR-00001)
- 25) Preliminary Ecological Appraisal Report (AECOM 60663052-ACM-ArA-XX-RP-EC-00001)

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.

3) Above-ground construction works, apart from demolition works, shall not commence until samples and specifications of all materials, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those 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, as specified in policies SP1 and DM1 of the Manchester Core Strategy.

4) No development, apart from demolition works, shall take place until the details of the surface water drainage works have been submitted to and approved in writing by the City Council as Local Planning Authority. Development shall take place in accordance with the submitted and approved surface water drainage works and shall be implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to the guidance contained within the NPPF and NPPG and policies EN08 and EN14 In the Manchester Core Strategy.

5) No development 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:

- a) Verification report providing photographic evidence of construction as per design drawings;
- b) As built construction drawings if different from design construction drawings;
- c) 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 the guidance contained within the NPPF and NPPG and policies EN08 and EN14 In the Manchester Core Strategy.

6) Above-ground construction works shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal), as recommended by the Phase 1 Tier Geo-Environmental and Geotechnical Assessment and the Preliminary Risk Assessment (Aecom 1 March 2022), has been submitted to and approved in writing by the City Council as local planning authority.

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

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

7) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to and be approved by the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

8) No infiltration of surface water drainage into the ground where adverse concentrations of contamination are known or suspected to be present is permitted other than with the express written consent of the City Council as 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. The development shall be carried out in accordance with the approval 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 in line with paragraph 174 of the National Planning Policy Framework and policies EN08 and EN14 In the Manchester Core Strategy.

9) Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. 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 in line with paragraph 174 of the National Planning Policy Framework and policies EN08 and EN14 In the Manchester Core Strategy.

10) Above-ground construction works, apart from demolition works, shall not commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design compliance will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design compliance.

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

11) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans 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 Core Strategy.

12) The hard and soft landscaping scheme approved by the City Council as local planning authority and shown on the following drawings:

a) Ecological Enhancements and Planting Plan Part 1 - AT.22.1242.200r3

- b) Ecological Enhancements and Planting Plan Part 2 - AT.22.1242.201r3
- c) Off Site Tree Planting Plan - AT.22.1242.204r2

shall be implemented not later than 12 months from the date of completion of building works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

13) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

14) No development, apart from demolition works, shall take place until a landscape and ecological management plan (LEMP) has been submitted to and be approved in writing by the City Council as local planning authority.

The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The approved plan shall then be implemented in accordance with an agreed timetable.

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

15) The car parking spaces hereby approved shall be laid out and made available for use before first occupation of the development hereby approved. The car parking spaces shall remain in-situ for the duration of the development.

Reason - In the interests of residential amenity and pedestrian and highway safety, pursuant to Policy DM1 in the Manchester Core Strategy.

16) Above-ground construction works, apart from demolition works, shall not commence until details of the vehicle charging points to be incorporated into the development have been submitted to and approved by the City Council as Local Planning Authority. The approved scheme shall thereafter be implemented prior to the occupation of the development hereby approved.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

17) No part of the development shall be occupied until the facilities for bicycle parking, as shown on drawing no. 020687-RPS-SI-XX-DR-A-0112 P05, have been provided. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

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 and DM1 of the Manchester Core Strategy.

18) The development hereby approved shall not be occupied until a detailed Travel Plan, based on the approved interim Travel Plan (AECOM Interim Travel Plan, Version V1.2, reference 60663052-ACM-ArA02-XX-RP-U-00005, stamped as received on 20 June 2022), has been submitted to and agreed in writing by the City Council as Local Planning Authority. The approved Travel Plan shall thereafter be implemented in accordance with an agreed timeframe.

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

- i) the measures proposed to be taken to reduce dependency on the private car by those residing at the development,
- ii) a commitment to surveying the travel patterns of staff 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 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 to the school, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy and the Guide to Development in Manchester SPD (2007).

19) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 13 February 2023 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

20) 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 occupation of the development 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 operational phase of the development 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 nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Manchester Core Strategy and Saved UDP Policy DC26.

21) a) Above-ground construction works 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, has been 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.

(b) Prior to the completion of the construction work, a detailed report which takes into account the information and outcomes of local labour recruitment 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.

22) Three months prior to the first occupation of the development, a Local Benefit Proposal Framework that outlines the approach to local recruitment for the end use(s), shall be submitted for approval in writing by the City Council, as Local Planning Authority. Any Local Benefit Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is in operation.

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

23) No development to take place until a Bird Hazard Management Plan, covering both the construction phase and occupational phase, has been submitted to and approved by the City Council as local planning authority. The development shall be implemented and thereafter maintained in accordance with the approved management plan.

Reason - In the interests of aerodrome safeguarding, pursuant to Policy DM2 in the Manchester Core Strategy.

24) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

Reason - In the interests of flight safety and to prevent distraction and confusion to pilots using Manchester Airport, pursuant to Policy DM2 in the Manchester Core Strategy.

25) The development hereby approved shall be implemented in accordance with the measures as set out within Section 5 (Sustainability) of the Design and Access Statement (version P05, January 2023) stamped as received by the City Council as local planning authority on 13 February 2023, including: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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 and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

26) No development shall take place until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan shall provide for:

- a) A construction programme including phasing of works;
- b) 24 hour emergency contact number;
- c) Expected number and type of vehicles accessing the site:- i) Deliveries, waste, cranes, equipment, plant, works, visitors; ii) Size of construction vehicles; iii) The use of a consolidation operation or scheme for the delivery of materials and goods; iv) Phasing of works;
- d) Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):- Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- e) Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- f) Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- g) Locations for storage of plant/waste/construction materials;
- h) Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- i) Arrangements to receive abnormal loads or unusually large vehicles;

- j) Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- k) Any necessary temporary traffic management measures;
- l) Measures to protect vulnerable road users (cyclists and pedestrians);
- m) Arrangements for temporary facilities for any bus stops or routes;
- n) Bird Hazard Management Plan during construction (hazardous bird monitoring in liaison with Manchester Airport Operations, dispersal methods, management of habitat such as topsoil stockpiles and areas of temporary pooling, waste management)
- o) Method of preventing mud being carried onto the highway;
- p) Method of dust and smoke suppression;
- q) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

Reason - In the interests of safe operation of the adopted highway in the lead into development and the safe operation of Manchester Airport, both during the demolition and construction phase of the development, pursuant to policies SP1, EN19, DM1 and DM2 of the Manchester Core Strategy.

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

Informative for condition 4 - In order to avoid/discharge the above drainage condition the following additional information has to be provided:

- o Consideration of alternative green SuDS solution (that is either utilising infiltration or attenuation) if practicable;
- o 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;
- o An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.
- o Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- o Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;
- o 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.
- o Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.
- o Where surface water is connected to an offsite private drainage network, agreement in principle from the asset owner (MAG) is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- o For sites where proposed development would cause unusual pollution risk to surface water evidence of pollution control measures (preferably through SuDS) is required.
- o Where an application is part of a larger site which already has planning permission it is essential that the new proposal does not compromise the drainage scheme already approved.
- o Hydraulic calculation of the proposed drainage system;
- o Construction details of flow control and SuDS elements.

Informative for condition 14 - The Landscape and Ecological Management Plan (LEMP) shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Aerodrome Safeguarding - a) Given the location of this property the applicant should be aware that Manchester Airport will take action against anyone found in contravention of the Air Navigation Order ("Order"). In particular in contravention of the following provisions under that Order:-

- i) Part 10: 240: A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft.
- ii) Part 10: 241: A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.

b) The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, a crane and tall equipment permit will be necessary at this location. Please see:

<https://www.caa.co.uk/Commercialindustry/Airspace/Event-and-obstacle-notification/Crane-notification/>

c) To prevent distraction or confusion to pilots using Manchester Airport, no internal lighting shall be installed beneath any rooflights that emits light upwards.

Date: 17 August 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.