

DATED

6th April

2023

THE COUNCIL OF THE CITY OF MANCHESTER

- and -

TRINITY DEVELOPMENTS (MANCHESTER) LIMITED

AGREEMENT

**pursuant to section 106 of the Town and
Country Planning Act 1990 (as amended)
relating to land known as "Trinity Islands"
bounded by the River Irwell, Regent Road,
Water Street, Trinity Way and the Railway,
Manchester**

City Solicitor
P O Box 532
Town Hall
Albert Square
Manchester M60 2LA

THIS AGREEMENT is made the

6th

day of

April

2023

BETWEEN:

- (1) **THE COUNCIL OF THE CITY OF MANCHESTER** of Town Hall, Albert Square, Manchester, M60 2LA (the "**Council**"), and,
- (2) **TRINITY DEVELOPMENTS (MANCHESTER) LIMITED** (incorporated in England with company number 11381019) whose registered office is at 1st Floor NQ Building, 47 Bengal Street, Manchester M4 6BB (the "**Owner**"),

BACKGROUND

- A The Council is the local planning authority for the purposes of the Act in relation to the Site and is the authority by whom the obligations hereby created are enforceable. The Council is also the freehold owner of part of the Site registered at the Land Registry with title absolute under title number GM894508, together with but subject to all matters contained or referred to in the title registers thereunder. It is agreed by the parties that the Owner's' covenant hereinafter contained shall not bind the Council. The Development will be carried out on the Site. The Site is situated within the Administrative Boundaries of Manchester and this planning obligation is enforceable by the Council.
- B The Owner is the freehold owner of part of the Site registered at HM Land Registry with Title Absolute under Title Number MAN333170 together with but subject to all matters contained or referred to in the Title Registers thereunder.
- C The Owner also holds leasehold interests in part of the Site registered at HM Land Registry with Title Absolute under Title Numbers MAN27691, MAN27813 and MAN36376 together with but subject to all matters contained or referred to in the Title Registers thereunder.
- E On 13th May 2022 the Council granted planning permission for the erection of four towers ranging from 39, 48, 55 and 60 storeys to form a mixed use development comprising 1950 residential apartments (Use Class C3a) and commercial uses (Use Classes E and Sui Generis Drinking Establishment) (361 sqm) within the podium level together with public realm, car and cycle parking, access arrangements and highway works, and other associated works at Two Parcels Of Land Known As "Trinity Islands" Bounded By The River Irwell, Regent Road, Water Street, Trinity Way And The Railway Manchester under planning permission reference 132429/FO/2021 (the "May 2022 Permission") subject to conditions and the May 2022 s106 Agreement.
- F On 13th June 2022 Renaker Build Limited submitted the s73 Application to the Council;
- G The Council as local planning authority is satisfied that the Development is such as may be approved by the Council under the Act and is minded to grant planning permission for the Development in accordance with the s73 Application but having considered the Local Plan and the Regulations is desirous of the Owner entering into this Agreement without which planning permission would not be granted.

- H The Owner has agreed to enter into this Agreement in support of the s73 Application so as to create planning obligations in favour of the Council pursuant to section 106 of the Act and to be bound by and observe and perform the covenants hereinafter contained
- I The Council has determined that the Development in order to comply with the Core Strategy should provide a contribution towards education and the provision of Affordable Housing within the City of Manchester. The Owner has stated that there are viability issues affecting the development of the Site and has submitted to the Council documentation in support of this contention. The Council has accepted that at the date of this Agreement the Development cannot support the full policy compliant contribution. The Council has agreed to accept the Initial Contribution and the Owner has agreed to future reappraisals of viability and to pay any Reappraisal Payment found to be due in accordance with the provisions contained in this Agreement
- J The planning purpose of this Agreement is to improve the amenity of land in the locality of the Site with benefit for the occupiers of the Development and to mitigate the adverse impacts of the Development in accordance with the development plan for the area and other material considerations. The Council is satisfied that the obligations in this Agreement are,
- (a) necessary to make the Development acceptable in planning terms (including where appropriate, obligations necessary to mitigate the adverse impacts of the Development in accordance with the development plan for the area and other material considerations),
 - (b) directly related to the Development, and
 - (c) fairly and reasonably related in scale and kind to the Development

AGREED TERMS

DEFINITIONS AND INTERPRETATION

1.1 The definitions and rules of interpretation set out in this Clause apply to this Agreement.

"Act" the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008,

"Administrative Boundaries of Manchester" all the wards that together comprise the city of Manchester,

"Affordable Housing" shall have the same meaning given to it in policy H8 of the Core Strategy and in the NPPF Annex 2 Glossary as may be amended or any replacement of the same,

"Agreement" shall mean this agreement,

"Architect" SimpsonHaugh and Partners of Riverside, 4 Commercial Street, Manchester, M15 4RQ,

"Average Sale Price" means the average sale price across the relevant Dwellings (which for each of Phase D1, Phase D2, Phase C1 and Phase C2 shall be as referred to in paragraph 5 of Part 2 of Schedule 3) calculated on a per square foot basis and based on actual sale prices where Dwellings

have been sold and estimated sale prices where those Dwellings are yet to be sold as at the date that is 1 (one) calendar month from the date of Practical Completion of the final such Dwelling (but subject to the provisions of Part 2 of Schedule 3 as to allowing earlier calculations to be undertaken),

“Benchmark Sale Price” means where the Method of Disposal is by Private Rental Sector Investment a per square foot sale price of £503 (five hundred and three pounds) and where the Method of Disposal is by Open Market Sales a per square foot sale price of £535 (five hundred and thirty-five pounds);

“Best Endeavours” means that it is agreed by the parties hereto that the party under such an obligation will not thereby be required to take proceedings (including any appeal) in any court public inquiry or other hearing (unless specified to the contrary) but subject thereto and to other terms of this agreement such party will be bound to attempt to fulfil the relevant obligation by the expenditure of such effort and/or sums of money and the engagement of such professional or other advisers as in all the circumstances may be reasonable to expect, in the case of the Owner, of a competent commercial developer in the context of the Development and of a competent landowner in the context of the Development, and in the case of the Council, of a competent local planning authority acting reasonably in the context of its statutory functions,

“Chartered Surveyor” a professional expert who is a chartered member of the Royal Institution of Chartered Surveyors with a minimum of ten (10) years post-qualification experience,

“Clawback Contribution Cap” means the sum of £20,000,000 00 (twenty million pounds),

“Commencement of Development” the date upon which the Development shall begin by the carrying out of a material operation in accordance with the provisions of section 56(4) of the Act PROVIDED THAT any works of or associated with site clearance, remediation works, environmental or archaeological investigations, site and soil surveys, erections of contractors work compound, erection of site office, erection of fencing to site boundaries, marking of site boundaries and laying out of access roads and services shall for the purposes of the agreement be deemed not to be material operations and **“Commenced”** shall be construed accordingly,

“Core Strategy” means the Manchester Core Strategy (adopted 11th July 2012) which is the key document in the Council's Local Development Framework and details the Council's vision for the development of Manchester during the period 2012 to 2027,

“Development” the development undertaken on the Site pursuant to the Planning Permission as specified in the s73 Application,

“Dwelling” a unit of accommodation to be constructed on the Site as part of the Development pursuant to the Planning Permission and **“Dwellings”** shall be construed accordingly;

“Education Contribution” the sum of one million five hundred thousand pounds (£1,500,000 00) Index Linked towards the Education Facility,

“Education Facility” means the educational facility (which shall be a building measuring 1,300m²) to be provided as part of the Development at Crown Street permitted under reference 126668/FO/2020,

“Excess Amount” means the sum calculated by multiplying the amount by which the Average Sale Price exceeds the Benchmark Sale Price by the number of square feet comprised in the relevant Dwellings,

“Expert” a professional expert in town planning, who is a Chartered Member of the Royal Town Planning Institute with a minimum of ten (10) years post-qualification experience,

“Index Linked” adjusted on an annual basis or pro rata per diem from 13th May 2022 to the relevant date of payment in accordance with the Retail Price Index and “Index Linking” shall be construed accordingly,

“Initial Affordable Housing Contribution” the sum of one hundred and six thousand pounds (£106,000 00) Index Linked from 13th May 2022,

“Initial Contribution” the Education Contribution and the Initial Affordable Housing Contribution together,

“Interest” interest at 4% (four per cent) above the base lending rate of the Bank of England from time to time

“Local Plan” includes the Core Strategy adopted by Manchester City Council on 11 July 2012, the extant Unitary Development Plan policies and all other relevant strategic planning documents adopted by Manchester City Council,

“May 2022 s106 Agreement” the section 106 agreement binding the Site dated 13th May 2022;

“Method of Disposal” whether the units are being sold on an Open Market Sales basis or as a Private Rental Sector Investment,

“NPPF” the National Planning Policy Framework issued in July 2021 being the framework setting out the Government’s planning policies for England and how these are expected to be applied as may be amended or any replacement of the same,

“Occupation” means occupation of any part of the Development for the purposes permitted by the Planning Permission but does not include use by personnel whilst engaged in construction, fitting out or decoration of the Dwellings or occupation for marketing or display or occupation in relation to security operations and “Occupy” and “Occupied” shall be construed accordingly,

“Open Market Sales” means the marketing and sale of individual Dwellings within the Development disposed of at Open Market Value for private sale,

“Open Market Value” means the market value as defined in the IVS definition of market value set out in paragraph 30 on pages 18 to 20 of the section headed “IVS 104 Bases of Value” in Part 6 of the

RICS publication titled "RICS Valuation - Global Standards 2017" and issued in June 2017 or any replacement, update or amendment of the same from time to time,

"Phase" means any of Phase C1, Phase C2, Phase D1 and Phase D2,

"Phase C1" that part of Site C shown edged and coloured orange on the Phasing Plan,

"Phase C2" that part of Site C shown edged and coloured pink on the Phasing Plan,

"Phase D1" that part of Site D shown edged and coloured green on the Phasing Plan,

"Phase D2" that part of Site D shown edged and coloured blue on the Phasing Plan,

"Phasing Plan" the drawing numbered 10364-Z1-SHP-G000-PL-GRD-B5D802 Rev 04 attached to the Agreement,

"Plan" the plan annexed to this Agreement so marked,

"Planning Obligations" shall mean the obligations of the Owner specified in the Schedules,

"Planning Permission" the planning permission granted pursuant to the s73 Application substantially in the form as appended at Schedule 2 and as may be amended by any non-material amendment,

"Practical Completion" means the issue of a certificate of practical completion by the Owner's Architect or in the event that the Development is constructed by a party other than the Owner the issue of a certificate of practical completion by that party's architect,

"Private Rental Sector Investment" means a Development that will deliver new-build homes for the private rental market, to be owned as an investment;

"Reappraisal Fee" the sum of up to twelve thousand pounds (£12,000.00) to cover the cost of the Council's review of actual sales values achieved and cross check with the Land Registry,

"Reappraisal Payment" means the sum calculated in accordance with paragraph 1 1, 2.1, 3.1 and 4.1 of Schedule 3, such payment to be applied by the Council towards Affordable Housing within the Administrative Boundaries of Manchester in accordance with policy PA1 of the Core Strategy,

"Regulations" the Community Infrastructure Levy Regulations 2010,

"Retail Price Index" twelve (12) month percentage change in the All Items Retail Price Index published by the Office for National Statistics Centre and in the Monthly Digest of Statistics (or contained in any official publication substituted therefor) or such other index as may from time to time be published in substitution therefor,

"RICS" the Royal Institution of Chartered Surveyors

"s73 Application" the application pursuant to section 73 of the Act to which the Council gave the reference 34039/JO/2022 for variation to conditions 2 and 3 of planning permission 132429/FO/2021 in order to amend the phasing sequence of the development;

“**Site**” the property described in Schedule 1 and shown for the purposes of identification only edged red on the Plan,

“**Site C**” that part of the Site identified as Site C on the Phasing Plan,

“**Site D**” that part of the Site identified as Site D on the Phasing Plan,

“**Working Day**” means any day except Saturday Sunday or a bank holiday and reference to “Working Days” shall be construed accordingly

1 2 The Clause headings do not affect this interpretation

1 3 Unless otherwise indicated, references to Clauses and Schedules are to Clauses of and Schedules to this Agreement and references in a Schedule to a Part or Paragraph are to a Part or Paragraph of that Schedule

1 4 References to any statute or statutory provision include reference to

1 4.1 all Acts of Parliament and all other legislation having legal effect in the United Kingdom as directly or indirectly amended, consolidated, extended, replaced or re-enacted by any subsequent legislation, and

1.4 2 any orders, regulations, instruments or other subordinate legislation made under that statute or statutory provision

1 5 Except for the provisions of Clause 9 references to the Site include any part of it

1.6 References to any party in this Agreement include the successors in title of that party In addition, references to the Council include any successor local planning authority exercising planning powers under the Act and any successor local highway authority exercising powers under the Highways Act 1980

1.7 “**Including**” means “**including, without limitation**”

1 8 Any covenant by the Owner or the Council not to do any act or thing includes a covenant not to permit or allow the doing of that act or thing

1.9 If any provision is held to be illegal, invalid or unenforceable, the legality, validity and enforceability of the remainder of this Agreement is to be unaffected

1 10 Words importing the singular meaning where the context so admits include the plural meaning and vice versa.

1.11 Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all such words shall be construed interchangeable in that manner.

2 PLANNING OBLIGATION

This Agreement is made pursuant to section 106 of the Act, section 111 of the Local Government Act 1972, section 1 of the Localism Act 2011 and all other enabling legislation and is a planning obligation

for the purposes of section 106 of the Act, with the intent that covenants hereinafter contained shall be enforceable by the Council acting under the powers contained in section 106 of the Act or such other enabling powers against the Owner

3 CONDITION PRECEDENT

This Agreement is conditional upon the grant of the Planning Permission and Commencement of Development save for the provisions of Clauses 9, 11, 15, 17 and 18 and paragraph 2 of Part 1 of Schedule 3 which shall have immediate effect

4 CONDITION SUBSEQUENT

If the Planning Permission for the Development has not been implemented by the carrying out of a material operation in accordance with the provisions of sections 56, 91 and 93 of the Act or is revoked or modified in whole or in part (other than in approval of an application by or on behalf of either of the Owner) or quashed or declared unlawful as a result of legal proceedings then this Agreement shall absolutely determine and become null and void but without prejudice to the rights of either party against the other in respect of any antecedent breach

5 THE OWNER'S COVENANTS

The Owner on behalf of themselves and any person deriving title to any part of the Site from the Owner hereafter hereby covenant with the Council so as to bind the Site to fully observe and perform the obligations on his part contained in this Agreement including those obligations set out in Schedule 3 and hereby agrees that the Site shall be permanently subject to the obligations, restrictions and provisions specified herein, such obligations being planning obligations for the purpose of section 106 of the Act subject to clause 9 2 and 9 3

6 THE COUNCIL'S COVENANTS

The Council hereby covenants with the Owner to observe and perform the obligations on its part in this Agreement including those obligations set out in Schedule 4.

7 DISPUTE RESOLUTION

7 1 In the event of any dispute arising in connection with any of the terms of this Agreement other than a dispute involving the construction or interpretation of the terms of this Agreement or the enforcement of any decision pursuant to this Clause, the same shall unless the Council and the Owner otherwise agree be referred to an Expert or in relation to the Viability Appraisal to a Chartered Surveyor to be appointed by agreement between the Council and the Owner

7.2 If the Council and the Owner are unable to agree on the appointment of an Expert or Chartered Surveyor within thirty (30) days of one party serving notice on the other calling for the appointment of an Expert or Chartered Surveyor, then an Expert or Chartered Surveyor shall be appointed on the application of either party to the President for the time being of the Royal Town Planning Institute or the Royal Institution of Chartered Surveyors as applicable.

7.3 Any reference of a dispute to an Expert or Chartered Surveyor shall if the parties are agreed in writing be deemed to be a reference to an expert or chartered surveyor (and not to an arbitrator) whose decision shall be final and binding (save for manifest error) but shall otherwise be deemed to be a reference to an arbitrator pursuant to the Arbitration Act 1996 and any statutory amendment variation substitution or re-enactment thereof

7.4 Any party to this Agreement shall be entitled to submit to the Expert or Chartered Surveyor representations and cross-representations with such supporting evidence as they shall respectively consider necessary and the Expert or Chartered Surveyor shall have regard thereto in making his decision which shall be delivered in writing. The reference of any dispute shall include authority to determine in what manner all the costs of the referral shall be paid.

8 WAIVER

No waiver (whether expressed or implied) by the Council of any breach or default in performing or observing any of the covenants terms or conditions of this Agreement shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the relevant terms or conditions or from acting upon any subsequent breach or default.

9 CHANGE IN OWNERSHIP & LIABILITY

9.1 The Owner agrees with the Council to give the Council immediate written notice of any change in ownership of any of its interest in the Site occurring before all the obligations under this Agreement have been discharged such notice to give details of the transferee's full name and registered office (if a company or usual address if not) together with (unless the purchase relates to the entirety of the Site) the area of the Site or unit of occupation purchased by reference to a plan

9.2 No person shall be liable for any breach, non performance and non observance of the covenants, obligations and restrictions contained in this Agreement after it shall have parted with its entire interest in the Site (or the part in respect of which such breach occurs) but without prejudice to liability for any subsisting breach arising prior to parting with such interest nor shall this hinder or preclude the Council's rights as the Local Planning Authority to require that the breach, non performance or non observance be remedied after that person has parted with its interest in the Site or the relevant part thereof

9.3 Where a party's interest in the Site is limited only to a Phase it shall be bound to comply with the obligations in this Agreement only in so far as they are relevant to such Phase and not to any Phase in which it does not have a proprietary interest

10 COUNCIL'S CONSENT OR APPROVAL

Where in this Agreement the consent, agreement or approval of the Council is required to be given by the Council, the Council confirms that such consent, agreement or approval shall not be unreasonably withheld or delayed provided that this shall not fetter the proper discretion of the Council

11 LOCAL LAND CHARGE AND LAND REGISTRY ENTRY

11.1 This Agreement is a Local Land Charge and shall be registered as such by the Council.

11.2 For the purpose of noting this Agreement on the titles of the Owner the Owner will on the date hereof provide the Council with completed Form AN1 (or any replacement of this form) together with either a cheque made payable to the Land Registry to cover the requisite fee or alternatively with the Owner's solicitor's completed Land Registry account key number details inserted in the form. The Council will arrange for the AN1 (or any replacement of this form) to be registered at the Land Registry and the Owner will supply the Council with a copy of the amended registers as soon as reasonably practicable following their receipt by the Owner from the Land Registry.

11.3 In the event that any requisitions are raised by the Land Registry in connection with the application for registration the Owner will ensure that such requisitions are dealt with promptly.

11.4 The Council will upon receipt of a written request of the Owner or their successors in title, at any time after the obligations set out herein have been fulfilled in their entirety, issue written confirmation thereon and thereafter cancel all related entries in the register of local land charges.

11.5 The costs of registration and cancellation pursuant to clauses 11.3 above shall be met by the Owner if requested by the Council.

12 NON-PROHIBITION ON DEVELOPMENT

Nothing in this Agreement shall prohibit or limit the right to develop any part of the Site in accordance with a planning permission (other than the Planning Permission granted (whether or not on appeal)) after the date of this Agreement.

13 THE CONTRACTS ACT

Save as provided in respect of the successors in title to the Site or any successor to the relevant statutory functions of the Council this Agreement shall not be enforceable by any third party pursuant to the Contracts (Rights of Third Parties) Act 1999 and no third party shall acquire any benefit rights or claims whatsoever pursuant thereto.

14 COMMUNICATION

14.1 Any notice or document to be served on or sent pursuant to this Agreement shall either be delivered personally or sent by recorded delivery service.

14.1.1 to the Council and addressed to the City Solicitor at the Council's address first above written;

14.1.2 to the Owner at their registered office.

15 FEES

15.1 The Owner shall pay forthwith to the Council its legal fees reasonably and properly incurred in preparation of this Agreement.

15.2 Receipt by the Council of the payment of such sum shall not create any lawyer-client type contractual relationship between the Council and the Owner nor absolve the Owners from any liability or obligation imposed upon them by the terms of this Agreement or by statute or at common law.

15.3 The Owner shall pay to the Council the Reappraisal Fee at the date that is 2 (two) calendar month from the date of Practical Completion of the final Dwelling in Phase D1

15.4 The Owner shall pay to the Council the Reappraisal Fee at the date that is 2 (two) calendar month from the date of Practical Completion of the final Dwelling in Phase D2.

15.5 The Owner shall pay to the Council the Reappraisal Fee at the date that is 2 (two) calendar month from the date of Practical Completion of the final Dwelling in Phase C1

15.6 The Owner shall pay to the Council the Reappraisal Fee at the date that is 2 (two) calendar month from the date of Practical Completion of the final Dwelling in Phase C2

15.7 Notwithstanding clauses 15.3 to 15.4, the Council agrees to charge only one Reappraisal Fee for Phase D1 and Phase D2 if the Owner provides the actual sales values for both phases together pursuant to its obligations contained in paragraphs 4 and 5 of Part 1 of Schedule 3

15.8 Notwithstanding clauses 15.5 to 15.6, the Council agrees to charge only one Reappraisal Fee for Phase C1 and Phase C2 if the Owner provides the actual sales values for both phases together pursuant to its obligations contained in paragraphs 6 and 7 of Part 1 of Schedule 3.

16 INTEREST

If any payment due under this Agreement is paid late Interest will be payable from the date payment is due to the date that payment is received

17 WARRANTY AS TO TITLE

The Owner hereby warrants to the Council that the title details recited in this Agreement are complete and accurate in every respect and no other person has an interest in the Site who has not been disclosed to the Council prior to the date hereof.

18 MORTGAGEE PROTECTION

Any mortgagee of the Site shall have no liability under this Deed unless it itself caused the breach of the Deed whilst mortgagee in possession, in which case it too will be bound by the obligations in relation to any parts of the Site over which it has a legal charge but not further or otherwise as if it were a person deriving title in the Site from the Owner.

19 JURISDICTION

This Agreement is governed by and interpreted in accordance with the law of England.

20 COMPLETION

The provisions of this Agreement (other than this clause which shall be of immediate effect) shall be of no effect until this Agreement has been dated.

EXECUTED as a deed by the parties on the day and year first hereinbefore appearing

SCHEDULE 1

The Site

Land known as "Trinity Islands" bounded by the River Irwell, Regent Road, Water Street, Trinity Way and the Railway, Manchester and shown for the purposes of identification only edged red on the Plan



This drawing is copyright
Do not scale off dimensions.

All dimensions to be checked on
site by contractor.

Contractor to report any dimensional
discrepancies, errors or omissions
prior to commencing on site.

Site boundary

Rev	Date	Description
P01	2021-10-29	Planning Issue

Project Title
Trinity Islands
Trinity Way
Manchester

Status
Planning Issue

Drawing Title
Z1 Site Wide
Site Location Plan

Project No
10364

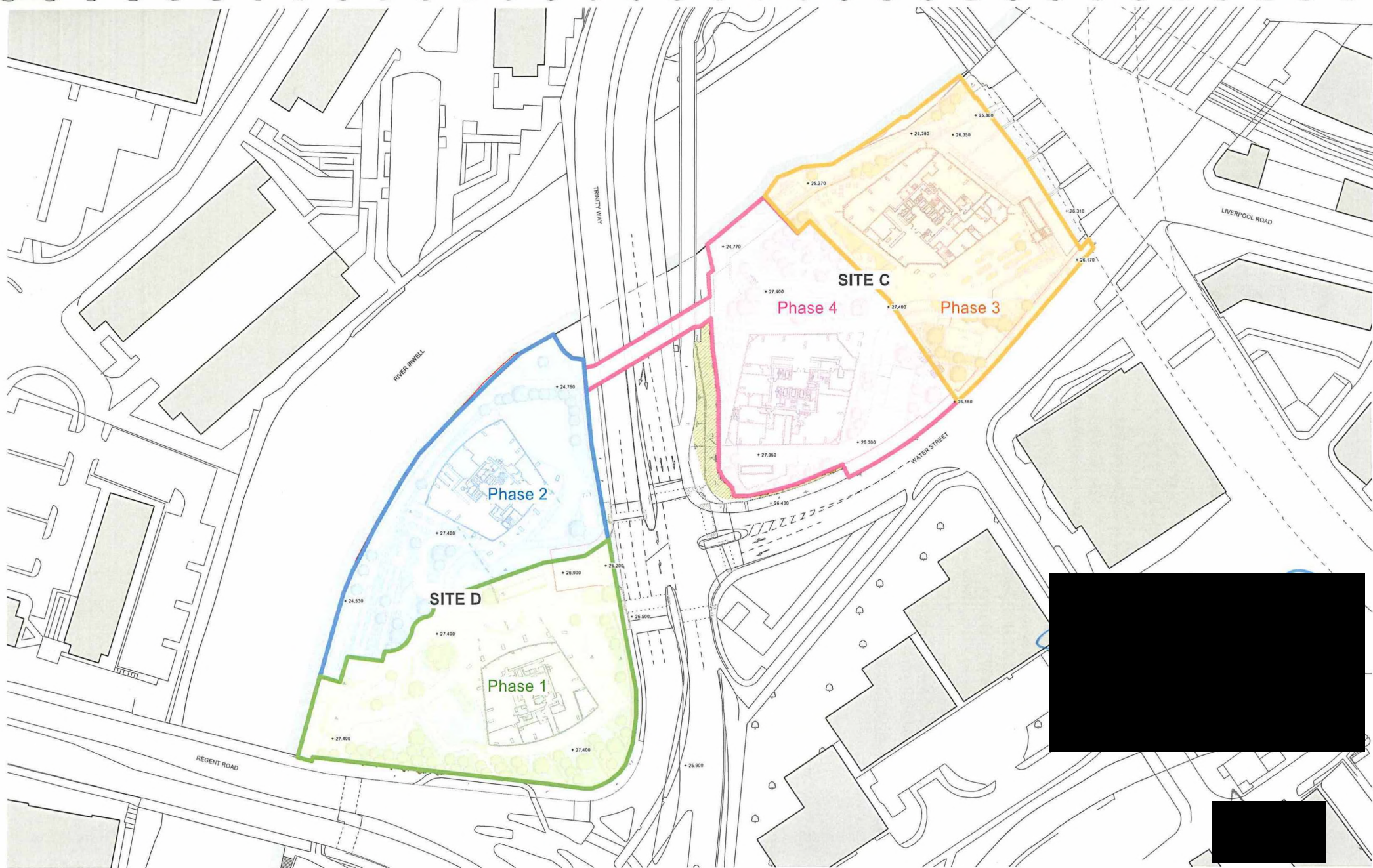
Scale
1 : 1250 @ A1

Revision
10364-Z1-SHP-G000-PL-GRD-B58D01 P01

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Contractor to report any dimensional
discrepancies, errors or omissions
prior to commencing on site.

Phase 1 - D2
Phase 2 - D1
Phase 3 - C1
Phase 4 - C2

NORTH

Rev	Date	Description
001	2021-05-20	Planning Issue
002	2022-05-16	Issued to reflect changes in phasing
003	2022-07-20	Issued to reflect changes in phasing & D1 Building layout
004	2023-10-03	Revised phasing

Project Site
Trinity Islands
Trinity Way
Manchester

Drawing Title
Z1 Site Wide
Phasing Plan
Ground Floor

Project No 10364	Scale 1:500 @ A1
Drawing No 10364-Z1-SHP-G000-PL-GRD-B5D802/P04	

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SCHEDULE 2

Draft Planning Permission



Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Renaker Build Limited
C/o Agent

Agent (if used)

Mr Ed Britton
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Variation of conditions 2 and 3 of planning permission 132429/FO/2021 in order to amend the phasing sequence of the development

Location: Two Parcels Of Land Known As "Trinity Islands" Bounded By The River Irwell, Regent Road, Water Street, Trinity Way And The Railway, Manchester, M3 4JW

Date of application: 13 June 2022

Application number: 134039/JO/2022

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been 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. 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 13 May 2025.

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 and documents approved as part of 134039/JO/2022

Z1-SHP-G100-PL-GRD-B5D801 Rev P02, ZD-SHP-G100-PL-GRD-B5D801 Rev P02, D1-SHP-G200-PL-GRD-B5D801 Rev P02, D2-SHP-G200-PL-GRD-B5D801 Rev P02, ZD-TPM-G710-PL-XX-4029 102 P1, ZD-TPM-G710-PL-XX-4029 203 P1 and ZD-TPM-G710-PL-XX-4029 204 P1 received by the City Council, as Local Planning Authority, on the 6 February 2023.

Z1-SHP-G000-PL-GRD-B5D802 Rev P04, Z1-SHP-G000-PL-B1-B5D801 Rev P04, Z1-SHP-G000-PL-B2-B5D801 Rev P04, received by the City Council, as Local Planning Authority, on the 6 February 2023.

ZD-CUR-G580-PL-GRD-92500-P03, ZD-CUR-G580-PL-GRD-92501-P01, ZD-CUR-G580-PL-GRD-92502-P01 and ZD-CUR-G580-PL-GRD-92503-P01 received by the City Council, as Local Planning Authority, on the 6 February 2023

ES Addendum comprising: including ES (Addendum Phasing) Covering Letter prepared by Deloitte, GIA Solar Glare Technical Note and WSP Wind Microclimate Technical Note received by the City Council, as Local Planning Authority, on the 6 February 2023

Drawings and documents approved as part of 132429/FO/2021

Drawings

Z1-SHP-G000-PL-GRD-B5D801 Rev P01, Z1-SHP-G000-PL-GRD-B5D803 Rev P01, Z1-SHP-G000-PL-GRD-B5D804 Rev P01, Z1-SHP-G100-EL-XX-B5D801 Rev P01, Z1-SHP-G100-EL-XX-B5D802 Rev P01, Z1-SHP-G100-EL-XX-B5D803 Rev P01, Z1-SHP-G100-EL-XX-B5D804 Rev P01, Z1-SHP-G100-PL-B2-B5D801 Rev P0, Z1-SHP-G100-PL-B1-B5D801 Rev P01, Z1-SHP-G100-PL-01-B5D801 Rev P01, Z1-SHP-G100-PL-02-B5D801 Rev P01, Z1-SHP-G100-PL-03-B5D801 Rev P01, Z1-SHP-G100-PL-XX-B5D801 Rev P01, Z1-SHP-G100-PL-RF-B5D801 Rev P01, Z1-SHP-JC20-PL-GRD-B5D801 Rev P01, ZC-SHP-G100-PL-B2-B5D801 Rev P01, ZC-SHP-G100-PL-B1-B5D801 Rev P01, ZC-SHP-G100-PL-GRD-B5D801 Rev P01, ZC-SHP-G100-PL-01-B5D801 Rev P01, ZC-SHP-G100-PL-02-B5D801 Rev P01, ZC-SHP-G100-PL-03-B5D801 Rev P01, ZC-SHP-G100-PL-XX-B5D801 Rev P01, ZC-SHP-G100-PL-RF-B5D801 Rev P01, ZC-SHP-G200-PL-14-B5D801 Rev P01, ZC-SHP-G200-PL-15-B5D801 Rev P01, ZC-SHP-G200-PL-41-B5D801 Rev P01, ZC-SHP-G251-DE-XX-B5D802 Rev P01, ZC-SHP-G251-DE-XX-B5D803 Rev P01, C1-SHP-G200-PL-B2-B5D801 Rev P01, C1-SHP-G200-PL-B1-B5D801 Rev P01, C1-SHP-G200-PL-GRD-B5D801 Rev P01, C1-SHP-G200-PL-01-B5D801 Rev P01, C1-SHP-G200-PL-02-B5D801 Rev P01, C1-SHP-G200-PL-03-B5D801 Rev P01, C1-SHP-G200-PL-RF-B5D801 Rev P01, C2-SHP-G200-PL-B2-B5D801 Rev P01, C2-SHP-G200-PL-B1-B5D801 Rev P01, C2-SHP-G200-PL-GRD-B5D801 Rev P01, C2-SHP-G200-PL-01-B5D801 Rev P01, C2-SHP-G200-PL-02-B5D801 Rev P01, C2-SHP-G200-PL-03-B5D801 Rev P01, C2-SHP-G200-PL-RF-B5D801 Rev P01, ZD-SHP-G100-PL-B2-B5D801 Rev P01, ZD-SHP-G100-PL-B1-B5D801 Rev P01, ZD-SHP-G100-PL-01-B5D801 Rev P01, ZD-SHP-G100-PL-02-B5D801 Rev P01, ZD-SHP-G100-PL-03-B5D801 Rev P01, ZD-SHP-G100-PL-XX-B5D801 Rev P01, ZD-SHP-G100-PL-RF-B5D801 Rev P01, ZD-SHP-G200-PL-04-B5D801 Rev P01, ZD-SHP-G200-PL-22-B5D801 Rev P01, ZD-SHP-G200-PL-42-B5D801 Rev P01, ZD-SHP-G200-PL-50-B5D801 Rev P01, ZD-SHP-G200-PL-58-B5D801 Rev P01, ZD-SHP-G200-PL-59-B5D801 Rev P01, ZD-SHP-G200-SE-XX-B5D801 Rev P01, ZD-SHP-G251-DE-XX-B5D801 Rev P01, ZD-SHP-G251-DE-XX-B5D802 Rev P01, ZD-SHP-G251-DE-XX-B5D803 Rev P01, D1-SHP-G200-PL-B2-B5D801 Rev P01, D1-SHP-G200-PL-B1-

B5D801 Rev P01, D1-SHP-G200-PL-01-B5D801 Rev P01, D1-SHP-G200-PL-02-B5D801 Rev P01, D1-SHP-G200-PL-03-B5D801 Rev P01, D1-SHP-G200-PL-RF-B5D801 Rev P01, D1-SHP-G200-EL-XX-B5D801 Rev P01, D1-SHP-G200-EL-XX-B5D802 Rev P01, D2-SHP-G200-PL-B2-B5D801 Rev P01, D2-SHP-G200-PL-B1-B5D801 Rev P01, D2-SHP-G200-PL-01-B5D801 Rev P01, D2-SHP-G200-PL-02-B5D801 Rev P01, D2-SHP-G200-PL-03-B5D801 Rev P01, D2-SHP-G200-PL-RF-B5D801 Rev P01, D2-SHP-G200-EL-XX-B5D801 Rev P01 and D2-SHP-G200-EL-XX-B5D802 Rev P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021

C1-SHP-G200-EL-XX-B5D801 Rev P02, C1-SHP-G200-EL-XX-B5D802 Rev P02, C2-SHP-G200-EL-XX-B5D801 Rev P02, C2-SHP-G200-EL-XX-B5D802 Rev P02, ZC-SHP-G200-SE-XX-B5D801 Rev P02, ZC-SHP-G251-DE-XX-B5D801 Rev P02 stamped as received by the City Council, as Local Planning Authority, on the 19 January 2022

ZC-TPM-G710-PL-XX-3852 101, ZD-TPM-G710-PL-XX-3852 102, ZC-TPM-G710-PL-XX-3852 201 and 202 and ZD-TPM-G710-PL-XX-3852 203 and 204 stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022

Supporting information

Planning Statement and Tall Building Statement Deloitte, Statement of Consultation Deloitte, Arboricultural Report Godwins, Archaeological Desktop Study Salford Archaeology, Blue and Green Infrastructure Statement Deloitte, Broadband Connectivity Assessment Pager Power, Crime Impact Statement Greater Manchester Police - Design for Security, Phase 1 and 2 Ground Conditions WSP, Ecological Appraisal ERAP, Energy Statement Element Sustainability, Environmental Standards Statement Element Sustainability, Fire Strategy Hoare Lea, Lighting Strategy TPM Landscape Architects, Local Benefits Proposal - Statement of Intent Renaker Build Limited, Residential Management Strategy Zenith, Safety Assessment (Manchester Airport) Pager Power, Servicing Strategy Vectos, Site Waste Management Strategy Vectos, TV Reception Survey Pager Power, Operational Management Strategy Zenith, Ventilation Strategy WSP and Viability Assessment Renaker Build Limited stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021

Design and Access Statement SHP and Regulation 25 addendum letter from Deloitte dated 18 January 2022 stamped as received by the City Council, as Local Planning Authority, on the 19 January 2022

HSE response and drawing pack stamped as received by the City Council, as Local Planning Authority, on the 27 January 2022

Landscape Management Report stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022

Response to Highways Comments prepared by Vectos stamped as received by the City Council, as Local Planning Authority, on the 4 February 2022

Memo dated 1 November 2021 'AVO Strategy' stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022

Environmental Statement

Volume 1

Chapter 1 - Introduction
Chapter 2 - Environmental Impact Assessment Methodology
Chapter 3 - Alternatives and Design Evolution
Chapter 4 - Site, surroundings and Description of Proposals
Chapter 5 - Construction Management, Programme, Methodology and Phasing
Chapter 6 - Air Quality Ensafe
Chapter 7 - Climate Change WSP
Chapter 8 - Daylight, Sunlight and Overshadowing GIA
Chapter 9 - Heritage Stephen Levrant Heritage Architecture
Chapter 10 - Human Health Enfusion
Chapter 11 - Noise and Vibration Matt Fisher Acoustics
Chapter 12 - Socio-Economic Issues Ekosgen
Chapter 13 - Solar Glare GIA
Chapter 14 - Townscape and Visual Impact Chris Burnett Associates
Chapter 15 - Traffic and Transport Vectos
Chapter 16 - Water Resources Curtins
Chapter 17 - Wind Microclimate WSP
Chapter 18 - Residual Impacts
Chapter 19 - Type 1 Cumulative Effects Deloitte with input from All EIA Consultants

Volume 2: Technical Appendices

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- Appendix 2.2 - Committed Developments
- Appendix 2.3 - ES Scoping Opinion
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- Appendix 6.1 - Assessment Inputs
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- Appendix 6.3 - Construction Phase Assessment Methodology
- Appendix 6.4 - Construction Phase Road Vehicle Exhaust Impact Assessment
- Appendix 6.5 - Sensitivity Analysis Impact Assessment
- Appendix 6.6 - EIA Qualifications
- Appendix 8.1 - Drawings of the Baseline and Proposed Scenario;
- Appendix 8.2 - Daylight and Sunlight Results for Baseline v Proposed;
- Appendix 9.1 - Heritage Statement
- Appendix 11.1 - Noise Assessment
- Appendix 12.1 - Socio-Economic Baseline Data
- Appendix 13.1 - Solar Glare Assessment
- Appendix 14.1 - Maps
- Appendix 14.2 - Viewpoint and townscape photographs including AVR and block images.
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Non-Technical Summary

The ES was stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021

Addendum note to Chapter 13 - Solar Glare GIA stamped as received by the City Council, as Local Planning Authority, on the 19 January 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) The phasing of the development shall be carried out in accordance with drawing Z1-SHP-G000-PL-GRD-B5D802 Rev P04, Z1-SHP-G000-PL-B1-B5D801 Rev P04, Z1-SHP-G000-PL-B2-B5D801 Rev P04 stamped as received by the City Council, as Local Planning Authority, on the 6 February 2023 and shall be herein have the following meanings:

- Phase D2- erection of tower D2 (55 storeys) to form 483 residential apartments (C3a), commercial uses (Class E and sui generis: drinking establishment), public realm, car and cycle parking and highways works
- Phase D1- erection of tower D1 (60 storeys) to form 532 residential apartments (C3a), commercial uses (Class E and sui generis: drinking establishment), public realm, car and cycle parking and highways works
- Phase C1- erection of tower C1 (39 storeys) to form 414 residential apartments (C3a), commercial uses (Class E and sui generis: drinking establishment), public realm, car and cycle parking and highways works;
- Phase C2- erection of tower C2 (48 storeys) to form 521 residential apartments (C3a), commercial uses (Class E and sui generis: drinking establishment), public realm (including connection under Trinity Way), car and cycle parking and highways works.

Reason - The development is to be carried out on a phased basis and details must therefore be agreed in this regard to ensure that a comprehensive development provided at this site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

4) No demolition works or 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).

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained within the arboricultural report prepared by Godwins stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021; 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) 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.

7) Phase C1 of development shall be carried out in accordance Flood Risk Assessment and Drainage Strategy - Proposed Site at Trinity Island, Trinity Way, Manchester. Prepared by Curtins on the behalf of Renaker Build Ltd. Report Ref: 078567-CUR-XX-XX-RP-C-92001. Revision V03. Issue Date :12 November 2021 within appendix 16.2 of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

The development shall be carried out in accordance with this assessment including the mitigation measures outlined in section 5. Prior to the first occupation of phase C1, a verification report for phase C1 shall be submitted for approval in writing to the City Council, as Local Planning to confirm that the works in that phase have been undertaken in accordance with the previously approved report.

Reason - In the interest of managing the flood risk at the development pursuant to policy EN14 of the Manchester Core Strategy (2012).

8) Notwithstanding the Phase I Preliminary Risk Assessment and the Phase II Ground Investigation prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, prior to the commencement of phase C1 the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority, to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site:

- Remediation strategy and materials management plan providing
- Asbestos management plan submitting
- Final gas risk assessment following completion of the last 2 rounds of gas monitoring. (This should include monitoring during occurrences of low and falling atmospheric pressure)
- UK Water supplier risk assessment.

The remediation of phase C1 shall be carried out in accordance with the approved 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 EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

9) Prior to the occupation of the residential element of any phase C1 of the development, and following completion of the remediation strategy approved as part of condition (8), a Completion/Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall demonstrate that the completion of works has been carried out in accordance with the approved remediation strategy and has been effective. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site has been appropriately remediated prior to the commencement of works associated with the redevelopment of the site, pursuant to policies EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

10) In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified as part of phase C1, 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 for approval 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. The approved strategy shall then be implemented and then verified as required condition 9.

Reason - To ensure that the works to be undertaken do not contribute to, or adversely affect, unacceptable levels of water pollution from previously unidentified contamination sources pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

11) Prior to the commencement of phase C1, a method for piling, or any other foundation design using penetrative methods, for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of phase C1 of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

12) Notwithstanding Appendix 16.2 of the Environmental Statement - Flood Risk Assessment and Drainage Strategy stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, (a) prior to the commencement of phase C1, a scheme for the drainage of surface water from that phase has been submitted for

approval in writing by the City Council as the Local Planning Authority. This shall include:

- The findings from the Phase 2 Ground Investigation works should be referenced within the Flood Risk Assessment and Drainage Strategy, specifically to identify if the basement levels require certain levels of proofing from groundwater;
- A flood evacuation plan, specifying safe access and egress routes from the developments;
- Consideration of alternative green SuDS solution (that is either utilising infiltration or attenuation) if practicable;
- 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 40% climate change in any part of a building;
- 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;
- Where surface water is connected to River Irwell (ship canal), any works within or adjacent to the river that would affect it would require consent from Peel Holdings. An email of acceptance of proposed flows and/or new connection will suffice;
- Correspondence evidencing that Peel Holdings are satisfied with the outfall(s) design details. The invert level of the outfalls should be specified, and various water levels used to identify how the proposed drainage system would function with a surcharged outfall. Where the development would cause unusual pollution risk to surface water (large car park areas (>50 parking spaces) or industrial estates), evidence of pollution control measures (preferably through SuDS) is required;
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) Phase C1 shall then be constructed in accordance with the approved details, within an agreed timescale.

(c) Prior to the first occupation of phase C1 a verification report for that phase shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

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).

13) A programmes of archaeological works for phase C1 shall be undertaken in line with the Written Scheme of Investigations (WSI) for an Archaeological Evaluation of Site C,

Trinity Islands (dated 30 November 2020) stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021. 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 evaluation trenching;
- pending the results of the above, a targeted open-area excavation.

Prior to the first occupation of the residential element of phase C1, 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.

14) Prior to the commencement of phase C1, a detailed construction management plan outlining working practices during construction for that phase of the development has been submitted to and approved 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 and dirt suppression measures;
- o Highway dilapidation survey;
- o Compound locations where relevant;
- o Consultation with local residents;
- o Location, removal/loading, storage and recycling of waste, plant and materials;
- o Routing strategy and swept path;
- o Parking of construction vehicles and staff;
- 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.

Phase C1 shall be carried out in accordance with the approved construction management plan.

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

15) Prior to the commencement of any development within phase C1, all materials to be used on all external elevations of that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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 (2012).

16) Prior to the installation of the proposed exterior façade of tower C1 associated with phase C1, a Signal Sighting Assessment (in accordance with RIS-0737-CCS Issue 1) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The assessment shall detail any areas of mitigation in order to minimise solar glare. The approved assessment (and any associated mitigation) shall be implemented as part of the façade installation for phase C1 and thereafter retained and maintained in situ.

Reason - In the interest of minimising the effect of solar glare on the adjacent rail infrastructure and rail safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

17) a) Prior to the commencement of phase C1, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction that phase 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 associated with phase C1 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) Notwithstanding drawings ZC-TPM-G710-PL-XX-3852 101, ZC-TPM-G710-PL-XX-3852 201 and 202 and stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022 and ZD-TPM-G710-PL-XX-4029 102 Rev P1, ZD-

(a) prior to any above ground works associated with phase C1, details of the public and private realm works relating to this phase shall be submitted for approval in writing by the City Council as Local Planning Authority. The details shall include submission and implementation timeframes for the following details:

- (i) Details of the proposed hard landscape materials;
- (ii) Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements and for the areas between the pavement and the line of the proposed building;
- (iii) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design;
- (iv) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting and green screens and walls to podium areas;
- (v) Details of the proposed street furniture including seating, bins, boundary treatment, lighting and recreational areas including children's play;
- (vi) Details of any external steps and handrails;
- (vii) A strategy providing details of replacement tree planting, including details of overall numbers, size, species and planting specification, constraints to further planting and details of on-going maintenance.

(b). The approved details shall then be implemented and be in place prior to the first occupation of phase C1 of the development hereby approved.

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.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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 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 emerging Core Strategy.

19) Prior to the first occupation of the residential element of phase C1, a detailed landscaped management plan for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how the public realm and 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

20) Phase C1 shall be carried out in accordance with the Manchester Airport - Safeguarding Report - 4x Proposed Buildings Trinity Islands Assessment of Instrument Flight Procedures received by the City Council, as Local Planning Authority, on the 20 June 2022 (as approved under CDN/22/0409).

Reason - The height of this cluster of building reaches a height which is likely to affect aerodrome safeguarding and mitigation is required to be identified pursuant to policy DM2 of the Manchester Core Strategy (2012).

21) Phase C1 shall be carried out in accordance with the Aviation Lighting Assessment received by the City Council, as Local Planning Authority, on the 20 June 2022 (as approved under CDN/22/0409).

The approved obstacle lighting scheme shall be fully implemented before first occupation of phase C1 and retained thereafter.

Reason - In the interests of aviation safety, pursuant to policy DM2 of the Core Strategy for the City of Manchester.

22) Prior to the first occupation phase C1 hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt 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).

23) Phase C1 hereby approved shall be carried out in accordance with the Energy Statement Element Sustainability, Environmental Standards Statement Element Sustainability stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

A post construction review certificate/statement for phase C1 shall be submitted for approval in writing, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority for phase C1.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

24) Notwithstanding Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, (a) Prior to the first occupation of the residential element of phase C1 of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted 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 5 dB (L_{aeq}) below the typical background (LA₉₀) level at the nearest noise sensitive location.

(b) Prior to the first occupation of the residential element of phase C1, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

25) (a) Notwithstanding Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, prior to the first use of commercial units, residents lounge, co working spaces and gymnasium in phase C1 as indicated on drawings C1-SHP-G200-PL-GRD-B5D801 P01, C1-SHP-G200-PL-01-B5D801 P01, C1-SHP-G200-PL-02-B5D801 P01 and C1-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, a scheme of acoustic insulation for those spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the LA_{eq} (entertainment noise) shall be controlled to 5dB below the LA₉₀ (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (L_{eq,5min}), respectively

(b) Prior to the first use of those spaces within phase C1, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In

instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

26) (a) Phase C1 hereby approved shall be carried out in accordance with Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 and Memo dated 1 November 2021 'AVO Strategy' stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022

The approved noise insulation and ventilation scheme shall be completed before the first occupation of the residential accommodation within phase C1 of development.

(b) Prior to the first occupation of the residential accommodation within phase C1, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met with windows and purge vent doors closed. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved with window and purge cent doors are closed:

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (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 L Aeq

Gardens and terraces (daytime) 55 dB L Aeq (where practically possible)

Due to the proximity of the development to the rail line, it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Ground borne noise/re-radiated noise shall also be factored into the assessment and design.

Additionally, where entertainment noise is a factor in the noise climate the sound insulation 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.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

27) Notwithstanding the Site Waste Management Strategy prepared by Vectos stamped as received by the City Council, as Local Planning Authority, prior to any above ground works, details a waste management strategy for the storage and disposal of refuse for the residential element of phase C1 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the residential element of phase C1 and shall remain in situ whilst the use or development is in operation.

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.

28) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium in phase C1 as indicated on drawings C1-SHP-G200-PL-GRD-B5D801 P01, C1-SHP-G200-PL-01-B5D801 P01, C1-SHP-G200-PL-02-B5D801 P01 and C1-SHP-G200-PL-03-B5D801 P01, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of the location and a waste management strategy for these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented for as long as the development is in use.

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

29) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium in phase C1 as indicated on drawings C1-SHP-G200-PL-GRD-B5D801 P01, C1-SHP-G200-PL-01-B5D801 P01, C1-SHP-G200-PL-02-B5D801 P01 and C1-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of a scheme to extract fumes, vapours and odours from these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority (unless no kitchen extraction or cooking facilities are required). The approved scheme shall then be implemented prior to the first occupation of each of these spaces and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the non residential spaces pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

30) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and

dawn. Prior to the first occupation of phase C1, full details of such a scheme for that phase 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 occupation of phase C1 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.

31) 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 21 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.

32) Deliveries, servicing and collections including waste collections shall not take place outside the following hours for phase C1:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): 10:00 to 18:00

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

33) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium in phase C1 as indicated on drawings C1-SHP-G200-PL-GRD-B5D801 P01, C1-SHP-G200-PL-01-B5D801 P01, C1-SHP-G200-PL-02-B5D801 P01 and C1-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, a schedule of opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall then be implemented and thereafter the uses shall operate in accordance with them.

There shall be no amplified sound or any amplified music at any time within these spaces unless it can be shown as part of condition 24 that there would be no unacceptable impact on residential amenity.

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.

34) Prior to the first use of the commercial spaces within phase C1 as indicated on drawing C1-SHP-G200-PL-GRD-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of any external areas

associated with these commercial spaces (including an Operating Schedule) shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The Operating Schedule shall contain the following details:

- a. A scaled layout plan showing the proposed seating area, including layout of furniture and demarcation of the area;
- b. Full details of the measures proposed to ensure that the proposed seating area is fully accessible by disabled people;
- c. Details of the proposed furniture, including any barriers;
- d. A detailed management strategy that includes information on how the proposed external seating area would be managed in terms of potential noise disturbance, additional movement and activity, litter and storage of furniture at night;
- e. days and hours of operation.

The approved plan shall be implemented upon first use of the commercial uses in phase C1 and thereafter retained.

No amplified sound or any music shall be produced or played in any part of the site outside the building.

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

35) Each commercial unit, as shown on drawings C1-SHP-G200-PL-GRD-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 within phase C1 shall remain as one unit and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

36) The commercial units as indicated on drawings C1-SHP-G200-PL-GRD-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 within phase C1 shall be occupied as Class E (excluding convenience retail) and Sui Generis: Drinking Establishment) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

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

37) In the event that any of the commercial unit in phase C1, as shown on drawing C1-SHP-G200-PL-GRD-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 is occupied as a café/restaurant or

drinking establishment, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. For the avoidance of doubt this shall include:
 - o Dispersal policy;
 - o Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

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 (2012) and to saved policy DC26 of the Unitary Development Plan for Manchester.

38) 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 residential floorspace (Class C3(a)) in phase C1 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.

39) The residential use hereby approved in phase C1 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.

40) The phase C1 shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021. The

development shall only be carried out in accordance with these approved details. Prior to the first occupation of phase C1 the City Council, as Local Planning Authority, must acknowledge 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.

41) The phase C1 hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

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 living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building 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 occupation of phase C1, a Travel Plan for that phase which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval 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 for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

42) Prior to the first occupation of phase C1, the cycle storage, as indicated on drawings C1-SHP-G200-PL-B1-B5D801 P01 and C1-SHP-G200-PL-B2-B5D801 P01, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, shall be implemented and made available upon first occupation of the residential element of the development within phase C1 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).

43) Prior to the first occupation of the residential element within phase C1 the car parking layout as indicated on drawings C1-SHP-G200-PL-B1-B5D801 P01 and C1-SHP-G200-PL-B2-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 shall be implemented and made available. The car parking shall remain available for as long as the residential element remains in use.

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

44) Prior to the first occupation of the residential element within phase C1, an electric vehicle car parking strategy for the provision electric car charging to the car parking spaces as indicated on drawings C1-SHP-G200-PL-B1-B5D801 P01 and C1-SHP-G200-PL-B2-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall include the following details:

- (a) Layout and location of electric vehicle charging points;
- (b) Provision for 20% of the spaces to be fitted with a 7kw fast charging point;
- (c) Provision that the remaining car parking spaces would be fitted with appropriate infrastructure to be adapted at a future date should demand be shown as part of the travel plan review required by planning condition 41.

The electric vehicle car parking strategy shall be implemented prior to the first occupation of phase C1 and retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of minimise the impact on local air quality conditions pursuant to policy EN16 of the Manchester Core Strategy (2012).

45) Prior to the first occupation of the residential element of phase C1, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority in line with the Response to Highways Comments prepared by Vectos stamped as received by the City Council, as Local Planning Authority, on the 4 February 2022, Chapter 15 'Traffic and Transport' of the ES including Appendix 15.1 and 15.2 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021

This shall include the following:

- Works to Water Street to create the accesses to Site C1, footways and cycleways consistent with the comprehensive highway improvement for Water Street.
- Proposal to improve the off carriageway shared cycle facility on the north eastern corner of the junction including segregated cycle facilities to Water Street joining with those at Liverpool Road and west of New Elm Road.
- Creation of permanent access from Water Street including any relevant Traffic Regulation Orders;
- Reinstatement of redundant access points back to footway re-surfacing/repair of footways.

The approved scheme for phase C1 shall be implemented and be in place prior to the first occupation of the residential element of phase C1.

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).

46) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, within one month of the practical completion phase C1, 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 to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before phase C1 is first occupied or within one month of the study being submitted for approval in writing 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.

47) Prior to the first occupation of phase C1, details of bird and bat boxes to be provided (including location and specification) in that phase 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 occupation of the residential element of phase C1 and thereafter retained and maintained in situ.

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

48) 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 in phase C1 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.

49) Prior to the first occupation of phase C1 of the development a signage strategy for external facades and commercial frontages 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 that phase 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).

50) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, 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.

51) The development hereby approved shall include for full disabled access to be provided to the public realm and communal walkways and via the main entrances and to the floors above.

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

52) Prior to the first occupation of the residential element associated with phase C1, details of the siting, scale and appearance of the wind baffles as required by Chapter 17 - Wind Microclimate WSP of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 and ES Addendum comprising: WSP Wind Microclimate Report received by the City Council, as Local Planning Authority, on the 13 June 2022 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 occupation of the residential element associated with phase C1 and thereafter retained and maintained in situ for as long as the development is in use.

Reason - In the interest of pedestrians safety and to ensure that the wind conditions are acceptable pursuant to policy DM1 of the Manchester Core Strategy (2012).

53) Prior to the first occupation of the residential element associated with phase C1, details of the siting, scale and appearance of the generators and their screens 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 occupation of the residential element associated with phase C1 and thereafter retained and maintained in situ for as long as the development is in use.

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

54) Phase C2 of development shall be carried out in accordance Flood Risk Assessment and Drainage Strategy - Proposed Site at Trinity Island, Trinity Way, Manchester. Prepared by Curtins on the behalf of Renaker Build Ltd. Report Ref: 078567-CUR-XX-XX-RP-C-92001. Revision V03. Issue Date :12 November 2021 within appendix 16.2 of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

The development shall be carried out in accordance with this assessment including the mitigation measures outlined in section 5. Prior to the first occupation of phase C2, a verification report for phase C2 shall be submitted for approval in writing to the City Council, as Local Planning to confirm that the works in that phase have been undertaken in accordance with the previously approved report.

Reason - In the interest of managing the flood risk at the development pursuant to policy EN14 of the Manchester Core Strategy (2012).

55) Notwithstanding the Phase I Preliminary Risk Assessment and the Phase II Ground Investigation prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, prior to the commencement of phase C2 the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority, to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site:

- Remediation strategy and materials management plan providing
- Asbestos management plan submitting
- Final gas risk assessment following completion of the last 2 rounds of gas monitoring. (This should include monitoring during occurrences of low and falling atmospheric pressure)
- UK Water supplier risk assessment.

The remediation of phase C2 shall be carried out in accordance with the approved 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 EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

56) Prior to the occupation of the residential element of any phase C2 of the development, and following completion of the remediation strategy approved as part of condition (55), a Completion/Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall demonstrate that the completion of works has been carried out in accordance with the approved remediation strategy and has been effective. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site has been appropriately remediated prior to the commencement of works associated with the redevelopment of the site, pursuant to policies EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

57) In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified as part of phase C2, 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 for approval 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. The approved strategy shall then be implemented and then verified as required condition 56.

Reason - To ensure that the works to be undertaken do not contribute to, or adversely affect, unacceptable levels of water pollution from previously unidentified contamination sources pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

58) Prior to the commencement of phase C2, a method for piling, or any other foundation design using penetrative methods, for that phase shall be submitted for

approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of phase C2 of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

59) Notwithstanding Appendix 16.2 of the Environmental Statement - Flood Risk Assessment and Drainage Strategy stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, (a) prior to the commencement of phase C2, a scheme for the drainage of surface water from that phase has been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- The findings from the Phase 2 Ground Investigation works should be referenced within the Flood Risk Assessment and Drainage Strategy, specifically to identify if the basement levels require certain levels of proofing from groundwater;
- A flood evacuation plan, specifying safe access and egress routes from the developments;
- Consideration of alternative green SuDS solution (that is either utilising infiltration or attenuation) if practicable;
- 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 40% climate change in any part of a building;
- 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;
- Where surface water is connected to River Irwell (ship canal), any works within or adjacent to the river that would affect it would require consent from Peel Holdings. An email of acceptance of proposed flows and/or new connection will suffice;
- Correspondence evidencing that Peel Holdings are satisfied with the outfall(s) design details. The invert level of the outfalls should be specified, and various water levels used to identify how the proposed drainage system would function with a surcharged outfall. Where the development would cause unusual pollution risk to surface water (large car park areas (>50 parking spaces) or industrial estates), evidence of pollution control measures (preferably through SuDS) is required;
- Hydraulic calculation of the proposed drainage system;

- Construction details of flow control and SuDS elements.

(b) Phase C2 shall then be constructed in accordance with the approved details, within an agreed timescale.

(c) Prior to the first occupation of phase C2 a verification report for that phase shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

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).

60) A programme of archaeological works for phase C2 shall be undertaken in line with the Written Scheme of Investigations (WSI) for an Archaeological Evaluation of Site C, Trinity Islands (dated 30 November 2020) stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021. 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 evaluation trenching;
- pending the results of the above, a targeted open-area excavation.

Prior to the first occupation of the residential element of phase C1, 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.

61) Prior to the commencement of phase C2, a detailed construction management plan outlining working practices during construction for that phase of the development has been submitted to and approved 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 and dirt suppression measures;
- o Highway dilapidation survey;
- o Compound locations where relevant;
- o Consultation with local residents;
- o Location, removal/loading, storage and recycling of waste, plant and materials;
- o Routing strategy and swept path;

- o Parking of construction vehicles and staff;
- 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.

Phase C2 shall be carried out in accordance with the approved construction management plan.

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

62) Prior to the commencement of any development within phase C2, all materials to be used on all external elevations of that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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.

63) Prior to the installation of the proposed exterior façade of tower C2 associated with phase C2, a Signal Sighting Assessment (in accordance with RIS-0737-CCS Issue 1) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The assessment shall detail any areas of mitigation in order to minimise solar glare. The approved assessment (and any associated mitigation) shall be implemented as part of the façade installation for phase C2 and thereafter retained and maintained in situ.

Reason - In the interest of minimising the effect of solar glare on the adjacent rail infrastructure and rail safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

64) a) Prior to the commencement of phase C2, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction that phase 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 associated with phase C2 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).

65) Notwithstanding drawings ZC-TPM-G710-PL-XX-3852 101, ZC-TPM-G710-PL-XX-3852 201 and 202 and stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022 and ZD-TPM-G710-PL-XX-4029 102 Rev P1, ZD-TPM-G710-PL-XX-4029 203 Rev P1 and ZD-TPM-G710-PL-XX-4029 204 Rev P1 received by the City Council, as Local Planning Authority, on the 6 February 2023

(a) prior any above ground works associated with phase C2, details of the public and private realm works relating to this phase shall be submitted for approval in writing by the City Council as Local Planning Authority. The details shall include submission and implementation timeframes for the following details:

- (i) Details of the proposed hard landscape materials;
- (ii) Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements and for the areas between the pavement and the line of the proposed building;
- (iii) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design;
- (iv) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting and green screens and walls to podium areas;
- (v) Details of the proposed street furniture including seating, bins, boundary treatment, lighting and recreational areas including children's play;
- (vi) Details of any external steps and handrails;
- (vii) A strategy providing details of replacement tree planting, including details of overall numbers, size, species and planting specification, constraints to further planting and details of on-going maintenance.

(b). The approved details shall then be implemented and be in place prior to the first occupation of phase C2 of the development hereby approved.

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.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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 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 emerging Core Strategy.

66) Prior to the first occupation of the residential element of phase C2, a detailed landscaped management plan for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how the public realm and 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

67) Phase C2 shall be carried out in accordance with Manchester Airport - Safeguarding Report - 4x Proposed Buildings Trinity Islands Assessment of Instrument Flight Procedures received by the City Council, as Local Planning Authority, on the 20 June 2022 (as approved under CND/22/0409).

Reason - The height of this cluster of building reaches a height which is likely to affect aerodrome safeguarding and mitigation is required to be identified pursuant to policy DM2 of the Manchester Core Strategy (2012).

68) Phase C2 shall be carried out in accordance with Aviation Lighting Assessment received by the City Council, as Local Planning Authority, on the 20 June 2022 (as approved under CDN/22/0409). The approved obstacle lighting scheme shall be fully implemented before first occupation of phase C2 and retained thereafter.

Reason - In the interests of aviation safety, pursuant to policy DM2 of the Core Strategy for the City of Manchester.

69) Prior to the first occupation phase C2 hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt 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).

70) Phase C2 hereby approved shall be carried out in accordance with the Energy Statement Element Sustainability, Environmental Standards Statement Element Sustainability stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

A post construction review certificate/statement for phase C shall be submitted for approval in writing, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority for phase C2.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

71) Notwithstanding Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, (a) Prior to the first occupation of the residential element of phase C2 of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted 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 5 dB (L_{aeq}) below the typical background (LA₉₀) level at the nearest noise sensitive location.

(b) Prior to the first occupation of the residential element of phase C2, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

72) (a) Notwithstanding Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, prior to the first use of commercial units, residents lounge, co working spaces and gymnasium in phase C2 as indicated on drawings C2-SHP-G200-PL-GRD-B5D801 P01, C2-SHP-G200-PL-01-B5D801 P01, C2-SHP-G200-PL-02-B5D801 P01 and C2-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, a scheme of acoustic insulation for

those spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively

(b) Prior to the first use of those spaces within phase C2, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

73) (a) Phase C2 shall be carried out in accordance with Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 and Memo dated 1 November 2021 'AVO Strategy' stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022.

The approved noise insulation and ventilation scheme shall be completed before the first occupation of the residential accommodation within phase C2 of development.

(b) Prior to the first occupation of the residential accommodation within phase C2, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met with windows and purge vent doors are closed. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The

following noise criteria will be required to be achieved with windows and purge vent doors closed:

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (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 L Aeq

Gardens and terraces (daytime) 55 dB L Aeq (where practically possible)

Due to the proximity of the development to the rail line, it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Ground borne noise/re-radiated noise shall also be factored into the assessment and design.

Additionally, where entertainment noise is a factor in the noise climate the sound insulation 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.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

74) Notwithstanding the Site Waste Management Strategy prepared by Vectos stamped as received by the City Council, as Local Planning Authority, prior to any above ground works, details a waste management strategy for the storage and disposal of refuse for the residential element of phase C2 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the residential element of phase C2 and shall remain in situ whilst the use or development is in operation.

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.

75) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium in phase C2 as indicated on drawings C2-SHP-G200-PL-GRD-B5D801 P01, C2-SHP-G200-PL-01-B5D801 P01, C2-SHP-G200-PL-02-B5D801 P01 and C2-SHP-G200-PL-03-B5D801 P01, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of the location and a waste management strategy for these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented for as long as the development is in use.

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

76) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium in phase C2 as indicated on drawings C2-SHP-G200-PL-GRD-B5D801 P01, C2-SHP-G200-PL-01-B5D801 P01, C2-SHP-G200-PL-02-B5D801 P01 and C2-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of a scheme to extract fumes,

vapours and odours from these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority (unless no kitchen extraction or cooking facilities are required). The approved scheme shall then be implemented prior to the first occupation of each of these spaces and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the non residential spaces pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

77) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of phase C2, full details of such a scheme for that phase 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 occupation of phase C2 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.

78) 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 21 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.

79) Deliveries, servicing and collections including waste collections shall not take place outside the following hours for phase C2:

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

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

80) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium in phase C2 as indicated on drawings C2-SHP-G200-PL-GRD-B5D801 P01, C2-SHP-G200-PL-01-B5D801 P01, C2-SHP-G200-PL-02-B5D801 P01 and C2-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, a schedule of opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall then be implemented and thereafter the uses shall operate in accordance with them.

There shall be no amplified sound or any amplified music at any time within these spaces unless it can be shown as part of condition 71 that there would be no unacceptable impact on residential amenity.

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.

81) Prior to the first use of the commercial spaces within phase C2 as indicated on drawing C2-SHP-G200-PL-GRD-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of any external areas associated with these commercial spaces (including an Operating Schedule) shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The Operating Schedule shall contain the following details:

- a. A scaled layout plan showing the proposed seating area, including layout of furniture and demarcation of the area;
- b. Full details of the measures proposed to ensure that the proposed seating area is fully accessible by disabled people;
- c. Details of the proposed furniture, including any barriers;
- d. A detailed management strategy that includes information on how the proposed external seating area would be managed in terms of potential noise disturbance, additional movement and activity, litter and storage of furniture at night;
- e. days and hours of operation.

The approved plan shall be implemented upon first use of the commercial uses in phase C2 and thereafter retained.

No amplified sound or any music shall be produced or played in any part of the site outside the building.

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

82) Each commercial unit, as shown on drawings C2-SHP-G200-PL-GRD-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 within phase C2 shall remain as one unit and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

83) The commercial units as indicated on drawing C2-SHP-G200-PL-GRD-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 within phase C2 shall be occupied as Class E (excluding convenience retail) and Sui Generis: Drinking Establishment) and for no other purpose of The Town

and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

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

84) In the event that any of the commercial unit in phase C2, as shown on drawing C2-SHP-G200-PL-GRD-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 is occupied as a café/restaurant or drinking establishment, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. For the avoidance of doubt this shall include:
 - o Dispersal policy;
 - o Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

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 (2012) and to saved policy DC26 of the Unitary Development Plan for Manchester.

85) 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 residential floorspace (Class C3a) in phase C2 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.

86) The residential use hereby approved in phase C2 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.

87) The phase C2 shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021. The development shall only be carried out in accordance with these approved details. Prior to the first occupation of phase C1 the City Council, as Local Planning Authority, must acknowledge 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.

88) The phase C2 hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

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 living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building 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 occupation of phase C2, a Travel Plan for that phase which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval 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 for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

89) Prior to the first occupation of phase C2, the cycle storage, as indicated on drawings C2-SHP-G200-PL-B1-B5D801 P01 and C2-SHP-G200-PL-B2-B5D801 P01, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, shall be implemented and made available upon first occupation of the residential

element of the development within phase C2 and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycle 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).

90) Prior to the first occupation of the residential element within phase C2 the car parking layout as indicated on drawings C2-SHP-G200-PL-B1-B5D801 P01 and C2-SHP-G200-PL-B2-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 shall be implemented and made available. The car parking shall remain available for as long as the residential element remains in use.

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

91) Prior to the first occupation of the residential element within phase C2, an electric vehicle car parking strategy for the provision electric car charging to the car parking spaces as indicated on drawings C2-SHP-G200-PL-B1-B5D801 P01 and C2-SHP-G200-PL-B2-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall include the following details:

- (d) Layout and location of electric vehicle charging points;
- (e) Provision for 20% of the spaces to be fitted with a 7kw fast charging;
- (f) Provision that the remaining car parking spaces would be fitted with appropriate infrastructure to be adapted at a future date should demand be shown as part of the travel plan review required by planning condition 88.

The electric vehicle car parking strategy shall be implemented prior to the first occupation of phase C2 and retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of minimise the impact on local air quality conditions pursuant to policy EN16 of the Manchester Core Strategy (2012).

92) Prior to the first occupation of the residential element of phase C2, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority in line with the Response to Highways Comments prepared by Vectos stamped as received by the City Council, as Local Planning Authority, on the 4 February 2022, Chapter 15 'Traffic and Transport' of the ES including Appendix 15.1 and 15.2 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021

This shall include the following:

- Works to Water Street to create the accesses to Site C2, footways and cycleways consistent with the comprehensive highway improvement for Water Street.
- Creation of permanent access from Water Street including any relevant Traffic Regulation Orders;

- Reinstatement of redundant access points back to footway re-surfacing/repair of footways.

The approved scheme for phase C2 shall be implemented and be in place prior to the first occupation of the residential element associated with phase C2 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).

93) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, within one month of the practical completion phase C2, 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 to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before phase C2 is first occupied or within one month of the study being submitted for approval in writing 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.

94) Prior to the first occupation of phase C2, details of bird and bat boxes to be provided (including location and specification) in that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first occupation of the residential element of phase C2 and thereafter retained and maintained in situ.

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

95) 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 within C2 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.

96) Prior to the first occupation of phase C2 of the development a signage strategy for the entire buildings and commercial frontages 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 that phase 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).

97) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, 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.

98) The development hereby approved shall include for full disabled access to be provided to the areas of public realm and communal walkways and via the main entrances and to the floors above.

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

99) Prior to the first occupation of the residential element associated with phase C2, details of the siting, scale and appearance of the wind baffles as required by Chapter 17 - Wind Microclimate WSP of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 and ES Addendum comprising: WSP Wind Microclimate Report received by the City Council, as Local Planning Authority, on the 13 June 2022 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 occupation of the residential element associated with phase C2 and thereafter retained and maintained in situ for as long as the development is in use.

Reason - In the interest of pedestrians safety and to ensure that the wind conditions are acceptable pursuant to policy DM1 of the Manchester Core Strategy (2012).

100) Prior to the first occupation of the residential element associated with phase C2, details of the siting, scale and appearance of the generators and their screens. The approved details shall be implemented prior to the first occupation of the residential element associated with phase C2 and thereafter retained and maintained in situ for as long as the development is in use.

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

101) Before first occupation of Phase C2, a Car Club space shall be provided in a suitable location that has been submitted for approval in writing by the City Council as local planning authority. The car club space shall be implemented and made available upon the first occupation of phase C2 and thereafter retained and maintained in situ.

Reason - In the interests of providing sustainable development, pursuant to policy DM1 of the Manchester Core Strategy (2012).

102) Phase D1 of development shall be carried out in accordance Flood Risk Assessment and Drainage Strategy - Proposed Site at Trinity Island, Trinity Way, Manchester. Prepared by Curtins on the behalf of Renaker Build Ltd. Report Ref: 078567-CUR-XX-XX-RP-C-92001. Revision V03. Issue Date :12 November 2021 within appendix 16.2 of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

The development shall be carried out in accordance with this assessment including the mitigation measures outlined in section 5. Prior to the first occupation of phase D1, a verification report for phase D1 shall be submitted for approval in writing to the City Council, as Local Planning Authority to confirm that the works in that phase have been undertaken in accordance with the previously approved report.

Reason - In the interest of managing the flood risk at the development pursuant to policy EN14 of the Manchester Core Strategy (2012).

103) Notwithstanding the Phase I Preliminary Risk Assessment and the Phase II Ground Investigation prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, prior to the commencement of phase D1 the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority, to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site:

- Remediation strategy and materials management plan providing
- Asbestos management plan submitting
- Final gas risk assessment following completion of the last 2 rounds of gas monitoring. (This should include monitoring during occurrences of low and falling atmospheric pressure)
- UK Water supplier risk assessment.

The remediation of phase D1 shall be carried out in accordance with the approved 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 EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

104) Prior to the occupation of the residential element of any phase D1 of the development, and following completion of the remediation strategy approved as part of condition (103), a Completion/Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall demonstrate that the completion of works has been carried out in accordance with the approved remediation strategy and has been effective. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site has been appropriately remediated prior to the commencement of works associated with the redevelopment of the site, pursuant to policies EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

105) In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified as part of phase D1, 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 for approval 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. The approved strategy shall then be implemented and then verified as required condition 104.

Reason - To ensure that the works to be undertaken do not contribute to, or adversely affect, unacceptable levels of water pollution from previously unidentified contamination sources pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

106) The piling for Phase D1 shall be carried out in accordance with the Foundation Works Risk Assessment. Project: Trinity Islands, Manchester. Prepared by Foundation Piling Ltd. Date: 16/08/2022 received by the City Council, as Local Planning Authority, on the 18 August 2022 (as approved under CDN/22/0440).

The approved details shall then be implemented during the construction of phase D1 of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

107) (a) Phase D1 shall be carried out in accordance with the drainage proposals received by the City Council, as Local Planning Authority, on the 8 and 29 July and 2 August 2022 (as approved as part of CDN/22/0461)

(b) Phase D1 shall then be constructed in accordance with the approved details, within an agreed timescale.

(c) Prior to the first occupation of phase D1 a verification report for that phase shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

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).

108) A programmes of archaeological works for phase D1 shall be undertaken in line with the Written Scheme of Investigations (WSI) for an Archaeological Evaluation of Site D, Trinity Islands (dated 9 December 2020) stamped as received by the City Council, as

Local Planning Authority, on the 7 December 2021. 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 evaluation trenching;
- pending the results of the above, a targeted open-area excavation.

Prior to the first occupation of the residential element of phase D1, 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.

109) Phase D1 shall be carried out in accordance with Construction Management (Rev D) received by the City Council, as Local Planning Authority, on the 21 September 2022 (as approved under CDN/22/0409).

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

110) Prior to the commencement of any development within phase D1, all materials to be used on all external elevations of that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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.

111) a) Phase D1 shall be undertaken in accordance with the Local Labour Agreement and tracker received by the City Council, as Local Planning Authority, on the 6 October 2022 (as approved under CDN/22/0440).

(b) Within one month prior to construction work associated with phase D1 being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to part (a) 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).

112) Notwithstanding drawings ZC-TPM-G710-PL-XX-3852 101, ZC-TPM-G710-PL-XX-3852 201 and 202 and stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022 and ZD-TPM-G710-PL-XX-4029 102 Rev P1, ZD-TPM-G710-PL-XX-4029 203 Rev P1 and ZD-TPM-G710-PL-XX-4029 204 Rev P1 received by the City Council, as Local Planning Authority, on the 6 February 2023

(a). Prior to any above ground works within phase D1, details of the public and private realm works relating to this phase shall be submitted for approval in writing by the City Council as Local Planning Authority. The details shall include submission and implementation timeframes for the following details:

- (i) Details of the proposed hard landscape materials;
- (ii) Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements and for the areas between the pavement and the line of the proposed building;
- (iii) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design;
- (iv) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting and green screens and walls to podium areas;
- (v) Details of the proposed street furniture including seating, bins, boundary treatment, lighting and recreational areas including children's play;
- (vi) Details of any external steps and handrails;
- (vii) A strategy providing details of replacement tree planting, including details of overall numbers, size, species and planting specification, constraints to further planting and details of on-going maintenance.

(b). The approved details shall then be implemented and be in place prior to the first occupation of phase D1 of the development hereby approved.

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.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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 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 emerging Core Strategy.

113) Prior to the first occupation of the residential element of phase D1, a detailed landscaped management plan for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include details of how the public realm and 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

114) Phase D1 shall be carried out in accordance with Manchester Airport - Safeguarding Report - 4x Proposed Buildings Trinity Islands Assessment of Instrument Flight Procedures received by the City Council, as Local Planning Authority, on the 20 June 2022 (as approved under CDN/22/0409).

Reason - The height of this cluster of building reaches a height which is likely to affect aerodrome safeguarding and mitigation is required to be identified pursuant to policy DM2 of the Manchester Core Strategy (2012).

115) Phase D1 shall be carried out in accordance with Aviation Lighting Assessment received by the City Council, as Local Planning Authority, on the 20 June 2022 (as approved under CDN/22/0409).

Prior to the first occupation of phase D1, a scheme for the north, west and southern corners of the building to be fitted with intermediate lights in order to provide greater conspicuity of the building for any low flying aircraft approaching from a general western direction shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved obstacle lighting scheme shall be fully implemented before first occupation of phase D1 and retained thereafter.

Reason - In the interests of aviation safety, pursuant to policy DM2 of the Core Strategy for the City of Manchester.

116) Prior to the first occupation phase D1 hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt 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).

117) Phase D1 hereby approved shall be carried out in accordance with the Energy Statement Element Sustainability, Environmental Standards Statement Element Sustainability stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

A post construction review certificate/statement for phase D1 shall be submitted for approval in writing, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority for phase D1.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

118) Notwithstanding Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, (a) Prior to the first occupation of the residential element of phase D1 of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted 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 5 dB (L_{aeq}) below the typical background (LA₉₀) level at the nearest noise sensitive location.

(b) Prior to the first occupation of the residential element of phase D1, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

119) (a) Notwithstanding Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, prior to the first use of residents lounge, co working spaces and gymnasium in phase D1 as indicated on drawings D1-SHP-G200-PL-GRD-B5D801 P01, D1-SHP-G200-PL-01-B5D801 P01, D1-SHP-G200-PL-02-B5D801 P01 and D1-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, a scheme of acoustic insulation for those spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively

(b) Prior to the first use of those spaces within phase D1, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

120) (a) Phase D1 shall be carried out in accordance with Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 and Memo dated 1 November 2021 'AVO Strategy' stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022.

The approved noise insulation and ventilation scheme shall be completed before the first occupation of the residential accommodation within phase D1 of development.

(b) Prior to the first occupation of the residential accommodation within phase D1, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met with windows and purge vent doors are closed. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved with windows and purge vent doors are closed:

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (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 L Aeq

Gardens and terraces (daytime) 55 dB L Aeq (where practically possible)

Due to the proximity of the development to the rail line, it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Ground borne noise/re-radiated noise shall also be factored into the assessment and design.

Additionally, where entertainment noise is a factor in the noise climate the sound insulation 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.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

121) Notwithstanding the Site Waste Management Strategy prepared by Vectos stamped as received by the City Council, as Local Planning Authority, prior to any above ground works, details a waste management strategy for the storage and disposal of refuse for the residential element of phase D1 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the residential element of phase D1 and shall remain in situ whilst the use or development is in operation.

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.

122) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium in phase D1 as indicated on drawings D1-SHP-G200-PL-GRD-B5D801 P01, D1-SHP-G200-PL-01-B5D801 P01, D1-SHP-G200-PL-02-B5D801 P01 and D1-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of the location and a waste management strategy for these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented for as long as the development is in use.

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

123) Prior to the first use of the residents lounge, co working spaces and gymnasium in phase D1 as indicated on drawings D1-SHP-G200-PL-GRD-B5D801 P01, D1-SHP-G200-PL-01-B5D801 P01, D1-SHP-G200-PL-02-B5D801 P01 and D1-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of a scheme to extract fumes, vapours and odours from these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority (unless no kitchen extraction or cooking facilities are required). The approved scheme shall then be implemented prior to the first occupation of each of these spaces and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the non residential spaces pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

124) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of phase D1, full details of such a scheme for that phase 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 occupation of phase D1 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.

125) 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 21 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.

126) Deliveries, servicing and collections including waste collections shall not take place outside the following hours for phase D1:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): 10:00 to 18:00

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

127) Prior to the first use of the residents lounge, co working spaces and gymnasium in phase D1 as indicated on drawings D1-SHP-G200-PL-GRD-B5D801 P01, D1-SHP-G200-PL-01-B5D801 P01, D1-SHP-G200-PL-02-B5D801 P01 and D1-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority,

on the 7 December 2021, a schedule of opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall then be implemented and thereafter the uses shall operate in accordance with them.

There shall be no amplified sound or any amplified music at any time within these spaces unless it can be shown as part of condition 118 that there would be no unacceptable impact on residential amenity.

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.

128) 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 residential floorspace (Class C3(a)) in phase D1 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.

129) The residential use hereby approved in phase D1 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.

130) The phase D1 shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021. The development shall only be carried out in accordance with these approved details. Prior to the first occupation of phase C1 the City Council, as Local Planning Authority, must acknowledge 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.

131) The phase D1 hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

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 living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building 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 occupation of phase D1, a Travel Plan for that phase which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval 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 for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

132) Prior to the first occupation of phase D1, the cycle storage, as indicated on drawings D1-SHP-G200-PL-B1-B5D801 P01 and D1-SHP-G200-PL-B2-B5D801 P01, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, shall be implemented and made available upon first occupation of the residential element of the development within phase D1 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).

133) Prior to the first occupation of the residential element within phase D1 the car parking layout as indicated on drawings D1-SHP-G200-PL-B1-B5D801 P01 and D1-SHP-G200-PL-B2-B5D801 P01, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 shall be implemented and made available. The car parking shall remain available for as long as the residential element remains in use.

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

134) Prior to the first occupation of the residential element within phase D1, an electric vehicle car parking strategy for the provision electric car charging to the car parking spaces as indicated on drawings D1-SHP-G200-PL-B1-B5D801 P01 and D1-SHP-G200-PL-B2-B5D801 P01, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall include the following details:

- (g) Layout and location of electric vehicle charging points;
- (h) Provision for 20% of the spaces to be fitted with a 7kw fast charging;
- (i) Provision that the remaining car parking spaces would be fitted with appropriate infrastructure to be adapted at a future date should demand be shown as part of the travel plan review required by planning condition 131.

The electric vehicle car parking strategy shall be implemented prior to the first occupation of phase D1 and retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of minimise the impact on local air quality conditions pursuant to policy EN16 of the Manchester Core Strategy (2012).

135) Prior to the first occupation of the residential element of phase D1, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority in line with the Response to Highways Comments prepared by Vectos stamped as received by the City Council, as Local Planning Authority, on the 4 February 2022, Chapter 15 'Traffic and Transport' of the ES including Appendix 15.1 and 15.2 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

This shall include the following:

- Modification to traffic signals at Trinity Way/Water Street (north side of junction) to accommodate an all red stage with controlled pedestrian movements to all arms;
- Modification to the junction along Trinity Way to accommodate a right turn lane (southbound) including the introduction of a signalised intersection at Trinity Way/Water Street together with modification to cycle lane and amendment to any relevant Traffic Regulation Orders;
- Widening of footway width at the Trinity Way access to a minimum of 2 metres.
- Creation of permanent access from Trinity Way including any relevant Traffic Regulation Orders;
- Re-surfacing/repair of footways to make good.

The approved scheme for phase D1 shall be implemented and be in place prior to the first occupation of the residential element of phase D1.

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).

136) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, within one month of the practical completion phase D1, 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 to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before phase D1 is first occupied or within one month of the study being submitted for approval in writing 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.

137) Prior to the first occupation of phase D1, details of bird and bat boxes to be provided (including location and specification) in that phase 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 occupation of the residential element of phase D1 and thereafter retained and maintained in situ.

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

138) 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 D1 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.

139) Prior to the first occupation of phase D1 of the development a signage strategy for the entire buildings and commercial frontages 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 that phase 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).

140) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, 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.

141) The development hereby approved shall include for full disabled access to be provided to the public realm and communal walkways and via the main entrances and to the floors above.

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

142) Prior to the first occupation of the residential element associated with phase D1, details of the siting, scale and appearance of the wind baffles as required by Chapter 17 - Wind Microclimate WSP of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 and ES Addendum comprising: WSP Wind Microclimate Report received by the City Council, as Local Planning Authority, on the 13 June 2022 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 occupation of the residential element associated with phase D1 and thereafter retained and maintained in situ for as long as the development is in use.

Reason - In the interest of pedestrians safety and to ensure that the wind conditions are acceptable pursuant to policy DM1 of the Manchester Core Strategy (2012).

143) Prior to the first occupation of the residential element associated with phase D1, details of the siting, scale and appearance of the generators and their screens 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 occupation of the residential element associated with phase D1 and thereafter retained and maintained in situ for as long as the development is in use.

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

144) Prior to the first occupation of the phase D1, a Vehicle Movement Strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The Strategy shall include details for safe manoeuvring of vehicles associated with phase D1 particularly in respect of manoeuvring around the wind baffles. The approved Strategy shall be implemented as part of the proposals and thereafter retained as part of the proposed use of the development.

Reason - To ensure safe vehicle movements at the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

145) Prior to the first occupation of the residential element of phase C2, details and specification for works the underpass as indicated on drawing Z1-SHP-G000-PL-GRD-B5D802 Rev P03, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021. This shall include specification and location of art work, lighting and other works to the underpass. The approved scheme shall be

implemented and made available prior to the first occupation of the residential element of phase C2 and thereafter retained and maintained in situ.

Reason - In order to ensure the delivery of the work to the underpass in the interest of visual amenity, placing making and safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012)

146) Phase D2 of development shall be carried out in accordance Flood Risk Assessment and Drainage Strategy - Proposed Site at Trinity Island, Trinity Way, Manchester. Prepared by Curtins on the behalf of Renaker Build Ltd. Report Ref: 078567-CUR-XX-XX-RP-C-92001. Revision V03. Issue Date :12 November 2021 within appendix 16.2 of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

The development shall be carried out in accordance with this assessment including the mitigation measures outlined in section 5. Prior to the first occupation of phase D2, a verification report for phase D2 shall be submitted for approval in writing to the City Council, as Local Planning to confirm that the works in that phase have been undertaken in accordance with the previously approved report.

Reason - In the interest of managing the flood risk at the development pursuant to policy EN14 of the Manchester Core Strategy (2012).

147) Notwithstanding the Phase I Preliminary Risk Assessment and the Phase II Ground Investigation prepared by WSP stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, prior to the commencement of phase D2 the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority, to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site:

- Remediation strategy and materials management plan providing
- Asbestos management plan submitting
- Final gas risk assessment following completion of the last 2 rounds of gas monitoring. (This should include monitoring during occurrences of low and falling atmospheric pressure)
- UK Water supplier risk assessment.

The remediation of phase D2 shall be carried out in accordance with the approved 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 EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

148) Prior to the occupation of the residential element of any phase D2 of the development, and following completion of the remediation strategy approved as part of condition (147), a Completion/Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall demonstrate that the completion of works has been carried out in accordance with the approved remediation strategy and has been effective. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site has been appropriately remediated prior to the commencement of works associated with the redevelopment of the site, pursuant to policies EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

149) In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified in phase D2, 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 for approval 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. The approved strategy shall then be implemented and then verified as required condition 148.

Reason - To ensure that the works to be undertaken do not contribute to, or adversely affect, unacceptable levels of water pollution from previously unidentified contamination sources pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

150) The piling for Phase D1 shall be carried out in accordance with the Foundation Works Risk Assessment. Project: Trinity Islands, Manchester. Prepared by Foundation Piling Ltd. Date: 16/08/2022 received by the City Council, as Local Planning Authority, on the 18 August 2022 (as approved under CDN/22/0440).

The approved details shall then be implemented during the construction of phase D2 of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater. In addition, piling can affect the adjacent railway network which also requires consideration pursuant to policies SP1, EN17 and EN18 of the Manchester Core Strategy (2012).

151) (a) Phase D2 shall be carried out in accordance with the drainage proposals received by the City Council, as Local Planning Authority, on the 8 and 29 July and 2 August 2022 (as approved as part of CDN/22/0461)

(b) Phase D2 shall then be constructed in accordance with the approved details, within an agreed timescale.

(c) Prior to the first occupation of phase D2 a verification report for that phase shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

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).

152) A programmes of archaeological works for phase D2 shall be undertaken in line with the Written Scheme of Investigations (WSI) for an Archaeological Evaluation of Site D, Trinity Islands (dated 9 December 2020) stamped as received by the City Council, as

Local Planning Authority, on the 7 December 2021. 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 evaluation trenching;
- pending the results of the above, a targeted open-area excavation.

Prior to the first occupation of the residential element of phase D2, 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.

153) Phase 2 shall be carried out accordance with the Construction Management (Rev D) received by the City Council, as Local Planning Authority, on the 21 September 2022 (as approved under CDN/22/0409).

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

154) Prior to the commencement of any development within phase D2, all materials to be used on all external elevations of that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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.

155) a) Phase D2 shall be undertaken in accordance with the Local Labour Agreement and tracker received by the City Council, as Local Planning Authority, on the 6 October 2022 (as approved under CDN/22/0440).

(b) Within one month prior to construction work associated with phase D2 being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to part (a) 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).

156) Notwithstanding drawings ZC-TPM-G710-PL-XX-3852 101, ZC-TPM-G710-PL-XX-3852 201 and 202 and stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022 and ZD-TPM-G710-PL-XX-4029 102 Rev P1, ZD-TPM-G710-PL-XX-4029 203 Rev P1 and ZD-TPM-G710-PL-XX-4029 204 Rev P1 received by the City Council, as Local Planning Authority, on the 6 February 2023

(a) prior to any above ground works associated with phase D2, details of the public and private realm works relating to this phase shall be submitted for approval in writing by the City Council as Local Planning Authority. The details shall include submission and implementation timeframes for the following details:

- (i) Details of the proposed hard landscape materials;
- (ii) Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements and for the areas between the pavement and the line of the proposed building;
- (iii) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design;
- (iv) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting and green screens and walls to podium areas;
- (v) Details of the proposed street furniture including seating, bins, boundary treatment, lighting and recreational areas including children's play;
- (vi) Details of any external steps and handrails;
- (vii) A strategy providing details of replacement tree planting, including details of overall numbers, size, species and planting specification, constraints to further planting and details of on-going maintenance.

(b). The approved details shall then be implemented and be in place prior to the first occupation of phase D2 of the development hereby approved.

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.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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 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 emerging Core Strategy.

157) Prior to the first occupation of the residential element of phase D2, a detailed landscaped management plan for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how the public realm and 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

158) Phase D2 shall be carried out in accordance with Manchester Airport - Safeguarding Report - 4x Proposed Buildings Trinity Islands Assessment of Instrument Flight Procedures received by the City Council, as Local Planning Authority, on the 20 June 2022 (as approved under CDN/22/0409).

Reason - The height of this cluster of building reaches a height which is likely to affect aerodrome safeguarding and mitigation is required to be identified pursuant to policy DM2 of the Manchester Core Strategy (2012).

159) Phase D2 shall be carried out in accordance with Aviation Lighting Assessment received by the City Council, as Local Planning Authority, on the 20 June 2022 (as approved under CDN/22/0409).

Prior to the first occupation of phase D2, a scheme for the north, west and southern corners of the building to be fitted with intermediate lights in order to provide greater conspicuity of the building for any low flying aircraft approaching from a general western direction shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved obstacle lighting scheme shall be fully implemented before first occupation of phase D2 and retained thereafter.

Reason - In the interests of aviation safety, pursuant to policy DM2 of the Core Strategy for the City of Manchester.

160) Prior to the first occupation phase D2 hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt 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).

161) Phase D2 hereby approved shall be carried out in accordance with the Energy Statement Element Sustainability, Environmental Standards Statement Element Sustainability stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

A post construction review certificate/statement for phase D2 shall be submitted for approval in writing, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority for phase D2.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

162) Notwithstanding Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, (a) Prior to the first occupation of the residential element of phase D2 of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted 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 5 dB (L_{aeq}) below the typical background (LA₉₀) level at the nearest noise sensitive location.

(b) Prior to the first occupation of the residential element of phase D2, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

163) (a) Notwithstanding Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, prior to the first use of residents lounge, co working spaces and gymnasium in phase D2 as indicated on drawings D2-SHP-G200-PL-GRD-B5D801 P01, D2-SHP-G200-PL-01-B5D801 P01, D2-SHP-G200-PL-02-B5D801 P01 and D2-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, a scheme of acoustic insulation for those spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively

(b) Prior to the first use of those spaces within phase D2, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

164) Phase D2 hereby approved shall be carried out in accordance with Chapter 11 - Noise and Vibration Matt Fisher Acoustics of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 and Memo dated 1 November 2021 'AVO Strategy' stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022.

The approved noise insulation and ventilation scheme shall be completed before the first occupation of the residential accommodation within phase D2 of development.

(b) Prior to the first occupation of the residential accommodation within phase D2, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met with window and purge vent doors are closed. In instances of non-conformity, these shall be detailed along with mitigation measures required to

ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (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. Any measures shall thereafter retained and maintained in situ.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved with window and purge vent doors are closed:

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (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 L Aeq

Gardens and terraces (daytime) 55 dB L Aeq (where practically possible)

Due to the proximity of the development to the rail line, it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Ground borne noise/re-radiated noise shall also be factored into the assessment and design.

Additionally, where entertainment noise is a factor in the noise climate the sound insulation 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.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

165) Notwithstanding the Site Waste Management Strategy prepared by Vectos stamped as received by the City Council, as Local Planning Authority, prior to any above ground works, details a waste management strategy for the storage and disposal of refuse for the residential element of phase D2 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the residential element of phase D2 and shall remain in situ whilst the use or development is in operation.

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.

166) Prior to the first use of the residents lounge, co working spaces and gymnasium in phase D2 as indicated on drawings D2-SHP-G200-PL-GRD-B5D801 P01, D2-SHP-G200-PL-01-B5D801 P01, D2-SHP-G200-PL-02-B5D801 P01 and D2-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, details of a scheme to extract fumes, vapours and odours from these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority (unless no kitchen extraction or cooking facilities are required).

The approved scheme shall then be implemented prior to the first occupation of each of these spaces and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the non residential spaces pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

167) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of phase D2, full details of such a scheme for that phase 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 occupation of phase D2 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.

168) 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 21 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.

169) Deliveries, servicing and collections including waste collections shall not take place outside the following hours for phase D2:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): 10:00 to 18:00

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

170) Prior to the first use of the residents lounge, co working spaces and gymnasium in phase D2 as indicated on drawings D2-SHP-G200-PL-GRD-B5D801 P01, D2-SHP-G200-PL-01-B5D801 P01, D2-SHP-G200-PL-02-B5D801 P01 and D2-SHP-G200-PL-03-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, a schedule of opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall then be implemented and thereafter the uses shall operate in accordance with them.

There shall be no amplified sound or any amplified music at any time within these spaces unless it can be shown as part of condition 163 that there would be no unacceptable impact on residential amenity.

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.

171) 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 residential floorspace (Class C3(a)) development in phase D2 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.

172) The residential use hereby approved in phase D2 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.

173) The phase D2 shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021. The development shall only be carried out in accordance with these approved details. Prior to the first occupation of phase D2 the City Council, as Local Planning Authority, must acknowledge 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.

174) The phase D2 hereby approved shall be carried out in accordance with the Framework Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021.

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 living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building 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 occupation of phase D2, a Travel Plan for that phase which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval 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 for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

175) Prior to the first occupation of phase D2, the cycle storage, as indicated on drawings D2-SHP-G200-PL-B1-B5D801 P01 and D2-SHP-G200-PL-B2-B5D801 P01, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, shall be implemented and made available upon first occupation of the residential element of the development within phase D2 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).

176) Prior to the first occupation of the residential element within phase D2 the car parking layout as indicated on drawings D2-SHP-G200-PL-B1-B5D801 P01 and D2-SHP-G200-PL-B2-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 shall be implemented and made available. The car parking shall remain available for as long as the residential element remains in use.

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

177) Prior to the first occupation of the residential element within phase D2, an electric vehicle car parking strategy for the provision electric car charging to the car parking spaces as indicated on drawings D2-SHP-G200-PL-B1-B5D801 P01 and D2-SHP-G200-PL-B2-B5D801 P01 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall include the following details:

- (j) Layout and location of electric vehicle charging points;

- (k) Provision for 20% of the spaces to be fitted with a 7kw fast charging point;
- (l) Provision that the remaining car parking spaces would be fitted with appropriate infrastructure to be adapted at a future date should demand be shown as part of the travel plan review required by planning condition 174.

The electric vehicle car parking strategy shall be implemented prior to the first occupation of phase D2 and retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of minimise the impact on local air quality conditions pursuant to policy EN16 of the Manchester Core Strategy (2012).

178) Prior to the first occupation of the residential element of phase D2, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority in line with the Response to Highways Comments prepared by Vectos stamped as received by the City Council, as Local Planning Authority, on the 4 February 2022, Chapter 15 'Traffic and Transport' of the ES including Appendix 15.1 and 15.2 stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021

This shall include the following:

- Re-surfacing/repair of footways to make good.

The approved scheme for phase D2 shall be implemented and be in place prior to the first occupation of the residential element of phase D2.

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)

179) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021, within one month of the practical completion phase D2, 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 to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before phase D2 is first occupied or within one month of the study being submitted for approval in writing 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.

180) Prior to the first occupation of phase D2, details of bird and bat boxes to be provided (including location and specification) in that phase 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 occupation of the residential element of phase D2 and thereafter retained and maintained in situ.

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

181) 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 phase D2 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.

182) Prior to the first occupation of phase D2 of the development a signage strategy for the entire buildings and commercial frontages 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 that phase 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).

183) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, 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.

184) The development hereby approved shall include for full disabled access to be provided to the public realm and communal walkways and via the main entrances and to the floors above.

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

185) Prior to the first occupation of the residential element associated with phase D2, details of the siting, scale and appearance of the wind baffles as required by Chapter 17 - Wind Microclimate WSP of the ES stamped as received by the City Council, as Local Planning Authority, on the 7 December 2021 and ES Addendum comprising: WSP Wind Microclimate Report received by the City Council, as Local Planning Authority, on the 13 June 2022 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 occupation of the residential element associated with phase D2 and thereafter retained and maintained in situ for as long as the development is in use.

Reason - In the interest of pedestrian safety and to ensure that the wind conditions are acceptable pursuant to policy DM1 of the Manchester Core Strategy (2012).

186) Prior to the first occupation of the residential element associated with phase D2, details of the siting, scale and appearance of the generators and their screens 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 occupation of the residential element associated with phase D2 and thereafter retained and maintained in situ for as long as the development is in use.

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

187) Notwithstanding drawing Z1-SHP-G100-PL-GRD-B5D801 P02 stamped as received by the City Council, as Local Planning Authority, on the 13 June 2022, prior to the first occupation of the residential element of phase D2, details and specification of the children's play area shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include location and specification of equipment and surfaces. The approved scheme shall be implemented and made available prior to the first occupation of the residential element of phase D2 and thereafter retained and maintained in situ.

Reason - In order to ensure the delivery of the children's play area and to ensure an appropriate specification to the works pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

188) Prior to the first occupation of the phase D2, a Vehicle Movement Strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The Strategy shall include details for safe manoeuvring of vehicles associated with phase D2 particularly in respect of manoeuvring around the wind baffles. The approved Strategy shall be implemented as part of the proposals and thereafter retained as part of the proposed use of the development.

Reason - To ensure safe vehicle movements at the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

189) Before first occupation of Phase D2, a Car Club space shall be provided in a suitable location that has been submitted for approval in writing by the City Council as local planning authority. The car club space shall be implemented and made available upon the first occupation of phase D2 and thereafter retained and maintained in situ.

Reason - In the interests of providing sustainable development, pursuant to policy DM1 of the Manchester Core Strategy (2012).

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or

businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

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

- A protected species License may be required to be obtained from Natural England before any work could be undertaken which could cause harm to bats.
- The developer or crane operator must contact Manchester Airports Control of Works Office at least 21 days in advent of intending to erect a crane or other tall construction equipment on the site. This is to obtain a tall equipment permit and to ascertain if any operating restrictions would be required. Any operating restriction that are subsequently imposed by Manchester Airport must be fully complied with.
<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Cranenotification/>
- The buildings will need to be notified to the CAA & Defence Geographic as en-route obstacles.
- 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
- Regarding S278 agreements a deposit is required to begin an application, additional costs will be payable and are to be agreed with S278 team. A S278 is required for works to the adopted highway, minimum standard S278 technical approval timescale is between 4-6 months, TRO's can take 10-12 months. An independent 'Stage 2' Road Safety Audit will be required and the design may require changes if any issues are raised with all costs attributable to the Developer. A 'Stage 1' Road Safety Audit should be completed during the planning stage and a copy of the report (with

Designer's Response) is to be made available to the Statutory Approvals Team upon request.

- You should ensure that the proposal is discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the development due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

DRAFT DECISION

Date:

DRAFT

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.

Appendix A



The Coal
Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

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

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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

SCHEDULE 3

Part 1

THE OWNER'S GENERAL COVENANTS

The Owner hereby covenants with the Council as follows

1. To notify the Council in writing within five (5) Working Days of Commencement of Development that development has Commenced
2. Upon the Commencement of Development, not to implement the development authorised by the May 2022 Permission.
3. To pay to the Council the Initial Contribution Index Linked on or prior to the Commencement of Development
4. Submit to the Council a schedule of sales prices within 1 (one) calendar month of Practical Completion of the final Dwelling within Phase D1.
5. Submit to the Council a schedule of sales prices within 1 (one) calendar month of Practical Completion of the final Dwelling within Phase D2.
6. Submit to the Council a schedule of sales prices within 1 (one) calendar month of Practical Completion of the final Dwelling within Phase C1.
7. Submit to the Council a schedule of sales prices within 1 (one) calendar month of Practical Completion of the final Dwelling within Phase C2.
8. FOR THE AVOIDANCE OF DOUBT, where the sale of the relevant Phase mentioned at paragraphs 4 to 7 above is to be undertaken as a Private Rental Sector Investment then the obligations within said paragraphs can be undertaken by the Owner at any time prior to Practical Completion where a contract for sale has been entered into in respect of that Private Rental Sector Investment and the Average Sale Price is known and furthermore the obligations at paragraphs 4 to 7 above shall only apply to the owner of the relevant Phase

Part 2

REAPPRAISAL PAYMENTS

- 1 For Phase D1.
 - 1.1 Within 2 (two) calendar months of Practical Completion of the final Dwelling within Phase D1, to pay to the Council the Reappraisal Payment which shall be calculated as follows
 - 1 1.1 where the Average Sale Price does not exceed the Benchmark Sale Price no Reappraisal Payment shall be due,
 - 1 1.2 where the Average Sale Price exceeds the Benchmark Sale Price the Reappraisal Payment shall be 50% (fifty per cent) of the Excess Amount.

Provided always that if the sale of Phase D1 is to be undertaken as a Private Rental Sector Investment then the above calculation can be undertaken by the Owner at any time prior to Practical Completion where a contract for sale has been entered into in respect of that Private Rental Sector Investment and the Average Sale Price is known such that upon completion of the sale to the purchaser of the Private Rental Sector Investment provided that any Reappraisal Payment due is paid the land which forms Phase D1 is simultaneously released from the obligations contained in this Part 2 of Schedule 3.

- 1.2 Following the exercise of the obligations at 1,1 above and where necessary the payment of any Reappraisal Payment falling due therefrom and the Reappraisal Fee, the land which forms Phase D1 shall be released from the obligations contained within Part 2 of this Schedule

2 For Phase D2

2 1 Within 2 (two) calendar months of Practical Completion of the final Dwelling within Phase D2, to pay to the Council the Reappraisal Payment which shall be calculated as follows

2.1 1 where the Average Sale Price does not exceed the Benchmark Sale Price no Reappraisal Payment shall be due,

2 1 2 where the Average Sale Price exceeds the Benchmark Sale Price the Reappraisal Payment shall be 50% (fifty per cent) of the Excess Amount

Provided always that if the sale of Phase D2 is to be undertaken as a Private Rental Sector Investment then the above calculation can be undertaken by the Owner at any time prior to Practical Completion where a contract for sale has been entered into in respect of that Private Rental Sector Investment and the Average Sale Price is known such that upon completion of the sale to the purchaser of the Private Rental Sector Investment provided that any Reappraisal Payment due is paid the land which forms Phase D2 is simultaneously released from the obligations contained in this Part 2 of Schedule 3

2 2 Following the exercise of the obligations at 2,1 above and where necessary the payment of any Reappraisal Payment falling due therefrom and the Reappraisal Fee, the land which forms Phase D2 shall be released from the obligations contained within Part 2 of this Schedule

3 For Phase C1

3 1 Within 2 (two) calendar months of Practical Completion of the final Dwelling within Phase C1 , to pay to the Council the Reappraisal Payment which shall be calculated as follows

3 1 1 where the Average Sale Price does not exceed the Benchmark Sale Price no Reappraisal Payment shall be due;

3 1 2 where the Average Sale Price exceeds the Benchmark Sale Price the Reappraisal Payment shall be 50% (fifty per cent) of the Excess Amount

Provided always that if the sale of Phase C1 is to be undertaken as a Private Rental Sector Investment then the above calculation can be undertaken by the Owner at any time prior to Practical Completion where a contract for sale has been entered into in respect of that Private Rental Sector Investment and the Average Sale Price is known such that upon completion of the sale to the purchaser of the Private Rental Sector Investment provided that any Reappraisal Payment due is paid the land which forms Phase C1 is simultaneously released from the obligations contained in this Part 2 of Schedule 3

3 2 Following the exercise of the obligations at 3,1 above and where necessary the payment of any Reappraisal Payment falling due therefrom and the Reappraisal Fee, the land which forms Phase C1 shall be released from the obligations contained within Part 2 of this Schedule.

4 For Phase C2

4.1 Within 2 (two) calendar months of Practical Completion of the final Dwelling within Phase C2 , to pay to the Council the Reappraisal Payment which shall be calculated as follows

4 1.1 where the Average Sale Price does not exceed the Benchmark Sale Price no Reappraisal Payment shall be due,

- 4.1.2 where the Average Sale Price exceeds the Benchmark Sale Price the Reappraisal Payment shall be 50% (fifty per cent) of the Excess Amount.

Provided always that if the sale of Phase C2 is to be undertaken as a Private Rental Sector Investment then the above calculation can be undertaken by the Owner at any time prior to Practical Completion where a contract for sale has been entered into in respect of that Private Rental Sector Investment and the Average Sale Price is known such that upon completion of the sale to the purchaser of the Private Rental Sector Investment provided that any Reappraisal Payment due is paid the land which forms Phase C2 is simultaneously released from the obligations contained in this Part 2 of Schedule 3

- 4.2 Following the exercise of the obligations at 2 1 above and where necessary the payment of any Reappraisal Payment falling due therefrom and the Reappraisal Fee, the land which forms Phase C2 shall be released from the obligations contained within Part 2 of this Schedule.
- 5 FOR THE AVOIDANCE OF DOUBT the calculation of the Reappraisal Payment for Phase D1 undertaken pursuant to paragraph 1 above shall use an Average Sale Price calculated using data relating to the sale of all Dwellings within Phase D1 and the calculation of the Reappraisal Payment for Phase D2 undertaken pursuant to paragraph 2 above shall use an Average Sale Price calculated using data relating to the sale of all Dwellings within Phase D1 and Phase D2 and the calculation of the Reappraisal Payment for Phase C1 undertaken pursuant to paragraph 3 above shall use an Average Sale Price calculated using data relating to the sale of all Dwellings within Phase D1, Phase D2 and Phase C1 within the Development and the calculation of the Reappraisal Payment for Phase C2 undertaken pursuant to paragraph 4 above shall use an Average Sale Price calculated using data relating to the sale of all Dwellings within Phase D1, Phase D2, Phase C1 and Phase C2 within the Development
- 6 The total Reappraisal Payments paid pursuant to Part 3 of this Schedule 3 shall be capped at the Clawback Contribution Cap

Part 3

RETENTION OF ARCHITECT

- 1 1 The Owner shall use Best Endeavours to continue to employ the Architect as the lead architect throughout, the Construction Period and until Practical Completion of the Development **PROVIDED THAT** the Architect remains willing and able to fulfil such role in relation to the Development and that such employment is capable of being secured on reasonable commercial terms
- 1.2 Should the Architect not be appointed or continue to be appointed in accordance with paragraph 1 1 above the Owner shall immediately notify the Council of this fact and shall use Best Endeavours to appoint a replacement Architect of a similar calibre and reputation as soon as reasonably practicable and shall thereafter notify the Council of the identity of the replacement architect immediately thereafter

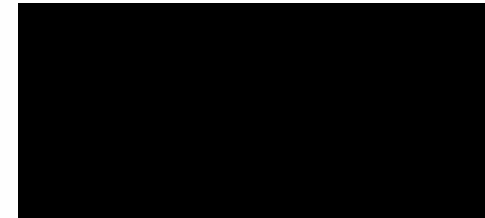
SCHEDULE 4

The COUNCIL'S COVENANTS

The Council hereby covenants with the Owner as follows

- 1 To use the Initial Contribution for the purpose for which it was paid and not otherwise
- 2 To use any Reappraisal Payment towards the provision of Affordable Housing within the Administrative Boundaries of Manchester and for no other purpose
- 3 Upon receipt of the notice issued pursuant to paragraph 2 of Part 1 of Schedule 3 to this Agreement to remove reference to the May 2022 s106 Agreement from the register of Local Land Charges affecting the Site
- 4 At the written request of the Owner to provide written confirmation of the discharge of the obligations contained in this Agreement when satisfied that such obligations have been performed within twenty (20) Working Days of receipt of the request
- 5 The Council shall provide written details of any expenditure incurred by the Council using the Reappraisal Payment within 20 Working Days of a written request to do so from the party/person who made the payment to the Council
- 6 To issue the Planning Permission within two (2) Working Days of the date hereof

THE COMMON SEAL of THE COUNCIL OF THE
CITY OF MANCHESTER was hereunto affixed in
pursuance of an Order of the Council of the said City:

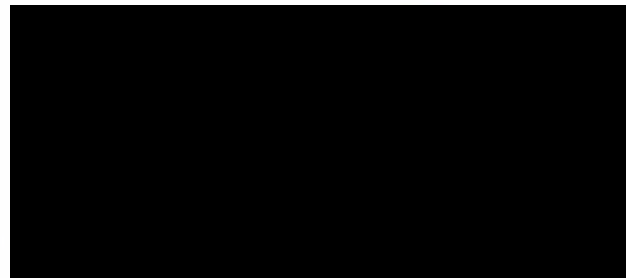


AUTHORISED SIGNATORY

Executed as a Deed by TRINITY DEVELOPMENTS

(MANCHESTER) LIMITED acting by

....., a director in the
presence of:



Director

Witness signature



Name (Capitals)

MICHELLE MASON

Address

NO BUILDING
47 BENGAL ST
MCR, M4 6BB

Occupation

OFFICE MANAGER.