

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

Lidl Great Britain Limited
C/o Agent

Agent (if used)

Mr Jonathan Harper
Rapleys LLP
55 Spring Gardens
Manchester
M2 2BY

Part 1 – Particulars of the application/development

Proposal: Demolition of existing units 4, 5, 6, 7, 8, and 10 and erection of a single storey building to form new retail foodstore (Use Class E) and separate hot food delivery unit (sui generis) with associated car parking and landscaping.

Location: Fallowfield Shopping Centre , Birchfields Road, Manchester, M14 6FS

Date of application: 26 April 2021

Application number: 130189/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 / 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 drawings and documents:

Site Location Plan (7397-SMR-00-XX-DR-A-2001-A3-C2);
Existing Site Plan (7397-SMR-00-XX-DR-A-2002-A3-C2);

Proposed Site Plan (7397-SMR-00-XX-DR-A-2003-A3-C2);
External Works Plan (7397-SMR-00-DR-DR-A-2004-A3-C2);
Proposed GA Floor Plans (7397-SMR-00-ZZ-DR-A-2005-A3-C2);
Proposed Elevations (7397-SMR-00-ZZ-DR-A-2006-A3-C2);
Site Sections (7397-SMR-00-ZZ-DR-A-2010-A3-C2); and
Proposed Roof Plan (7397-SMR-00-ZZ-DR-A-2108-A3-C1).

Received by the City Council as Local Planning Authority on 10 February 2022.

Landscape Plan (R/2472/1A) - received by the City Council as Local Planning Authority on 23 March 2022.

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

3) With the exception of demolition, 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 Core Strategy.

4) Notwithstanding details submitted, 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/demolition 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 occupation of the proposed retail store (Class E), details of a local labour agreement in order to demonstrate commitment to recruit local labour for the 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 (2012).

6) The development hereby approved shall be implemented in accordance with the submitted Phase 1 Site Investigation and Preliminary Risk Assessment (Ref: 806.01.01) and Phase 2 Ground Investigation Report (Ref: 806.-02.01), produced by Remada and received by the City Council as Local Planning Authority on 6 September 2021 and 26 April 2021 respectively.

Prior to occupation of the units hereby approved, details of a watching brief, an analysis of any imported soils and any waste transfer notes, 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 approved details.

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.

7) When the development commences, the development shall be carried out in accordance with the previously agreed Phase 2 Ground Investigation (Ref: 806.02.01, received by the City Council as Local Planning Authority on 26 April 2022. Following completion of the development, a verification report shall be submitted to confirm no contamination was found. This shall be submitted to and approved in writing by the City Council as Local Planning Authority.

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

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

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

07:00 to 23.00 hrs Monday to Sunday;
10.00 to 17.00 hrs Sundays and Bank Holidays;

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 Core Strategy.

9) The hot food delivery unit (sui generis) hereby approved shall not be open outside the following hours:

11.30 to 00.00 hrs daily.

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 Core Strategy.

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

07.30 to 20.00 hrs Monday to Saturday;

No deliveries/waste collections on Sundays and Bank Holidays.

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

11) The development hereby approved shall only be implemented in accordance with the physical security specifications outlined within sections 3.3 and section 4 of the submitted Crime Impact Statement (Ref: 2020/0499/CIS/01 - version A) dated 14 April 2021, received by the City Council as Local Planning Authority on 26 April 2021.

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.

12) Notwithstanding details submitted, none of the units 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.

13) The landscaping scheme incorporating replacement tree planting shown on Landscape Plan (R/2472/1A), received by the City Council as Local Planning Authority on 23 March 2022 shall be implemented in full prior to the first occupation of the units hereby approved. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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.

14) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

- (a) No retained tree shown on the approved drawings shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

15) Prior to first occupation of the commercial units hereby approved, the bio-diversity enhancement measures detailed within Section 5 of the submitted Ecological Impact Assessment (Ref: MAN.1230.027.EC.R.00) produced by Enzygo, received by the City Council as Local Planning Authority on 26 April 2021 shall be implemented in full 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.

16) 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.

17) The commercial units hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of any new boundary treatment/gates to be erected. The development shall only be carried out in accordance with the approved details and shall thereafter be retained.

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

18) Prior to the first occupation of the units hereby approved, a Car Park Management Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The Car Park Management plan shall include details of car park information/directional signage, staff parking, space allocation between competing uses, marshalling arrangements at busy times and any time limitations on parking. The agreed Car Park Management plan 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

19) The electric vehicle charging points shown on drawing referenced 7397-SMR-00-XX-DR-A-2003-A3-C2, received by the City Council as Local Planning Authority on 10 February 2022, shall be installed and operational prior to the commercial units hereby approved being occupied and 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 7397-SMR-00-XX-DR-A-2003-A3-C2, received by the City Council as Local Planning Authority on 10 February 2022, shall be implemented prior to the commercial units hereby approved being occupied and 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 the first occupation of the retail unit (Class E) 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.

22) Prior to the commencement of development, A BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. Confirmation of the agreement and the agreed measures shall be submitted to

approved in writing by the City Council as Local Planning Authority prior to works commencing on site. The development shall only be implemented in accordance with the measures agreed by Network Rail.

Reason - To safeguard adjoining railway land and in the interest of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

23) Notwithstanding details submitted, none of the commercial units hereby approved shall be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse for both units, 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.

24) Before the hot food delivery unit use commences, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

25) Prior to any above ground works commencing, an Environmental Standards report shall be submitted to and approved in writing by the City Council as Local Planning Authority. A post construction review certificate/statement shall be submitted for approval upon completion of the development.

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.

26) Notwithstanding details submitted, no above ground development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the City Council as Local Planning Authority.

In order to avoid/discharge 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, as the site is located within

Levenshulme Fallowfield Critical Drainage Area. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff rates;

- 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.

27) 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.

28) 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.

29) The development hereby approved shall be implemented in accordance with the criteria and noise mitigation measures detailed within the submitted Noise Assessment (Ref:102452_V3), produced by Miller Goodall, dated 16 April 2021 and received by the City Council as Local Planning Authority on 26 April 2021.

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

30) Prior to commercial units hereby approved becoming operational, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City

Council. The NMP shall include an assessment of noise from all activities associated within loading bays and service yards. 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.

31) The development hereby approved shall only be implemented in accordance with the agreed lighting details shown on drawings referenced 00 (design notes and luminaire schedule) and 01 (lighting layout), received by the City Council as Local Planning Authority on 27 April 2021 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 the proposed development pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

32) 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 DM1 and SP1 of the Manchester Core Strategy.

33) Prior to the commencement of above ground works, full details of all necessary off-site highway works, 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:

- The provision of signal-controlled pedestrian facilities at the Birchfields Road access junction;

- Bus stop improvements to the nearest bus stops to the site. Namely, seat provision;

- Improvements to pedestrian routes serving the development the north and east of the site, including the path along the boundary between the retail park and the neighbouring school, the route that leads to the halls of residence (Unsworth Park), the uncontrolled crossing at Kingsway/Moseley Road roundabout. The improvements shall entail new dropped kerbs and tactile pavement to crossing points and the resurfacing of the central crossing section across the central reserve adjacent to the Kingsway/Moseley Road roundabout.

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.

34) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by Miller Goodall dated 16 April 2021 received by the City Council, as Local Planning Authority on 26 April 2021.

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 Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

35) No development shall commence until detailed design and method statements for all of the ground-floor structures and for any structures below ground level, including piling (temporary and permanent) have been submitted to, and approved by the City Council as Local Planning Authority in liaison with HS2 Ltd which:

- accommodate the proposed location of the HS2 underground and other structures, including any temporary works;
- accommodate ground movements arising from the construction thereof;
- mitigate the effects of sound and vibration arising from the operation of the HS2 railway within the HS2 underground and other structures;
- mitigate the effects on HS2 infrastructure of ground movements arising from the proposed development; and
- mitigate the impacts of electromagnetic transmissions arising during operation of the HS2 railway.

Reasons - to safeguard the HS2 programme and to protect HS2 assets, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

36) The method statements to be submitted shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted and of the proposed HS2 infrastructure in or adjacent to the site of that development, the construction of the HS2 infrastructure is not impeded. The development shall be carried out in all respects in accordance with the approved designs and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraph 1 of this condition shall be completed, in their entirety, before any part of the proposed development building(s) hereby permitted is/are occupied.

Reasons - to safeguard the HS2 programme and to protect HS2 assets, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

37) No works below ground level comprised within the proposed development hereby permitted shall be carried out at any time when the HS2 underground construction is in progress within 100 metres of the land on which the development hereby permitted is situated.

Reasons - to safeguard the HS2 programme and to protect HS2 assets, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

38) No signage of any type, including internal window vinyls shall be installed to any areas of glazing or curtain walling. Building advertisements shall be restricted solely to the billboard locations, as shown on drawing referenced 7397-SMR-00-ZZ-DR-A-2006-A3-C2 received by the City Council as Local Planning Authority on 10 February 2022.

Reason - To prevent the proliferation of advertisement and to safeguard visual amenity, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies DM1, EN1 and SP1 of the Manchester Core Strategy.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

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

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

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

You can apply online at the following address:

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

City Council records highlight that the underground Fallowfield Brook is located within close proximity to the site (approximately 12 metres to the south and west of the site). Whilst the Council's records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all City Council underground assets. Therefore, it is requested that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and the City Council should be contacted immediately.

Whilst the building to be demolished has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

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).

Any new signage is likely to require separate advertisement consent. Please contact the City Council as Local Planning Authority prior to any signage or advertisement works for further advice.

The applicant is advised that part of the application site is located within land that may be required to construct and/or operate Phase 2b of a high-speed rail line from Crewe to Manchester, known as High Speed Two. Part of the application site is also the subject of a legal agreement between HS2 Ltd and the applicants. It is requested that continued active engagement is maintained between all parties in order to avoid any potential abortive works and/or conflicting development in that location. More information can be found at: <https://www.hs2.org.uk/in-your-area/local-community-webpages/western-leg/>."

Date: 12 May 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.