

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

Axis Real Estate and Marco Living 2 Ltd
C/o Agent

Agent (if used)

Vanessa Rowell
Avison Young
Norfolk House
Norfolk Street
Manchester
M2 1DW

Part 1 – Particulars of the application/development

Proposal: Erection of two residential apartment buildings (Use Class C3) comprising Block 1 -part 9, part 10 (plus roof level amenity block) and Block 2- 12 storey building (comprising of 261 dwellings in total) above basement levels with ground floor commercial units (Use Class E (excluding E (b))), associated residents amenity space, cycle parking, landscaping, access, street loading and other associated works following demolition of the existing building and structures on site

Location: Tariff Street, Manchester

Date of application: 5 December 2022

Application number: 135675/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 pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the 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:

(a) Dwgs 8198-LRW-ZZ-00-DR-A-00-010_P04_Site Edged Red - Application Boundary, 8198-LRW-ZZ-ZZ-DR-A-00-121_P05_Proposed Site Plan, 8198-LRW-ZZ-00-DR-A-00-011_P04_Proposed Site Plan;

(b) Dwg 8198-LRW-ZZ-00-DR-A-00-012_P02_Demolition Plan;

(c) Dwgs 8198-LRW-ZZ-B1-DR-A-00-100 P11 LOWER GROUND FLOOR, 8198-LRW-ZZ-00-DR-A-00-101 P12 GROUND FLOOR (as amended by 8198-LRW-ZZ-00-DR-A-00-139 Rev P02 (stamped as received on 30-05-23)) 8198-LRW-ZZ-01-DR-A-00-102 P10)FIRST FLOOR, 8198-LRW-ZZ-ZZ-DR-A-00-103 P10 SECOND TO THIRD FLOOR, 8198-LRW-ZZ-04-DR-A-00-104 P10 FOURTH FLOOR, 8198-LRW-ZZ-ZZ-DR-A-00-105 P10 FIFTH TO EIGHTH FLOOR, 8198-LRW-ZZ-09-DR-A-00-106 P10 NINTH FLOOR, 8198-LRW-ZZ-10-DR-A-00-107 P11 TENTH FLOOR, 8198-LRW-ZZ-11-DR-A-00-108 P09 ELEVENTH FLOOR and 8198-LRW-ZZ-12-DR-A-00-127 P06 TWELFTH FLOOR, 8198-LRW-ZZ-12-DR-A-00-109 P10 ROOFTOP FLOOR;

(d) Dwgs 8198-LRW-ZZ-B1-DR-A-00-111_P05_Proposed Lower Ground Floor Plan (1.200 Colour), 8198-LRW-ZZ-00-DR-A-00-112_P05_Proposed Ground Floor Plan (1.200 Colour), 8198-LRW-ZZ-01-DR-A-00-113_P05_Proposed First Floor Plan (1.200 Colour)

8198-LRW-ZZ-ZZ-DR-A-00-114_P05_Proposed Second to Third Floor Plan (1.200 Colour), 8198-LRW-ZZ-04-DR-A-00-115_P05_Proposed Fourth Floor Plan (1.200 Colour), 8198-LRW-ZZ-ZZ-DR-A-00-116_P05_Proposed Fifth to Eighth Floor Plan (1.200 Colour), 8198-LRW-ZZ-09-DR-A-00-117_P05_Proposed Ninth Floor Plan (1.200 Colour), 8198-LRW-ZZ-10-DR-A-00-118_P05_Proposed Tenth Floor Plan (1.200 Colour), 8198-LRW-ZZ-11-DR-A-00-119_P05_Proposed Eleventh Floor Plan (1.200 Colour), 8198-LRW-ZZ-12-DR-A-00-128_P04_Proposed Twelfth Floor Plan (1.200 Colour) and 8198-LRW-ZZ-12-DR-A-00-120_P05_Proposed Roof Plan (1.200 Colour);

(e) Dwgs 8198-LRW-ZZ-ZZ-DR-A-00-220_P03_BLOCK 1 - ELEVATION A, 8198-LRW-ZZ-ZZ-DR-A-00-221_P03_BLOCK 1 - ELEVATION B, 8198-LRW-ZZ-ZZ-DR-A-00-222_P03_BLOCK 1 - ELEVATION C, 8198-LRW-ZZ-ZZ-DR-A-00-223_P03_BLOCK 1 - ELEVATION D, 8198-LRW-ZZ-ZZ-DR-A-00-224_P02_BLOCK 1 - ELEVATION E, 8198-LRW-ZZ-ZZ-DR-A-00-225_P02_BLOCK 1 - ELEVATION F, 8198-LRW-ZZ-ZZ-DR-A-00-226_P02_BLOCK 1 - ELEVATION G, 8198-LRW-ZZ-ZZ-DR-A-00-227_P02_BLOCK 2 - ELEVATION A&B and 8198-LRW-ZZ-ZZ-DR-A-00-228_P02_BLOCK 2 - ELEVATION C&D;

(f) Dwgs 8198-LRW-ZZ-ZZ-DR-A-00-229_P03_BLOCK 1 - ELEVATION A (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-230_P03_BLOCK 1 - ELEVATION B (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-231_P03_BLOCK 1 - ELEVATION C (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-232_P03_BLOCK 1 - ELEVATION D (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-233_P02_BLOCK 1 - ELEVATION E (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-234_P02_BLOCK 1 - ELEVATION F (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-235_P02_BLOCK 1 - ELEVATION G (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-236_P02_BLOCK 2 - ELEVATION A&B (Colour) and 8198-LRW-ZZ-ZZ-DR-A-00-237_P02_BLOCK 2 - ELEVATION C&D (Colour);

(g) 8198-LRW-ZZ-ZZ-DR-A-00-218_P03_1NQ BAY ELEVATION (1.100 Colour), 8198-LRW-ZZ-ZZ-DR-A-00-238_P04_EXTERNAL WALL DETAIL SECTION A LOWER FLOORS (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-239_P04_EXTERNAL WALL DETAIL SECTION A UPPER FLOORS (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-240_P04_EXTERNAL WALL DETAIL SECTION B (Colour), 8198-LRW-ZZ-ZZ-DR-A-00-241_P03_EXTERNAL WALL DETAIL SECTION C LOWER FLOORS (Colour) and 8198-LRW-ZZ-ZZ-DR-A-00-242_P02_EXTERNAL WALL DETAIL SECTION C UPPER FLOORS (Colour);

(h) Dwgs 8198-LRW-ZZ-00-DR-A-00-131 Rev PO1 (pavement widths), 8198-LRW-XX-XX-VS-A-00-017 Rev P01 (Building Heights) and 8198-LRW-XX-XX-VS-A-00-017 Rev P01 (Building Heights);

(i) Sections 5, 9-12 of the 1 N Q B L O C K 1 & 2 MANCHESTER, DESIGN & ACCESS STATEMENT 8198-LRW-XX-XX-PP-A-00-005 P02 by Leach Rhodes Walker;

(j) Servicing and Refuse as set out in Section 13 of the 1 N Q B L O C K 1 & 2 MANCHESTER, DESIGN & ACCESS STATEMENT 8198-LRW-XX-XX-PP-A-00-005 P02 by Leach Rhodes Walker and Avison Young e-mail Refuse Note 03 03 23;

(k) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Statement Version VERSION A: 30th November 2022

(l) Archaeological Desk-Based Assessment Tariff Street Manchester V1 by Salford Archaeology dated October 2022;

(m) Inclusions of measures and targets set out in the 1NQ, TARIFF STREET, MANCHESTER, ENVIRONMENTAL STANDARDS STATEMENT, NOVEMBER 2022 REF: 2022.264 by Element Sustainability

(n) Implementation of Broadband installation in accordance with the GTech Surveys Limited, Broadband Connectivity Assessment 1 NQ Tariff Street 28/11/2022;

(o) Fire Statement Form (JH Reference: GM2001/GM2002 as amended by 1NQ, TARIFF STREET, MANCHESTER, HSE COMMENTS GM2001/hz/15ax 17th January 2023 by Jensen Hughes;

(p) Air Quality Assessment,

(q) Marco Living 2 Ltd and Axis - RE Ltd, 1NQ, Tariff Street, Manchester, Flood Risk Assessment and Drainage Strategy Report, 143404/02B November 2022 by Fairhursts;

(r) TV reception survey prepared by GTech (Television and Radio Reception Impact Assessment 1NQ, Tariff Street dated 28/11/2022);

(s) Preliminary Ecological Appraisal, November 2022, 1NQ, Tariff Street, Manchester, M1 2FJ by Tyrer Ecological Consultants Ltd;

(t) TRANSPORT STATEMENT and FRAMEWORK TRAVEL PLAN, Build to Rent Residential Tower Block, Tariff Street November 2022 by Vectos;

(u) Daylight and Sunlight Impact on Neighbouring Properties Report, Tariff Street, Manchester dated 30-11-21 by GIA and Sunlight and Daylight Section in Avison Youngs email dated 01-03-2023 and letter dated 28-02-2023;

(v)1 NQ, Tariff Street, Manchester, Marco Living 2 Ltd & Axis-Re Ltd, Phase I Desk Study Report, 143404/01, November 2022 by Fairhursts;

(w) Townscape and Visual Appraisal within the Tall Building Statement by Avison Young dated January 2023;

(x) Fisher Acoustics 1NQ, Tariff Street, Manchester Environmental Noise Study dated November 2022;

(y) Heritage Statement 1NQ, Tariff Street, Manchester, M1 2FF, November 2022 by Turley's;

(z) WIND MICROCLIMATE, ASSESSMENT REPORT 1 NQ Tariff Street dated 30-11-2022 by GIA;

(aa) 1NQ, TARIFF STREET MANCHESTER, CIRCULAR ECONOMY STATEMENT, ADDENDUM REPORT JANUARY 2023 REF: 2022.264 by Element Sustainability;

(bb) LANDSCAPE PROPOSALS, Tariff Street, Manchester, Project Number: 4267, November 2022 by tpm Landscaping as amended by 8198-LRW-ZZ-00-DR-A-00-139 Rev P02 (stamped as received on 30-05-23)

(cc) Avison Young letter dated 28-02-23 in relation to the Enhanced offer of on street disabled parking and details of closest alternative disabled parking bays; and

(dd) Land at Port Street /Tariff Street Ventilation e-mail dated 24-02-23 from Avison Young.

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 DC19.1, DC20 and DC26.1.

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

*baseline 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 in line with an agreed programme: and

*a programme for the production of the full sized sample panels a strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels, details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

(b) Submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle;

(c) 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) Prior to occupation of the development a servicing strategy for the building, shall be submitted to and approved in writing by the local planning authority.

The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

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

5) a) Notwithstanding the 1NQ Tariff Street, Manchester, Marco Living 2 Ltd & Axis-Re Ltd, Phase I Desk Study Report, 143404/01 November 2022 by Fairhursts prior to the commencement of the development other than demolition the following information should be submitted for approval in writing by the City Council, as Local Planning Authority:

- Intrusive investigation assessment;
- Updated final risk assessment;
- Remediation Strategy.

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.

b) 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 prior to the first occupation of the residential element of the scheme.

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 policies DM1 and EN18 of the Core Strategy.

6) Prior to the commencement of development, a detailed construction management plan outlining working practices during development shall be submitted for approval in writing by the local planning authority, which should include;

- o Display of an emergency contact number;
- o Arrangements that no noisy work shall commence before 08:30
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
- 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, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) Prior to the commencement of development (excluding demolition) a programme for submission of final details of the public realm works and highway works as shown in the LANDSCAPE PROPOSALS, Tariff Street, Manchester, Project Number: 4267, November 2022 by tpm Landscaping as amended by dwg numbered: 8198-LRW-ZZ-00-DR-A-00-139 Rev P02 (stamped as received on 30-05-23)

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 (a) all hard (to include use of natural stone or other high quality materials) and (b) all soft landscaping works (excluding tree planting) which demonstrably fully consider and promote inclusive access (including older and disabled people);

(b) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include, the choice of planting species within the public realm, bat boxes and brick, bird boxes to include input from a qualified ecologist and which demonstrates Biodiversity Net gain across the site ;

(c) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design and details of on going maintenance;

(d) Details of how surface water from the public realm would be managed within the public realm through Suds interventions such as infiltration, swales, soakways, rain gardens and permeable surfaces;

(e) Location and design of all furniture including seating areas, lighting, bins, handrails, recycling bins, boundary treatments, planters all to include features which fully consider and promote inclusive access (which includes older and disabled people and child friendly features);

(f) Lighting around and within the site (which includes for consideration of older and disabled people);

(g) A management and maintenance strategy for the public realm including hours during which these areas would be publicly accessible and open to non residents, how access to these areas would be managed who would be responsible for the day to day management and maintenance of these areas including ensuring ongoing maintenance of provision of access for disabled people; and

(h) Details of hours during which the terraces at levels 10 (Block 1) and 12 (Block 2) will be open to residents and the mechanisms which would prevent use outside of those hours;

The detailed scheme shall demonstrate that it complies with Accessibility and Age Friendly principles

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 area hatched between buildings 1 and 2 scheme shall be implemented prior to either of the proposed buildings first being occupied and the full landscaping scheme as shown in the plan shall be implemented in full within 12 months of the occupation of whichever of buildings 1 and 2 is the later. 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 a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, 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) Notwithstanding the details as set out within condition 2 no development shall take place until surface water drainage works have been submitted to and approved in writing by the Local Planning Authority in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards.

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

*A finalised drainage layout showing all components, outfalls, levels and connectivity;

* Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;

*An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.

*Surface water should be restricted to a rate of 5 l/s.

*A blockage risk assessment is undertaken as part of the drainage strategy to support proposed flows less than 5 l/s. If the risk cannot be adequately managed, a higher minimum discharge rate should be considered / agreed with relevant parties.

*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.

*CRT consents / approval confirmation required. An email of acceptance will suffice.

*The LLFA would require the landowner's consent / approval for drainage within highway / third-party land. An email of acceptance will suffice.

*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.

*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.

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.

9) 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. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

10) No development works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
- archaeological evaluation trenching;

- pending the results of the above, an open-area excavation (subject to a revised WSI).
- 2. A programme for post-investigation assessment to include:
 - production of a final report on the results of the investigations and their significance.
- 3. Deposition of the final report with the Greater Manchester Historic Environment Record.
- 4. Dissemination of the results of the archaeological investigations commensurate with their significance.
- 5. Provision for archive deposition of the report and records of the site investigation.
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI

Reason: In accordance with NPPF policy 16, paragraph 205: To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible.

11) 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 a safe form of development that poses no unacceptable risk of contamination to controlled waters pursuant to section 10 of the National Planning Policy Framework Core Strategy policy EN14 and EN17.

12) Prior to occupation of:

- (a) The residential accommodation; and
- (b) The ground floor commercial units

a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location 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 equipment. The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

For any emergency plant proposed, although plant limits have been given, as these only operate in an emergency any maintenance, servicing and testing is confined to 09:00 to 18:00 Monday to Friday.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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.

13) Notwithstanding the recommendation within the the Environmental Noise Study by Fisher Acoustics, dated November 2022 before any above ground works commence details of the following shall be submitted:

(a) a scheme for acoustically insulating and mechanically ventilating the residential accommodation against local road traffic network, any local commercial/industrial noise sources and the insulation requirements and specification for service risers /lift shafts;

(b) An assesement of the potential for overheating and any required mitigation which the noise insulation scheme shall take into account

shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation and ventilation scheme and shall be completed before any of the dwelling units are occupied.

The following noise criteria will be required to be achieved whilst providing adequate ventilation as defined by Approved Document F of the Building Regulations (whole dwelling ventilation):

Bedrooms (night time - 23.00 - 07.00)	30 dB LAeq (individual noise events shall not exceed 45 dB L _{Amax,F} by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00)	35 dB LAeq

The scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

(c) 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 (within at least 10% of the apartments) 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.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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.

14) Notwithstanding the recommendation within the Environmental Noise Study by Fisher Acoustics, dated November 2022 before each of the ground floor commercial uses as shown on dwgs 8198-LRW-ZZ-00-DR-A-00-101 P12 commences a scheme for acoustically insulating each unit to ensure that there is no unacceptable level of noise transfer from these units to the residential accommodation above shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme shall be completed before any of the approved uses commence.

(c) 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 adjacent residential accommodation arising directly from the proposed development 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.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

15) Before any use of each of the ground floor commercial uses as shown in dwg 8198-LRW-ZZ-00-DR-A-00-101 P12 hereby approved commences details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

16) Notwithstanding the TV reception survey prepared by GTech (Television and Radio Reception Impact Assessment 1NQ, Tariff Street dated 28/11/2022) within one month of the practical completion of the development or before the residential element of the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy

17) 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).

18) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

19) Prior to implementation of any proposed lighting scheme details of the scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

20) Prior to the first use of the development hereby approved, a detailed Residential Management Strategy including:

(a) Details of how 24 hour management of the site in particular in relation to servicing and refuse (storage and removal), parking of maintenance vehicles, noise management of communal areas;

(b) How access to the communal terraces would be managed during the evening /night shall be submitted to and agreed in writing by the City Council as Local Planning Authority;

(c) Details of how the parking requirements of a disabled resident would be met by the building operator.

The approved management plan shall be implemented from the first occupation of the residential element and be retained in place for as long as the development remains in use.

Reason - In the interests of residential amenity, the promotion of a sustainable and inclusive community within the development, to safeguard the character of the area and to maintain the sustainability of the local community through provision of

accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

21) The development hereby approved shall be carried out in accordance with the FRAMEWORK TRAVEL PLAN, Build to Rent Residential Tower Block, Tariff Street November 2022 by Vectos

In this condition a travel plan means a document that includes the following:

- i) the measures proposed to be taken to reduce dependency on the private car by residents and those [attending or] employed in the development;
- ii) a commitment to surveying the travel patterns of residents within the first six months of use of the development or when two thirds of the units are occupied (whichever is sooner) 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;
- vi) measures to identify and promote walking routes connecting Piccadilly Station, the Metrolink, the City Centre and areas towards the Ancoats, New Islington and East Manchester;
- vii) Details of how the parking requirements of a disabled resident would be met by the building operator,

Within 3 months of the completion of the travel survey, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel and to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution. , pursuant to policies SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

22) Deliveries, servicing and collections associated with the management of the building and ancillary uses within it including waste collections shall not take place outside the following hours:

07:30 to 20:00 Monday to Saturday
10:00 to 18:00 Sundays and Bank Holidays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

23) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been

demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - To prevent pollution of controlled waters from potential contamination on site. Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development above ground (other than the hereby permitted ground floor Class E (excluding E (b)) commercial units shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

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

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

26) The development hereby approved shall include for full disabled access to be provided to all publically accessible areas of public realm during the hours that it is open to the general public and via the main entrances and to the floors above.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1

27) The window(s) at ground level, fronting onto Tariff Street , Port Street and the areas of public realm around the building shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

28) If any external 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

29) Notwithstanding the details contained within condition 2 above prior to the first occupation of the residential element, a scheme of highway works and footpaths reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- (a) Details of the 4 disabled spaces
- (b) Detailed designs in relation to the stopping up order under Section 247 of the TCP Act 1990 in relation to Fair Street (to including materials, layout, kerb heights;
- (c) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the back of pavement and the line of the proposed building on all site boundaries; and
- (d) Any amendments to the existing TRO associated with the above;

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element and thereafter retained and maintained in situ.

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).

30) The development shall be carried out in accordance with the Crime Impact Statement Version VERSION A: 30th November 2022
REFERENCE: 2022/0499/CIS/01 or as amended by dwg 8198-LRW-ZZ-B1-DR-A-00-100 P11 (condition 35 cycle parking)

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 accreditation.

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

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

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

32) In the event that any of the commercial units as indicated on drawing 8198-LRW-ZZ-00-DR-A-00-101 P12 are occupied as an restaurant (Class E) or Drinking Establishment (Sui Generis) use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority.

A Management Strategy for patrons and control of any external areas. For the avoidance of doubt this shall include:

*An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers)

*Details of a Dispersal Procedure

* Mechanism for ensuring windows and doors remain closed after 9pm

* Details of management of storage of any external freestanding furniture

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained. The approved details remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

33) No doors (other than those designated as fire exits) shall open outwards onto adjacent pedestrian routes.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

34) Prior to the first occupation 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).

35) Prior to the first occupation of the residential element, the 261 cycle parking places as shown within drawing 8198-LRW-ZZ-B1-DR-A-00-100 P11 shall be in place 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 modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

36) In relation to relation to site layout, water supplies for firefighting purposes and access for fire appliances, the development shall be implemented in accordance with the Fire Statement Form (JH Reference: GM2001/GM2002 as amended by 1NQ, TARIFF STREET, MANCHESTER, HSE COMMENTS GM2001/hz/15ax 17th January 2023 by Jensen Hughes (subject to Buildings Regulations and other required safety sign off)

Reason

To ensure a satisfactory development pursuant to Policy DM1 of the Core Strategy and in accordance with the Fire safety and high-rise residential buildings Guidance August 2021.

37) The development hereby approved shall be carried out in accordance with the targets within the 1NQ, TARIFF STREET, MANCHESTER ENVIRONMENTAL STANDARDS STATEMENT, NOVEMBER 2022 REF: 2022.264 by Element Sustainability and a post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

38) Waste Storage and Management shall be implemented in accordance with the following:

Section 13 of the 1 N Q B L O C K 1 & 2 MANCHESTER, DESIGN & ACCESS STATEMENT 8198-LRW-XX-XX-PP-A-00-005 P02 by Leach Rhodes Walker and Avison Young e-mail Refuse Note 03 03 23;

The above approved scheme shall be implemented prior to the first occupation of each of: (a) the residential element; (b) the ground floor commercial units shall remain in situ whilst the development is in operation.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To ensure adequate refuse arrangement are put in place for the residential element of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

39) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the solar panels to the roof of the buildings (including cross sections). The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity and solar glare pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

40) The consent for any Sui Generis Bar Use does not permit for any on site cooking which would require ventilation for fume extraction.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26 and in accordance with the Land at Port Street /Tariff Street Ventilation e-mail dated 24-02-23 from Avison Young.

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.

Section 278

All of the works required to achieve the new accesses / egresses and associated TROs should be included as part of a S278 agreement to be funded by the applicant

CMP

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation during the construction phase.

Materials

Any materials approved for planning purposes should be discussed in full with Building Control. This is to ensure they meet the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with the Building Regulations you should discuss these with the Planning Service as soon as possible as this could materially effect your permission.

Nesting Birds

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

Fire

As the proposal involves development over 11m in height (or alterations to increase the height of a building above 11m), developers are required to notify the Greater Manchester Fire & Rescue Service of the commencement of development via email to construction-started@manchesterfire.gov.uk

Air Quality For this development proposals for good practice principles for both the design and operational phases are recommended. Reference should be made to IAQM/EPUK guidance: <http://iaqm.co.uk/guidance>

Embodied carbon Highways

It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place

Highways Structures

Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works must be submitted for checking (for a fee) to MCC Bridges/Structures Section. The applicant is advised to contact highways.structures@manchester.gov.uk.

Bats

If during works to demolish / convert the building to the use hereby permitted any sign of the presence of bats is found, then all such works shall cease until a survey of the site has been undertaken by a suitably qualified ecologist and the results have been submitted to and approved by the Council in writing as local planning authority. Any recommendations for the protection of bats in the submitted document shall be implemented in full and maintained at all time when the building is in use as hereby permitted

Any lighting at night needs to adhere to guidance within the 'Landscape and urban design for bats and biodiversity' (Gunnell et. al., 2012, Bat Conservation Trust) Guidance Note 8 'Bats and Artificial Lighting' 2018, Bat Conservation Trust.

Condition Discharge

It is not proposed that the development hereby approved will be phased, however, the planning conditions attached to this decision notice are capable of being discharged in full, or discharged in-part for each individual block providing information relating to each of the individual Blocks (and associated public realm) hereby approved by Condition 2 above and shown on plan ref: 8198-LRW-ZZ-00-DR-A-00-139 Rev P02 is submitted to the Council.

Date: 27 June 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.

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