

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Abbeyway Commercial Ltd
9 Riverside
Waters Meeting Road
Bolton
BL1 8TU

Agent (if used)

Mr Tom Hallett
Q+A Planning Ltd
The Stables
Paradise Wharf
Ducie Street
Manchester
M1 2JN

Part 1 – Particulars of the application/development

Proposal: Erection of a 2 storey building to form eight supported living apartments (sui generis use), with associated landscaping and car parking.

Location: Land Adjacent Newall Green Farm, Manchester, M23 2TX

Date of application: 24 May 2022

Application number: 133858/FO/2022

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

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

Condition(s) attached to this decision

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

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

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

- a) 18421-CWA-XX-XX-DR-A-0101 REV P-02 GROUND FLOOR PLAN
- b) 18421-CWA-XX-XX-DR-A-0102 REV P-02 FIRST FLOOR PLAN

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|----|------------------------------------|------------------------------------|
| c) | 18421-CWA-XX-XX-DR-A-0103 REV P-02 | ROOF PLAN |
| d) | 18421-CWA-XX-XX-DR-A-0121 REV P-01 | SECTIONS |
| e) | 18421-CWA-XX-XX-DR-A-0131 REV P-02 | ELEVATIONS 1 OF 2 |
| f) | 18421-CWA-XX-XX-DR-A-0132 REV P-02 | ELEVATIONS 2 OF 2 |
| g) | 18421-CWA-XX-XX-DR-A-0301 REV P-02 | SITE LOCATION PLAN |
| h) | 18421-CWA-XX-XX-DR-A-0302 REV P-03 | SITE/BLOCK |
| i) | 18421-CWA-XX-XX-DR-A-0303 REV P-03 | SITE PLAN |
| j) | 18421-CWA-XX-XX-DR-A-0304 REV P-02 | SITE PLAN AND EXTANT DEVELOPMENT |
| k) | 18421-CWA-XX-XX-DR-A-0305 REV P-02 | SITE AREA, FLOORSPACE |
| l) | 18421-CWA-XX-XX-DR-A-0331 REV P-03 | SITE ELEVATIONS |
| m) | 18421-CWA-XX-XX-DR-A-0332 REV P-03 | SITE SECTIONS - ADJACENT BUILDINGS |
| n) | 18421-CWA-XX-XX-DR-A-0342 REV P-03 | BOUNDARY TREATMENTS |

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) Above-ground construction works shall not commence until samples and specifications of all materials, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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

4) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development hereby approved shall be used for either Class C2 or Class C3 residential accommodation.

Reason - To ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Manchester Core Strategy.

5) No above ground work shall commence until a detailed hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the development hereby approved is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

6) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b)

below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy.

7) The car parking hereby approved shall be laid out, demarcated and made available prior to the occupation of the residential accommodation hereby approved.

Reason - In the interests of pedestrian and highways safety and to ensure the satisfactory development of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

8) Notwithstanding the details shown on drawing no. 18421-CWA-XX-XX-DR-A-0303 REV P-03 (SITE PLAN), no above ground work shall commence until details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points have been submitted to and approved by the City Council as Local Planning Authority.

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

9) Before the development hereby approved is first occupied a detailed Travel Plan, based on the submitted Transport Statement, stamped as received on 24 May 2022, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those residing at the development, including the provision of e-bike charging points,

ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time,

iii) mechanisms for the implementation of the measures to reduce dependency on the private car,

iv) measures for the delivery of specified travel plan services,

v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

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

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy and the Guide to Development in Manchester SPD (2007).

10) No development shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

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

11) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) Verification report providing photographic evidence of construction as per design drawings;
- b) As built construction drawings if different from design construction drawings;
- c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system, pursuant to policies EN08 and EN14 in the Manchester Core Strategy and national policies within the NPPF and NPPG.

12) a) Prior to the commencement of above ground works a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

13) The development shall be carried out in accordance with the Phase 1 Contaminated Land Assessment (GeoSmart, dated April 2022) and prior to occupation a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Policy DM1 in the Manchester Core Strategy.

14) The development hereby approved shall be implemented in accordance with the measures as set out within Section 6 of the Design and Access Statement, stamped as received by the City Council as local planning authority on 24 May 2022, including: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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

15) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and bat bricks) referred to in Section 5.3 of the Preliminary Ecological Appraisal (Ascorta, stamped as received on 24 May 2022), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

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

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

17) Above grounds works shall not commence until details of the Badger and small mammals Reasonable Avoidance Measures referred to in Section 5.2 of the Preliminary Ecological Appraisal (Ascerta, stamped as received on 24 May 2022), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

18) Above grounds works shall not commence until details of the Amphibian Reasonable Avoidance Measures referred to in Section 5.2 of the Preliminary Ecological Appraisal (Ascerta, stamped as received on 24 May 2022), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

19) If development hereby approved has not commenced by 1st April 2023, or if works are required to trees T1, T2, or T3 before this date, an updated bat assessment shall be submitted to and be approved by the City Council as local planning authority and the construction works undertaken in accordance with the approved details.

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

20) The development hereby approved shall be implemented in full accordance with the measures as set out within Section 6 of the design and Access Statement, stamped as received by the City Council as local planning authority on 24 May 2022. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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

21) The development hereby approved shall not commence until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- a) A construction programme including phasing of works;
- b) 24 hour emergency contact number;
- c) Expected number and type of vehicles accessing the site:- i) Deliveries, waste, cranes, equipment, plant, works, visitors; ii) Size of construction vehicles; iii) The use of a consolidation operation or scheme for the delivery of materials and goods; iv) Phasing of works;
- d) Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):- Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- e) Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- f) Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- g) Locations for storage of plant/waste/construction materials;
- h) Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- i) Arrangements to receive abnormal loads or unusually large vehicles;
- j) Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- k) Any necessary temporary traffic management measures;
- l) Measures to protect vulnerable road users (cyclists and pedestrians);
- m) Arrangements for temporary facilities for any bus stops or routes;
- n) Bird Hazard Management Plan during construction
- o) Method of preventing mud being carried onto the highway;
- p) Method of dust suppression;
- q) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

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

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the

subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

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

You can apply online at the following address:

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

Informative for condition 8 - The submitted details shall include the number of bays (minimum of 20% provision), the type of charging infrastructure to be installed and the location of ducting for the future provision of additional chargers.

Informative for condition 10 - In order to discharge condition no. 10 the following additional information has to be provided:

- a) Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment;;
- b) Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- c) 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.
- d) Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- e) Hydraulic calculation of the proposed drainage system;
- f) Construction details of flow control and SuDS elements.

Informative for condition 17 - The Badger and small mammals Reasonable Avoidance Measures should include:

- a) Vegetation clearance applies to all habitats cleared in daytime air temperatures above 5°C. Works must be avoided in cold temperatures or if prior overnight temperatures have been less than 1°C;
- b) The cut material is to be chipped and placed in discrete piles outside the working areas or removed from the site;
- c) Existing tracks should be utilised for vehicle movements where possible;
- d) Throughout the works all trenches must be covered at night or ramps provided to prevent badger and hedgehog from getting stuck. Large pipes must also be covered to prevent badger access and risk of these species getting stuck; and

e) Construction material will be stored on pallets to avoid creating habitat for hedgehog and badger.

Informative for condition 18 - Amphibian Reasonable Avoidance Measures should include:

- a) Vegetation clearance applies to all habitats cleared in daytime air temperatures above 5°C. Works must be avoided in cold temperatures or if prior overnight temperatures have been less than 1°C;
- b) The works should start from the middle of an area and work outwards to allow animals to leave;
- c) The cut material is to be chipped and placed in discrete piles outside the working areas or removed from the site;
- d) Existing tracks should be utilised for vehicle movements where possible;
- e) Throughout the works, all trenches must be covered at night or ramps provided to prevent amphibians from getting stuck; and
- f) Construction material will be stored on pallets to avoid creating habitat for and amphibians.

Date: 2 September 2022

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

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

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

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. 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.