

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

NOMA (GP) Limited
C/o Agent

Agent (if used)

Miss Jennifer Chatfield
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Improvements to Angel Square public realm, works to include: replacement of existing hard and soft landscaping; erection of structure for community use (Use Class F2); installation of new drainage scheme; installation of services, installation of lighting columns, wayfinding signage and other street furniture; provision of cycle parking; and, associated works.

Location: Angel Square, Manchester, M60 0AG

Date of application: 21 November 2022

Application number: 135551/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 based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the proposal. Further work and discussion have taken place with the applicant through the course of the application. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

Drawings 2962-PLA-XX-XX-DR-L-2000 P04 and 2962-PLA-XX-XX-DR-L-4000 P04 received by the City Council, as Local Planning Authority, on the 9 January 2023

Drawings 2962-PLA-XX-XX-DR-L-0002 P03, 2962-PLA-XX-XX-DR-L-1000 P03, 2962-PLA-XX-XX-DR-L-3000 P04 and 2962-PLA-XX-XX-DR-L-3001 P04 received by the City Council, as Local Planning Authority, on the 21 November 2022

Design and Access Statement - prepared by Planit-IE; Lighting Strategy - prepared by Buro Happold; Outline External Landscape Lighting layout Plan - prepared by Buro Happold; Indicative CCTV Plan - Prepared by Planit-IE; Statement of Consultation - prepared by Deloitte and Counter Context; Blue and Green Infrastructure Statement (Appended to the Planning Statement); Written Scheme of Investigation (WSI) - prepared by Salford Archaeology; Drainage Strategy - prepared by Buro Happold; Ground Conditions Summary Report - prepared by Buro Happold; Ground Engineering Interpretative Report 2009 - prepared by Buro Happold; Ecological Survey and Assessment, including Bat Roost Assessment - prepared by ERAP; Assessment of Biodiversity Net Gain - prepared by ERAP; Arboricultural Impact Assessment - prepared by Bowland Tree Consultancy Limited; Outline Construction Management Plan - prepared by Gardiner and Theobald; Local Employment and Benefits Proposal - prepared by NOMA (GP) Ltd; Crime Impact Statement - prepared by Greater Manchester Police; and Landscaping Maintenance Strategy (included in the DAS) - prepared by Planit-IE received by the City Council, as Local Planning Authority, on the 21 November 2022

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

3) No vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

4) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plan 2962-PLA-XX-XX-DR-L-0003 P03 received by the City Council, as Local Planning Authority, on the 21 November 2022; 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.

6) Notwithstanding the Drainage Strategy (0052681-BHE-XX-XX-RP-C-0001 P02) stamped as received by the City Council, as Local Planning Authority, on the 21 November 2022, (a) the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- A finalised drainage layout showing all components, outfalls, levels and connectivity;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates, as the site is located within Conurbation Core Critical Drainage Area;
- An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.
- 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; 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;
- Assessment of overland flow routes for extreme events. 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.
- Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the

attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.

- Where surface water is connected to the public sewer, agreement in principle from United Utilities 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.
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) The development shall then be constructed in accordance with the approved details, within an agreed timescale.

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

7) A programme of archaeological works for the development shall be undertaken in line with the Written Scheme of Investigations (WSI) for an Archaeological Watching Brief at Angel Square Public Realm (dated 24 August 2022) received by the City Council, as Local Planning Authority, on the 21 November 2022. The works are to be undertaken in accordance with the WSIs, which cover the following:

(a) A phased programme and methodology of investigation and recording that includes:

- archaeological watching brief.

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

(b). A programme for post-investigation assessment to include:

- production of a final report on the results of the investigations and their significance.

(c). Deposition of the final report with the Greater Manchester Historic Environment Record.

(d). Dissemination of the results of the archaeological investigations commensurate with their significance.

(e). Provision for archive deposition of the report and records of the site investigation.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy.

8) The development shall not commence until a detailed construction management plan outlining working practices during construction have been submitted for approval in writing by the Local Planning Authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Consultation with local residents/local businesses;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

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.

The 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).

9) a) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is first brought into use during the watching brief, then development shall cease and/or the development shall not be used until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted for approval in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy and validated. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to use of the development.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety pursuant to policy EN18 of the Manchester Core Strategy (2012).

10) Any soils imported for use in the landscaped area shall be validated as suitable for use and a minimum of 300mm subsoil and topsoil over a no dig marker layer shall be placed. Prior to use of the development, a post completion report shall be submitted to the City Council, as Local Planning Authority, for approval in writing to evidence this.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety pursuant to policy EN18 of the Manchester Core Strategy (2012).

11) Prior to the first use of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The scheme shall include the following:

- Verification report providing photographic evidence of construction; and
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

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

12) Notwithstanding drawings 2962-PLA-XX-XX-DR-L-2000 P04 and 2962-PLA-XX-XX-DR-L-4000 P04 received by the City Council, as Local Planning Authority, on the 9 January 2023 and 2962-PLA-XX-XX-DR-L-0002 P05, 2962-PLA-XX-XX-DR-L-1000 P03, 2962-PLA-XX-XX-DR-L-3000 P04 and 2962-PLA-XX-XX-DR-L-3001 P03 received by the City Council, as Local Planning Authority, on the 21 November 2022, (a) prior to any above ground works commencing, details of a hard and soft landscaping scheme (including appropriate materials, specifications) shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved scheme shall be implemented prior to the first use of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

13) Prior to the first use of the development, a detailed landscaped management plan shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how the hard and soft landscaping areas will be maintained including maintenance schedules and repairs. The management plan shall then be implemented as part of the development and remain in place for as long as the development remains in use.

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

14) Notwithstanding drawing 2962-PLA-XX-XX-DR-L-4000 P04 received by the City Council, as Local Planning Authority, on the 9 January 2023, the development hereby approved shall include a site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first use of the development, full details of such a scheme for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using and ensure that lighting is installed which is sensitive to the bat environment the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

15) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

16) Prior to the first use of the development hereby approved, details of bird, bat and bee boxes to be provided (including location and specification) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained.

Reason - To provide new habitats for birds and bats pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

17) Prior to the first use of the development, a signage strategy for the entire buildings shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for the development and used to inform any future advertisement applications for the building.

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

18) Prior to the first use of the development, final details of the proposed cycle stands for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The cycle stands shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support cycle infrastructure in the city centre pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

19) Notwithstanding the indicative CCTV drawing 2962-PLA-XX-XX-DR-L-0002 P02 received by the City Council, as Local Planning Authority, on the 21 November 2022, final details of the CCTV provision shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of public safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

20) .(a) The development shall be carried out in accordance with the Assessment of Biodiversity Net Gain - prepared by ERAP received by the City Council, as Local Planning Authority, on the 21 November 2022.

Prior to the first use of the development agreed, a verification report will be required to validate that the works undertaken conforms to the recommendations approved in part (a) of this planning condition including the developments contribution towards the 10% biodiversity net gain.

In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance. A verification report and measures shall be agreed until such a time as the development comply with parts (a) of this planning condition.

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

Reason - In the interest of securing a biodiversity mitigation strategy for the NOMA public realm pursuant to policies SP1, EN9, EN17 and DM1 of the Manchester Core Strategy (2012).

21) Prior to the removal of the existing trees identified for removal on the approved plan 2962-PLA-XX-XX-DR-L-0003-P03, a Feasibility Study should be undertaken and submitted for approval by the City Council, as Local Planning to explores the suitability of re-using and relocating the existing trees within the NOMA Framework area. The approved details shall be implemented within an agreed timescale.

Reason - In the interest of retaining the existing trees and replanting them within the NOMA framework area pursuant to policies EN9 and DM1 of the Manchester Core Strategy (2012).

22) Notwithstanding drawing 2962-PLA-XX-XX-DR-L-4000 P04 received by the City Council, as Local Planning Authority, on the 9 January 2023, prior to the installation of the community use structure, details of the siting, scale, appearance and materiality of the proposed structure together with details how the proposed area would be managed in terms of potential noise disturbance (including hours of use), litter and storage of furniture at night;

The approved details shall be implemented upon first use of the structure and thereafter retained.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the 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

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 26 January 2023

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

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.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024