

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

Mr Adam Robson
Aldi Stores Ltd
C/o Agent

Agent (if used)

Mr Daniel Brown
Avison Young
Norfolk House
7 Norfolk Street
Manchester
M2 1DW

Part 1 – Particulars of the application/development

Proposal: Erection of a retail foodstore (Class E) with new vehicular access / egress to Victoria Avenue East, new internal vehicular access road, car parking, servicing area, and hard and soft landscaping, following demolition of existing structures, alongside the creation of a new vehicular access and egress for the adjacent sports facility.

Location: The Imperial Lounge, Victoria Avenue East, Manchester, M9 7HW

Date of application: 4 April 2022

Application number: 133148/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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in 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, revised drawings and documents received by the City Council as Local Planning Authority on 2 September 2022.

6223 BOL New Moston M_03 CGI_02A - Computer Generated Impact
16223BOL- New Moston - DAS01C - Design and Access Statement
16223BOL-100D - Proposed Site Plan 1-250@A1 - Proposed Site Plan (site only)
16223BOL-101D - Proposed Site Plan 1-1000@A3 - Proposed Site Plan (including sports field)
16223BOL-105A - Proposed Boundary Treatment Plan - Boundary Treatments Plan
16223BOL-106B - Proposed Street Scene Elevations - Street Scene Elevations
16223-VL-L01C - Landscape Plan_A1 - Landscaping Plan

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

3) No above ground development that is hereby approved shall commence unless and until samples and specifications of all other materials to be used on all external elevations of the development, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

4) Prior to the commencement of development, a construction management and demolition management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

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

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) (a) Prior to the commencement of above ground works, details of a local labour agreement in order to demonstrate commitment to recruit local labour for operational element of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved document shall be implemented as part of the occupation of the development. Within six months of the first occupation of the development, details of the results of the scheme shall be submitted for consideration.

Reason - To ensure the applicant has demonstrated a commitment to recruiting local labour, pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy.

6) The retail unit (Class E) hereby approved shall not be open outside the following hours:-

08:00 to 22.00 hrs Monday to Saturday;
10.00 to 17.00 hrs Sundays.

Reason - To safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

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

07.00 to 22.00 hrs Monday to Saturday;
09.00 to 17.00 Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby residential occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

8) Prior to the retail unit hereby approved becoming operational, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as Local Planning Authority. The NMP shall include an assessment of noise from all activities associated within the loading bay and service yard. Where applicable, the noise assessment should take account of multiple noise sources operating simultaneously and report the cumulative impact. The noise impact of the development should be controlled to the criteria set out in the City Council's Planning and Noise Technical Guidance.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

9) Notwithstanding details submitted, the retail unit hereby approved shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as Local Planning Authority. 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 public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

10) The development hereby approved shall be implemented in accordance with the submitted Phase I Geo Environmental Desk Study prepared by Earth Environmental Geotechnical Ltd dated March 2020 (Ref: A3469-20) received by the City Council as Local Planning Authority on 4 April 2022. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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.

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 Manchester Core 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 Manchester Core Strategy.

11) When the development commences, the development shall be carried out in accordance with a 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. No occupation of the development shall take place until the completion/verification report is submitted to and approved 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 is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) The development hereby approved shall only be implemented in broad accordance with the physical security specifications and resolution of layout issues outlined within sections 3.3 of the submitted Crime Impact Statement (Ref:2021/0574/CIS/01 - version A) dated 24 December 2021, received by the City Council as Local Planning Authority on 8 March 2022. The specific measures shall be agreed in writing with the Local Planning Authority prior to the commencement of above ground works and implemented prior to the retail unit being first brought into use.

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

13) Notwithstanding details submitted, the retail unit hereby approved shall be occupied until space and facilities for staff and visitor bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as Local Planning authority. The bicycle parking shall be secure and weatherproofed and shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

14) The landscaping scheme incorporating replacement tree planting shown on drawing referenced 16223-VL-L01C - Landscape Plan_A1 -received by the City Council as Local Planning Authority on 2 September 2022 shall be implemented in full prior to the first occupation of the unit hereby approved. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the City Council as 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 and DM1 of the Manchester Core Strategy.

15) Prior to first occupation of the retail unit hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

16) If the demolition hereby approved does not commence before 30 April 2023, the building to be demolished shall be resurveyed for bats and the findings submitted to and agreed by the City Council as Local Planning Authority. Demolition shall only be carried out in accordance with the agreed details.

Reason -To ensure bats are protected from demolition works, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

17) Notwithstanding details submitted, a detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupancy of the units hereby approved. In this condition a Travel Plan means a document which includes:

- (1) The measures proposed to be taken to reduce dependency on the private car by those attending or employed in the development;
- (2) A commitment to surveying the travel patterns of staff and customers during the first three months of the development and thereafter from time to time;
- (3) Mechanisms for the implementation of the measures to reduce dependency on the private car; and
- (4) Measures for the delivery of specified travel plan services; and 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 revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (2) above shall be submitted to the City Council as local planning authority for approval. 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 reduce dependency on the car travel and to promote alternative means of transport, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

18) The boundary treatment shown on drawing referenced 16223BOL-105A - Proposed Boundary Treatment Plan - Boundary Treatments Plan received by the City Council as Local Planning Authority on 2 September 2022 shall be implemented in full prior to the first occupation of the retail unit hereby approved.

Reason - In the interests of security and visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

19) The electric vehicle charging points shown on drawing referenced 16223BOL-100D - Proposed Site Plan (site only), received by the City Council as Local Planning Authority on 2 September 2022, shall be installed and operational prior to the retail unit hereby approved being occupied and shall be retained thereafter.

Reason - In the interest of air quality, pursuant to policies DM1 and EN16 of the Manchester Core Strategy.

20) The accessible parking spaces shown on drawing referenced drawing referenced 16223BOL-100D - Proposed Site Plan (site only), received by the City Council as Local Planning Authority on 2 September 2022, shall be implemented prior to the retail unit hereby approved being occupied and shall be retained thereafter.

Reason - To ensure sufficient accessible car parking provision, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

21) Notwithstanding details submitted, prior to commencement of development (excluding demolition) a scheme for surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing.

In order to avoid/dischage the above drainage condition the following additional information has to be provided:

- Maximised integration of green SuDS components if practicable, to compensate for the proposed loss of bioretentive features on-site. An appraisal of green SuDS components demonstrating maximised integration should be submitted;

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment i.e. at least a 50% reduction in runoff rate compared to the existing rates for brownfield areas

of the site, and greenfield rates for greenfield areas of the site, as the site is located within Conurbation Core Critical Drainage Area. Brownfield rates

shall be calculated from existing drainage where feasible

- An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;

- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 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;

- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required;

- Where surface water is connected to the ordinary watercourse, agreement in principle from Manchester City Council as Lead Local Flood Authority is required. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff

rates. An email of acceptance of proposed flows and/or new connection will suffice.

- Where surface water is connected to ordinary watercourse, any works within or adjacent to the watercourse that would affect it would require consent from Manchester City Council as Lead Local Flood Authority;

- 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;

- For sites where proposed development would cause unusual pollution risk to surface water (large car park areas (>50 parking spaces) or industrial estates), evidence of pollution control measures (preferably through SuDS) is required.

- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

22) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a 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;
- As built construction drawings if different from design construction drawings;
- 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 prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

23) No construction shall commence (including any earthworks) until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include a survey that identifies the exact location of the water main, the potential impacts on the water main from construction activities (including the construction compound), the impacts post completion of the development on the water main infrastructure within the red line boundary and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water main both during construction and post completion of the development.

Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

Reason - In the interest of public health and to ensure protection of strategic water mains, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

24) a) Any externally mounted ancillary plant, equipment and servicing to be installed shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to its installation, the scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to secure a reduction in the level of noise emanating from the site.

b) Prior to any externally mounted ancillary plant, equipment and servicing to be installed becoming operational, an approved verification report shall be submitted to and approved in writing by the City Council as Local Planning authority to validate that the

work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

25) The building hereby approved shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall be implemented in full before the use commences.

b) Prior to occupation of the building hereby approved a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of nearby residential properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of the Manchester Core Strategy.

26) Prior to the commencement of above ground works, full details of all necessary off-site highway works in accordance with the works detailed in drawing 562-01/GA-01 Rev D, to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- Closure of the existing vehicular access off Victoria Avenue East and reinstatement of full height kerbs and footway;

- Provision of new site access in the form of T junction along with associated road markings, road reconfiguration and right turn bay along Victoria Avenue East;

- Provision of a Signalised pedestrian crossing on Victoria Avenue East;

- Extension of existing pedestrian guardrail;

- Provision of a staggered Puffin crossing on Victoria Avenue East;

- Provision of traffic monitoring CCTV at Greengate roundabout in accordance with the information contained in the CRA Transport Assessment (ref: 562-01/TA01 dated 16th November 2021);

- Reinstatement of footway for any redundant vehicular crossovers;

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation.

Reason - To encourage walking to the site and in the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

27) Notwithstanding details submitted, prior to the first occupation of the retail unit hereby approved, a Servicing Strategy shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The strategy shall include details of the number and frequency of deliveries/collections, vehicle sizes, delivery times, noise management, access and safety arrangements. The agreed Strategy shall be implemented as part of the development and remain in use so long as the approved uses are operational.

Reason - To mitigate harm to the operation of the highway and the amenity of noise sensitive occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

28) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by BWB1(Ref: AMM-BWB-ZZ-ZZ-RP-LA-0001_AQA_S0_P02) dated December 2021, received by the City Council, as Local Planning Authority on 8 March 2022.

Reason - To minimise the impact upon air quality and in order to minimise the environmental impact of the development, pursuant to policy EN16 of the Manchester Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

29) The development hereby approved shall be carried out in accordance with details contained within the Environmental Standards Statement produced by Watt Energy and Consulting Engineers dated 19 November 2021 and received by the City Council as Local Planning Authority on 8 March, A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

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.

30) a) No development shall commence until the following documents have been submitted to and approved in writing by the City Council as Local Planning Authority after consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field equating to 162sqm and the proportionate pitch improvements to North Manchester Rugby Club to compensate for the loss of 0.14ha of open space, which identifies constraints which could adversely affect playing field quality. The assessment should be carried out by a suitably qualified sports turf specialist; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a proportionate, detailed scheme to address any such constraints will be prepared. The scheme shall include a

plans, written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a timetable of implementation.

(b) The approved scheme shall be carried out in full and in accordance with the approved timetable of implementation to be agreed in writing by the City Council as Local Planning Authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

31) Prior to first occupation of the retail store hereby approved the ball stop fencing shown with the following documents shall be implemented to the full satisfaction of the City Council as Local Planning Authority and shall be retained thereafter:

16223BOL-105A - Proposed Boundary Treatment Plan;
16223BOL-108 - Proposed Paladin fencing detail.

Reason - To ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

32) Notwithstanding details submitted, prior to the installation of the floodlighting to the rugby pitch, full details, including light spillage analysis shall be submitted to and approved by the City Council as Local Planning Authority. The retail use hereby approved shall not commence until the agreed floodlighting has been provided.

Reason - In the interests of amenity and to ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policies DM1, SP1 and EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

33) If any lighting at the development, including the neighbouring floodlight 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 DM1 and SP1 of the Manchester Core Strategy,

34) Prior to first occupation of the retail store hereby approved the drainage to the rugby club access road shown on drainage layout referenced 9104-SWF-XX-XX-DR-S-9006, received by the City Council as Local Planning Authority on 22 August 2022 shall be implemented in full.

Reason - To ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

35) The retail foodstore (Class E) hereby permitted shall have a maximum Gross Internal Area of 1,884 sqm and a maximum net sales area of 1,331 sqm. The sales area shall be used primarily for the sale of convenience goods, with a maximum of 300 sqm used for the sale of 'comparison goods'.

Reason - To protect the vitality and viability of nearby town centres, having regard to Policy C9 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

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.

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.

Cadent Gas Ltd own and operate the gas infrastructure within the area of the development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply

online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Separate advertisement consent may be required for any proposed advertisements. Please contact the Local Planning Authority for further advice prior the installation of any signage/advertisements.

No vegetation or tree clearance required to facilitate the development shall take place during the optimum period for bird nesting (March to August inclusive). All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

The applicant is advised that the assessment and scheme should be carried out by a suitably qualified sports turf specialist and comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (SportEngland, 2011) and guidance from the Rugby Football Union.

The floodlighting works required pursuant to condition 32 of this permission will require a separate application for planning permission.

Date: 22 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.

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

INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2021 until 31st December 2022

Appendix A



**The Coal
Authority**

Any Planning Enquiries should be directed to:

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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