

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

Latier Development Ltd
C/o Agent

Agent (if used)

Ms Frances Hampson
Deloitte LLP
C/o WeWork At Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Erection of two buildings part 27, 20, 17 storeys and part 11 and 10 storeys to form a mixed use development comprising of 461 residential apartments (Use Class C3a) and ground floor commercial uses (Use Class E) (718 sqm) together with public realm including courtyard pocket park, landscaping, car parking and other associated works

Location: Land Bounded By The Travelodge And Surface Level Carparking To The North, Further Surface Level Carparking To The East, Manchester College To The South And Bury New Road To The West, Manchester

Date of application: 13 December 2021

Application number: 132416/FO/2021

Part 2 – Particulars of decision

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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development and impact heritage assets. Further work and discussion have taken place with the applicant through the course of the application. The proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) attached to this decision

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

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

2) Prior to the commencement of development, a detailed phasing plan (including timescales for implementation) for the development (including delivery of public realm and highways works) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall then be carried out in accordance with the phasing plan and timescales agreed unless otherwise approved in writing by the City Council, as Local Planning Authority.

Reason - The development would be delivered and occupied on a phased basis and details should be agreed pursuant to policy SP1 of the Manchester Core Strategy (2012).

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

Drawings

A3564-ASA-XX-XX-DR-A-0101, A3564-ASA-XX-XX-DR-A-0200 00, A3564-ASA-XX-XX-DR-A-0201, A3564-ASA-XX-XX-DR-A-0206, A3564-ASA-XX-XX-DR-A-0207, A3564-ASA-XX-XX-DR-A-0211, A3564-ASA-XX-XX-DR-A-0212, A3564-ASA-XX-XX-DR-A-0213, A3564-ASA-XX-XX-DR-A-0217, A3564-ASA-XX-XX-DR-A-0220, A3564-ASA-XX-XX-DR-A-0221, A3564-ASA-XX-XX-DR-A-0227, A3564-ASA-XX-XX-DR-A-0300, A3564-ASA-XX-XX-DR-A-0301, A3564-ASA-XX-XX-DR-A-0302

A3564-ASA-XX-XX-DR-A-0303, A3564-ASA-XX-XX-DR-A-0400, A3564-ASA-XX-XX-DR-A-0401, A3564-ASA-XX-XX-DR-A-0402, A3564-ASA-XX-XX-DR-A-0403, A3564-ASA-XX-XX-DR-A-0404, A3564-ASA-XX-XX-DR-A-0405, A3564-ASA-XX-XX-DR-A-0500, A3564-ASA-XX-XX-DR-A-0501, A3564-ASA-XX-XX-DR-A-0502, A3564-ASA-XX-XX-DR-A-0503, DN0107-EXA-ZZ-20-DR-L-00103, DN0107-EXA-ZZ-20-DR-L-00301, DN0107-EXA-ZZ-GF-DR-L-00101, DN0107-EXA-ZZ-GF-DR-L-00102, DN0107-EXA-ZZ-GF-DR-L-00300, DN0107-EXA-ZZ-GF-DR-L-00600 and DN0107-EXA-ZZ-GF-DR-L-00700 stamped as received by the City Council, as Local Planning Authority on the 6 December 2021

Supporting Information

Landscape Plans prepared by Exterior Architecture, Statement of Consultation prepared by Deloitte LLP, Design and Access Statement prepared by Assael Architects, Affordable Housing Statement prepared by Deloitte with input from Latimer Development Group, Archaeology Assessment prepared by Salford Archeology, Broadband Connectivity Assessment prepared by GTech, Crime Impact Statement prepared by Greater Manchester Police, Ecological Appraisal prepared by The Ecological Consultant, Energy Statement and Environmental Standards Statement prepared by Wallace Whittle, Fire Strategy Report prepared by Ofir Consultants, Flood Risk and Drainage Strategy prepared by SGI Engineers, Ground Conditions Phase 1 and Phase 2 prepared by e3p, Heritage Statement prepared by Salford Archaeology, Local Benefits Proposal - Statement of Intent prepared by Latimer Development Ltd, Residential Management Strategy prepared by Clarion Housing Group, Waste Management and Servicing Strategy prepared by Curtins, Transport Assessment and Travel Plan prepared by Curtins, TV Reception Survey prepared by GTech, Operational Management Strategy, Ventilation Strategy prepared by Wallace Wittle and Viability

Assessment prepared by Grasscroft stamped as received by the City Council, as Local Planning Authority on the 16 December 2021

Environmental Statement:

- Construction Management
- Air Quality - Air Pollution Ltd
- Ground Conditions - E3p
- Daylight and Sunlight - GIA
- Townscape and Visual Impact - Barton Willmore
- Wind Microclimate - GIA
- Climate Change - Atkins
- Human Health - Atkins
- Summary of Residual Impacts - Deloitte; and
- Type 1 Cumulative Assessments - Deloitte.

stamped as received by the City Council, as Local Planning Authority on the 16 December 2021

Email from Agent responding to Environmental Health comments stamped as received by the City Council, as Local Planning Authority on the 2 March 2022

Written Scheme of Investigation for an Archaeological Investigation stamped as received by the City Council, as Local Planning Authority on the 1 March 2022

Fire Strategy Report prepared by Ofc Consultants Rev 03 and Technical note response stamped as received by the City Council, as Local Planning Authority on the 20 January 2022

Email from Agent responding to Highways and Environmental Health comments stamped as received by the City Council, as Local Planning Authority on the 8 and 28 February 2022

Email from Agent responding to Highways and Environmental Health comments and Noise Report prepared by Cundalls Rev P02 stamped as received by the City Council, as Local Planning Authority on the 1 February 2022

Remediation and Enabling Works Strategy and Ground Gas Addendum Report stamped as received by the City Council, as Local Planning Authority on the 7 February 2022

Culvert Report stamped as received by the City Council, as Local Planning Authority on the 20 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.

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) 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.

6) (a) Prior to the commencement of the development, a scheme for the management of any known well features or borehole present within the site shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details as to how any redundant boreholes or well features which have been decommissioned and details as to how any boreholes or well features to be retained, once the development is complete, will be secured, protected and inspected.

(b) The approved scheme shall be implemented and prior to the first occupation of the development a verification report to demonstrated compliance with the details approved as part of part (a) of the condition shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Reason - To ensure that redundant boreholes / relic well features are safe and secure, and do not cause groundwater pollution or loss of water supplies in line policy EN14 of the Manchester Core Strategy.

7) The development hereby approved shall be carried out in accordance with the Flood Risk and Drainage Strategy prepared by SGI Engineers stamped as received by the City Council, as Local Planning Authority, on the 16 December 2021.

The development shall be carried out in accordance with this assessment including the mitigation measures outlined. Prior to the first occupation of each phase of development, a verification report shall be submitted for approval in writing to the City Council, as Local Planning Authority to confirm that the works 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 details submitted on the Flood Risk and Drainage Strategy prepared by SGI Engineers stamped as received by the City Council, as Local Planning Authority, on the 16 December 2021, (a) prior to the installation of the scheme for the drainage of surface water from the new development, a scheme shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Identification of flood resilient construction techniques which will be implemented for buildings levels below the 1 in 1000 year flood event.
- Confirmation that the 300mm surface water sewer within the site can be abandoned following further investigation - ensuring that no offsite areas are compromised.
- Consideration of alternative green SuDS solution within the public realm areas and assessment of the potential for green roof implementation 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.

- Hydraulic calculation of the proposed drainage system;

- Construction details of flow control and SuDS elements.

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

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

9) (a) The development hereby approved shall be carried out in accordance with the Culvert Report stamped as received by the City Council, as Local Planning Authority on the 20 January 2022 including the recommendations outlined in section 7 that further investigations shall be carried out to establish the existence of the Culvert beneath the application site.

(b) The details of the further investigations shall be submitted to the City Council, as Local Planning Authority, prior to any above ground works. Should a culvert be located following the additional investigations then a detailed diversion plan or revised drainage details (including appropriate easements) shall be submitted for approval in writing by the City Council, as Local Planning Authority prior to any above grounds works. Any diversion work shall be undertaken in accordance with the approved details, within an agreed timescale in writing with the City Council, as Local Planning Authority.

(c) Should diversion works be required as part of part (b) of this planning condition, then prior to the first occupation of the residential element of each phase of the development, a verification report shall be submitted for approval in writing to the City Council, as Local Planning Authority to confirm that the diversion works have been undertaken in accordance with the previously approved report.

Reason - to minimise the impact on a potential below ground culvert pursuant to policy EN14 of the Manchester Core Strategy (2012).

10) a) Notwithstanding the Ground Conditions Phase 1 and Phase 2 prepared by e3p and Remediation and Enabling Works Strategy and Ground Gas Addendum Report stamped as received by the City Council, as Local Planning Authority on the 16 December 2021, 7 February 2022 and 28 March 2022 respectively, before the development hereby approved commences the following details are required:

- Updated ground risk assessment and updated remediation strategy (if the additional ground gas monitoring should that it is required).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the residential element.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

11) The enabling works (save for any main construction works) shall not commence until a detailed construction management plan outlining working practices during construction have been submitted for approval in writing by the Local Planning Authority, which for the avoidance of doubt should include;

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

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

The development shall be carried out in accordance with the approved construction management plan.

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

12) Prior to any construction works (save for the enabling works) a detailed construction management plan outlining working practices during construction have be submitted for approval in writing by the Local Planning Authority, which for the avoidance of doubt should include;

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

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

The development shall be carried out in accordance with the approved construction management plan.

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

13) Prior to the commencement of the development, all material to be used on all external elevations 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, window reveals and soffits, details of the drips to be used to prevent staining in, ventilation/air brick 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.

14) The window reveals, soffits and vents for the development shall be carried out in accordance with drawings A3564-ASA-XX-XX-DR-A-0500, A3564-ASA-XX-XX-DR-A-0501, A3564-ASA-XX-XX-DR-A-0502 and A3564-ASA-XX-XX-DR-A-0503 stamped as received by the City Council, as Local Planning Authority, on the 16 December 2021

Reason - In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

15) a) Prior to the commencement of the development (save for any enabling works), details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work associated with the development 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).

16) Prior to any above ground works, details of the boundary treatment, including gates to public realm, shall for the development be submitted for approval in writing by the Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the development.

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 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.

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

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).

18) The development hereby approved shall be carried out in accordance with the Energy Statement and Environmental Standards Statement prepared by Wallace Whittle stamped as received by the City Council, as Local Planning Authority, on the 16 December 2021. A post construction review certificate/statement for the development shall be submitted for approval, not later than 3 months from the date the residential element within each phase is first occupied.

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.

19) Notwithstanding drawings DN0107-EXA-ZZ-20-DR-L-00103, DN0107-EXA-ZZ-20-DR-L-00301, DN0107-EXA-ZZ-GF-DR-L-00101, DN0107-EXA-ZZ-GF-DR-L-00102, DN0107-EXA-ZZ-GF-DR-L-00300, DN0107-EXA-ZZ-GF-DR-L-00600 and DN0107-EXA-ZZ-GF-DR-L-00700 stamped as received by the City Council, as Local Planning Authority on the 6 December 2021, (a) prior to any works commencing on the hard and soft landscaping scheme (including appropriate materials, specifications) details shall be submitted for approval in writing by the City Council as Local Planning Authority.

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

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

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

Until such a time to be agreed with the City Council, as Local Planning Authority the public realm and access gates shall be not open, and the area secured, outside of the following times:

Monday to Sunday 07:00 to 20:00

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

21) (a) Prior to the first occupation of each phase of the development, 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 (L_{A90}) level at the nearest noise sensitive location.

(b) Prior to the first occupation of the development, 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).

22) (a) Notwithstanding the Noise Report prepared by Cundalls Rev P02 stamped as received by the City Council, as Local Planning Authority on the 1 February 2022, prior to the first use of the commercial units as indicated on drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021, prior to the first use of each commercial unit, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the L_{Aeq} (entertainment noise) shall be controlled to 5dB below the L_{A90} (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 each commercial unit, 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, and 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).

23) Notwithstanding the Noise Report prepared by Cundalls Rev P02 stamped as received by the City Council, as Local Planning Authority on the 1 February 2022, prior to any above ground works:

(a) a scheme for acoustically insulating and ventilating the proposed residential accommodation against noise from the local traffic network and, following an assessment of the potential for overheating (AVO Assessment), any further noise mitigation measures to deal with equipment to mitigate overheating shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved noise insulation and ventilation scheme shall be completed before the first occupation of the development.

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:

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 applicable (entertainment/music): 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, respectively.

(b) Prior to the first occupation of the development, 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, and thereafter retained and maintained in situ.

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).

24) The residential element hereby approved shall be carried out in accordance with the Waste Management and Servicing Strategy prepared by Curtins and drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 6 and 16 December 2021 respectively.

The details of the approved scheme shall be implemented prior to the first occupation of the residential element of each phase and shall remain in situ whilst the 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.

25) Prior to use of each commercial unit, as indicated drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021, details of an appropriately sized refuse store and waste management strategy for the commercial element of the scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The details of the approved scheme shall be implemented prior to the first use of the commercial unit and shall remain in situ whilst the development is in operation.

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

26) Prior to the first use each commercial unit, as indicated drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021, should fume extraction be required, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial units 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).

27) Prior to the first use of each commercial unit as indicated on drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each commercial unit and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

28) 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 the development, full details of such a scheme for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme for that phase of development shall be implemented in full prior to the first occupation of the development and shall remain in operation for so long as the development is occupied.

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

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

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

30) Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

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).

31) The commercial units hereby approved, as indicated on drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021, shall not be open outside the following hours:-

Monday to Saturday 08:00 to 23:30
Sundays (and Bank Holidays): 10:00 to 22:00

There shall be no amplified sound or any amplified music at any time within the unit unless agreed by planning condition 21.

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.

32) The commercial units as shown on drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021, shall remain as separate units 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.

33) The commercial units, as indicated on drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021, can be occupied as Use Class E (excluding convenience retail and a gymnasium)

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.

34) Prior to the first use of each the commercial unit as indicated on drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 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 each commercial unit 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) 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 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.

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

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

37) The development 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 16 December 2021. The development shall only be carried out in accordance with these approved details. Prior to the first occupation of the residential element of each phase of the development, the 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.

38) The development 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 16 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 the development, a Travel Plan for the development 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).

39) Prior to the first occupation of the residential element of each phase, the cycle stores for that phase racks within the public realm shall be implemented in accordance with drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021 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).

40) Prior to the first occupation of the residential element of the development hereby approved, a strategy for the provision of disabled parking spaces for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and the car parking spaces made available at all times for as long as the development remains in use.

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

41) Prior to the first occupation of the residential element of the development, a scheme of highway works and details of footpaths reinstatement/public realm for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- Provision of an on street car club space;
- Details of barrier controls to the access from Great Ducie Street;
- Provision of footway reinstatement, resurfacing, dropped kerbs and tactile paving at all crossing points;
- Review and rationalisation of street furniture to maximise footway widths including removal of redundant parking signs;
- Provision of a loading bay to access road; and
- Review and amendment to Traffic Regulation Orders (TROs).

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development 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).

42) Notwithstanding the TV Reception Survey, stamped as received by the City Council, as Local Planning Authority, on the 16 December 2021, within one month of the practical completion of the development, 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 the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before

the development 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.

43) Prior to the first occupation of the residential element, the installation 7kw fast charging electric car charging points to the 5 disabled bays, as shown on drawing A3564-ASA-XX-XX-DR-A-0200 A stamped as received by the City Council, as Local Planning Authority 16 December 2021, shall be implemented and remain available for as long as the development is in.

Reason - In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

44) Prior to the first occupation of the development hereby approved, details of bird and bat boxes to be provided (including location and specification) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

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

45) 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 buildings 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.

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

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

47) All windows at ground level with the exception of the WC and back of house and, 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.

48) The development hereby approved shall include for full disabled access to be provided to the internal courtyard 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.

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

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

50) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the solar panels to the roof shall be submitted to the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

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

51) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps (including appropriate acoustic details in line with condition 20) shall be submitted to the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

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

52) Prior to any above ground works, details of the N02 and particulate filters to be installed into the ventilation system shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of a management plan for the filters including the specification, the filter maintenance, replacement and inspection frequencies, responsibility and how the requirements will be managed and maintained by any future subsequent management company or building owner. The approved details shall be implemented and retained at all times whilst the building is in use.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy (2012).

53) Within 3 months from above ground construction works, prior to the first occupation of the residential element of the development hereby approved, details of the a off site car parking strategy shall be submitted for approval in writing by the City Council, as

Local Planning Authority. The strategy shall include how residents would be supported to access off site car parking provision, including disabled parking provision.

The approved strategy shall be implemented prior to the first occupation of the residential element of the development and remain in use for as long as the development is occupation.

Reason - To mitigate against the limited lack of on site car parking is available for the development pursuant to policies SP1, T1, and 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.

- 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.

- 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/>

Date: 30 June 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.

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**

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/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

This Standing Advice is valid from 1st January 2021 until 31st December 2022