

DATED 1 July 2022

THE COUNCIL OF THE CITY OF MANCHESTER

- and -

VQ DEVELOPMENTS LIMITED

- and -

GREATER MANCHESTER COMBINED AUTHORITY

AGREEMENT

**pursuant to section 106 of the Town and
Country Planning Act 1990 (as amended)
relating to Land known as Plot F, Great Jackson Street
Manchester**

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

THIS AGREEMENT is made the 1st day of July 2022

BETWEEN:

- (1) **THE COUNCIL OF THE CITY OF MANCHESTER** of Town Hall, Albert Square, Manchester, M60 2LA (the “**Council**”), and,
- (2) **VQ DEVELOPMENTS LIMITED** (incorporated in England with company number 09539078) whose registered office is at 1st Floor NQ Building, 47 Bengal Street, Manchester M4 6BB (the “**Owner**”), and
- (3) **GREATER MANCHESTER COMBINED AUTHORITY** of Housing Investment Fund, Core Investment Team 1st Floor Churchgate House, 56 Oxford Street, Manchester M1 6EU (the “**Mortgagee**”)

BACKGROUND

- A The Council is the local planning authority for the purposes of the Act in relation to the Site and is the authority by whom the obligations hereby created are enforceable
- B The Owner is the freehold owner of the Site registered at the Land Registry with Title Absolute under Title Numbers GM41180 and GM41433 together with but subject to all matters contained or referred to in the Title Registers thereunder
- C The Mortgagee is interested in part of the Site by virtue of the Legal Charge and has agreed to enter into this Agreement to give its' consent to the terms of the Agreement but, for the avoidance of doubt, shall only be bound by obligations in this Agreement when acting as a mortgagee in possession as provided in Clause 18
- D The Owner proposes to carry out the Development on the Site which is situated within the Administrative Boundaries of Manchester and the Application was submitted to the Council for planning permission to carry out the Development in the manner set out in the plans, specifications and particulars forming part of the Application
- E The Council as local planning authority is satisfied that the Development is such as may be approved by the Council under the Act and is minded to grant planning permission for the Development in accordance with the Application but having considered the Local Plan and the Regulations is desirous of the Owner entering into this Agreement without which the Planning Permission would not be granted
- F The Owner has agreed to enter into this Agreement in support of the Application so as to create planning obligations in favour of the Council pursuant to section 106 of the Act and to be bound by and observe and perform the covenants hereinafter contained

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

AGREED TERMS

DEFINITIONS AND INTERPRETATION

1.1 The definitions and rules of interpretation set out in this Clause apply to this Agreement
“**Act**” the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008,

“**Administrative Boundaries of Manchester**” all the wards that together comprise the city of Manchester,

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

“**Agreement**” shall mean this agreement,

“**Application**” the application to which the Council gave the reference 132199/FO/2021 the demolition of existing structures and the erection of two 51-storey residential buildings (Use Class C3) across two phases, including residential amenity facilities, basement car parking, landscaping and public realm, servicing and access arrangements, highways alterations, and associated works at Plot F, Great Jackson Street, Manchester as shown edged red on the Plan,

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

“Average Sale Price” means the average sale price across the Dwellings calculated on a per square foot basis and based on actual sale prices where Dwellings have been sold and estimated sale prices where Dwellings are yet to be sold as at the date that is 1 (one) calendar month from the date of Practical Completion of the final Dwelling,

“Benchmark Sale Price” means where the Method of Disposal is by PRS a per square foot sale price of £507 00 (five hundred and seven pounds) and where the Method of Disposal is by Open Market Sales a per square foot sale price of £539 00 (five hundred and thirty nine pounds),

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

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

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

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

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

“Development” the development undertaken on the Site pursuant to the Planning Permission as specified in the Application and **“Developed”** shall be construed accordingly,

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

“Education Contribution” the sum of £450,000 00 (four hundred and fifty thousand pounds) Index Linked towards the Education Facility,

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

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

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

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

“Initial Affordable Housing Contribution” the sum of £99,000 00 (ninety-nine thousand pounds) Index Linked,

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

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

“Legal Charge” a legal charge dated 6th July 2021 over the Site registered against title numbers GM41180 and GM41433,

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

“Management Fee” shall mean 15% of the planning application fee which equates to £22,845 45 (twenty two thousand eight hundred and forty five pounds and forty five pence) for the purpose of monitoring and reporting on the delivery of this Agreement and the Planning Obligations contained herein,

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

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

“Occupation” means occupation of any part of the Development for the purposes permitted by the Planning Permission but does not include use by personnel whilst engaged in construction, fitting out

or decoration of the Dwellings or occupation for marketing or display or occupation in relation to security operations and "Occupy" and "Occupied" shall be construed accordingly,

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

"Open Market Value" means the market value as defined in the IVS definition of market value set out in paragraph 30 on pages 18 to 20 of the section headed "IVS 104 Bases of Value" in Part 6 of the RICS publication titled "RICS Valuation - Global Standards 2017" and issued in June 2017 or any replacement, update or amendment of the same from time to time,

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

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

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

"Practical Completion" means the issue of a certificate of practical completion by the Owner's Architect or in the event that the Development is constructed by a party other than the Owner the issue of a certificate of practical completion by that party's architect and **"Practically Completed"** shall be construed accordingly,

"Private Rental Sector Investment" means a Development that will deliver new-build homes for the private rental market, to be retained by the Owner on Completion as an investment,

"Reappraisal Fee" the sum of up to twelve thousand pounds (£12,000 00) to cover the cost of the Council's review of actual sales values achieved and cross check with the Land Registry,

"Reappraisal Payment" means the sum calculated in accordance with paragraph 1.1 of Schedule 3, such payment to be applied by the Council towards Affordable Housing within the Administrative Boundaries of Manchester in accordance with policy PA1 of the Core Strategy,

"Regulations" the Community Infrastructure Levy Regulations 2010,

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

"RICS" the Royal Institution of Chartered Surveyors

"Site" the property described in Schedule 1 and shown for the purposes of identification only edged red on the Plan

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

1.2 The Clause headings do not affect this interpretation

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

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

1 4 1 all Acts of Parliament and all other legislation having legal effect in the United Kingdom as directly or indirectly amended, consolidated, extended, replaced or re-enacted by any subsequent legislation, and

1 4 2 any orders, regulations, instruments or other subordinate legislation made under that statute or statutory provision

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

1 6 References to any party in this Agreement include the successors in title of that party In addition, references to the Council include any successor local planning authority exercising planning powers under the Act and any successor local highway authority exercising powers under the Highways Act 1980

1 7 “Including” means “including, without limitation”

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

1 9 If any provision is held to be illegal, invalid or unenforceable, the legality, validity and enforceability of the remainder of this Agreement is to be unaffected

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

1 11 Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all such words shall be construed interchangeable in that manner

2 PLANNING OBLIGATION

This Agreement is made pursuant to section 106 of the Act, section 111 of the Local Government Act 1972, section 1 of the Localism Act 2011 and all other enabling legislation and is a planning obligation for the purposes of section 106 of the Act, with the intent that covenants hereinafter contained shall be enforceable by the Council acting under the powers contained in section 106 or such other enabling powers against the Owner

3 CONDITION PRECEDENT

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

4 CONDITION SUBSEQUENT

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

5 THE OWNER'S COVENANTS

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

6 THE COUNCIL'S COVENANTS

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

7 DISPUTE RESOLUTION

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

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

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

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

8 WAIVER

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

9 CHANGE IN OWNERSHIP & LIABILITY

9 1 The Owner agrees with the Council to give the Council immediate written notice of any change in ownership of any of its interest in the Site occurring before all the obligations under this Agreement have been discharged such notice to give details of the transferee's full name and registered office (if a company or usual address if not) together with (unless the purchase relates to the entirety of the Site) the area of the Site or unit of occupation purchased by reference to a plan

9 2 No person shall be liable for any breach, non performance and non observance of the covenants, obligations and restrictions contained in this Agreement after it shall have parted with its entire interest in the Site but without prejudice to liability for any subsisting breach arising prior to parting with such interest nor shall this hinder or preclude the Council's rights as the Local Planning Authority to require that the breach, non performance or non observance be remedied after that person has parted with its interest in the Site

10 COUNCIL'S CONSENT OR APPROVAL

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

11 LOCAL LAND CHARGE AND LAND REGISTRY ENTRY

11 1 This Agreement is a Local Land Charge and shall be registered as such by the Council

11 2 For the purpose of noting this Agreement on the titles of the Owner the Owner will on the date hereof provide the Council with completed Form AN1 (or any replacement of this form) together with either a cheque made payable to the Land Registry to cover the requisite fee or alternatively with the Owner's solicitor's completed Land Registry account key number details inserted in the form The Council will arrange for the AN1 (or any replacement of this form) to be registered at the Land Registry and the Owner will supply the Council with a copy of the amended registers as soon as reasonably practicable following their receipt by the Owner from the Land Registry

11 3 In the event that any requisitions are raised by the Land Registry in connection with the application for registration the Owner will ensure that such requisitions are dealt with promptly

11 4 The Council will upon receipt of a written request of the Owner or their successors in title, at any time after the obligations set out herein have been fulfilled in their entirety, issue written confirmation thereon and thereafter cancel all related entries in the register of local land charges

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

12 NON-PROHIBITION ON DEVELOPMENT

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

13 THE CONTRACTS ACT

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

14 COMMUNICATION

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

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

14.1.2 to the Owner at their registered office,

14.1.3 to the Mortgagee at the address first before written

15 FEES

15.1 The Owner shall pay forthwith to the Council its legal fees reasonably and properly incurred up to a maximum sum of £5,000 in preparation of this Agreement,

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

15.3 The Owner shall on the date hereof pay to the Council the Management Fee,

15.4 When submitting the reappraisal of viability after Practical Completion of the Final Dwelling, the Owner shall pay to the Council the related Reappraisal Fee within ten(10) Working Days of his receipt from the Council of an invoice detailing the amount

16 INTEREST

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

17 WARRANTY AS TO TITLE

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

18. MORTGAGEE'S CONSENT

The Mortgagee acknowledges and declares that this Agreement has been entered into by the Owner with its consent and that the Site shall be bound by the obligations contained in this Agreement and that the security of the Mortgagee over the Site shall take effect subject to this Agreement PROVIDED THAT the Mortgagee shall have no liability under this Deed unless it itself caused the breach of the Agreement whilst mortgagee in possession, in which case it too will be bound by the obligations in relation to any parts of the Site which it has legal charge but not further or otherwise as if it were a person deriving title in the Site from the Owner

19 JURISDICTION

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

20 COMPLETION

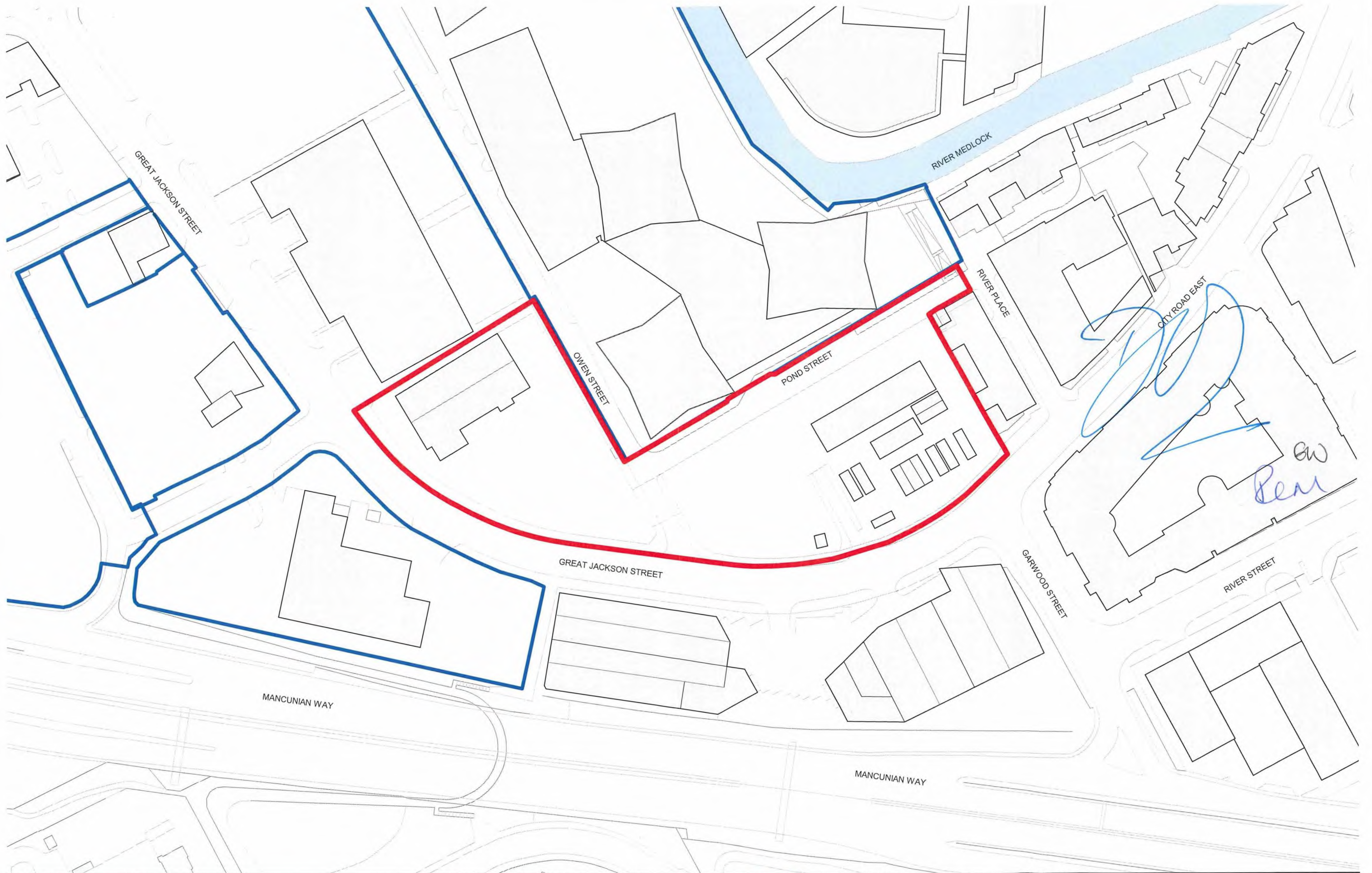
The provisions of this Agreement (other than this clause which shall be of immediate effect) shall be of no effect until this Agreement has been dated

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

SCHEDULE 1

The Site

Land known as Plot F, Great Jackson Street, Manchester and shown for the purposes of identification only edged red on the Plan



This drawing is copyright
Do not scale off dimensions.
All dimensions to be checked on
site by contractor.
Contractor to report any
dimensional discrepancies,
errors or omissions prior to
commencing on site.

NOTE:

- Adjacent Land Within Applicants Ownership
- Planning Application Boundary

NORTH

Rev	Date	Description
P01	29-10-2021	Planning Submission

Project Title
Great Jackson Street - Plot F
Manchester

Status
Planning Issue

Drawing Title
Site Wide
Application Boundary Plan

Project No 10334	Scale 1:1000 @ A3
SHP Drawing Code 10334-Z1-SHP-G000-PL-Grd-B5D803	Revision P01

simpsonhaugh

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SCHEDULE 2

Draft Planning Permission

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Renaker Build Limited
C/o Agent

Agent (if used)

Miss Jennifer Chatfield
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal Full planning permission for the demolition of existing structures and the erection of two 51-storey residential buildings (Use Class C3) across two phases, including residential amenity facilities, basement car parking, landscaping and public realm, servicing and access arrangements, highways alterations, and associated works

Location Plot F, Great Jackson Street, Manchester, M15 4AX

Date of application: 6 December 2021

Application number. 132199/FO/2021

Part 2 – Particulars of decision

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

Article 35 Declaration

In assessing the merits of an application for planning permission officers seek to work with the applicant in a positive and pro-active manner to seeking solutions to problems arising in relation to dealing with the application. Planning officers have worked with the applicant to overcome problems relating to highways, aviation safeguarding and amenity.

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:

Context Drawings

10334-Z1-SHP-G000-PL-Grd-B5D803 P01 Site Wide - Application Boundary Plan
10334-Z1-SHP-G000-PL-Grd-B5D804 P02 Site Wide - Ground Phasing Plan
10334-Z1-SHP-G000-PL-B1-B5D801 P01 Site Wide - Basement Phasing Plan
10334-Z1-SHP-G000-PL-Grd-B5D805 P01 Site Wide - Reference Plan
10334-Z1-SHP-JC20-PL-Grd-B5D801 P01 Site Wide - Demolition Plan

Site Wide Plans

10334-Z1-SHP-G100-PL-B3-B5D801 P01 Site Wide Plan - Level B3 Basement
10334-Z1-SHP-G100-PL-B2-B5D801 P01 Site Wide Plan - Level B2 Basement
10334-Z1-SHP-G100-PL-B1-B5D801 P01 Site Wide Plan - Level B1 Basement
10334-Z1-SHP-G100-PL-Grd-B5D801 P02 Site Wide Plan - Level 00 Entrance Level
10334-Z1-SHP-G100-PL-01-B5D801 P02 Site Wide Plan - Level 01 Amenity Level
10334-Z1-SHP-G100-PL-02-B5D801 P02 Site Wide Plan - Level 02 Minimum apartment level
10334-Z1-SHP-G100-PL-04-B5D801 P02 Site Wide Plan - Level 04 Typical apartment level
10334-Z1-SHP-G100-PL-05-B5D801 P02 Site Wide Plan - Level 05 Typical apartment level
10334-Z1-SHP-G100-PL-11-B5D801 P02 Site Wide Plan - Level 11 Maximum apartment level
10334-Z1-SHP-G100-PL-49-B5D801 P02 Site Wide Plan - Level 49 Lower Duplex Level
10334-Z1-SHP-G100-PL-50-B5D801 P02 Site Wide Plan - Level 50 Upper Duplex Level
10334-Z1-SHP-G100-PL-51-B5D801 P02 Site Wide Plan - Plan - Level 51
10334-Z1-SHP-G100-PL-RF-B5D801 P02 Site Wide Plan - Top of Parapet

F1 Tower Plans

10334-F1-SHP-G200-PL-B3-B5D801 P01 GA Plan - Level B3 Basement
10334-F1-SHP-G200-PL-B2-B5D801 P01 GA Plan - Level B2 Basement
10334-F1-SHP-G200-PL-B1-B5D801 P01 GA Plan - Level B1 Basement
10334-F1-SHP-G200-PL-Grd-B5D801 P02 GA Plan - Level 00 Entrance Level
10334-F1-SHP-G200-PL-01-B5D801 P02 GA Plan - Level 01 Amenity Level
10334-F1-SHP-G200-PL-02-B5D801 P02 GA Plan - Level 02 Minimum apartment level
10334-F1-SHP-G200-PL-04-B5D801 P02 GA Plan - Level 04 Typical apartment level
10334-F1-SHP-G200-PL-05-B5D801 P02 GA Plan - Level 05 Typical apartment level
10334-F1-SHP-G200-PL-11-B5D801 P02 GA Plan - Level 11 Maximum apartment level
10334-F1-SHP-G200-PL-49-B5D801 P02 GA Plan - Level 49 Lower Duplex Level
10334-F1-SHP-G200-PL-50-B5D801 P02 GA Plan - Level 50 Upper Duplex Level
10334-F1-SHP-G200-PL-51-B5D801 P02 GA Plan - Level 51
10334-F1-SHP-G200-PL-RF-B5D801 P01 GA Plan - Roof level
10334-F1-SHP-G200-SK-Grd-010 P01 - F1 Ground Floor Bin Collection Point
10334-F1-SHP-G200-SK-B1-005 P01 - Sketch GA Plan Level B1 MCC Bin Collection Only Option

F2 Tower Plans

10334-F2-SHP-G200-PL-B2-B5D801 P01 GA Plan - Level B2 Basement
 10334-F2-SHP-G200-PL-B1-B5D801 P01 GA Plan - Level B1 Basement
 10334-F2-SHP-G200-PL-Grd-B5D801 P02 GA Plan - Level 00 Entrance Level
 10334-F2-SHP-G200-PL-01-B5D801 P02 GA Plan - Level 01 Amenity Level
 10334-F2-SHP-G200-PL-02-B5D801 P02 GA Plan - Level 02 Minimum apartment level
 10334-F2-SHP-G200-PL-04-B5D801 P02 GA Plan - Level 04 Typical apartment level
 10334-F2-SHP-G200-PL-05-B5D801 P02 GA Plan - Level 05 Typical apartment level
 10334-F2-SHP-G200-PL-11-B5D801 P02 GA Plan - Level 11 Maximum apartment level
 10334-F2-SHP-G200-PL-49-B5D801 P02 GA Plan - Level 49 Lower Duplex Level
 10334-F2-SHP-G200-PL-50-B5D801 P02 GA Plan - Level 50 Upper Duplex Level
 10334-F2-SHP-G200-PL-51-B5D801 P02 GA Plan - Level 51
 10334-F2-SHP-G200-PL-RF-B5D801 P02 GA Plan - Roof level
 10334-F2-SHP-G200-SK-Grd-008 P01 - F2 Ground Floor Bin Collection Point
 10334-F2-SHP-G200-SK-B1-001 P01 - Sketch GA Plan F2 Level B1 MCC Bin
 Collection Only Option

Site Wide Elevations

10334-Z1-SHP-G100-EL-XX-B5D801 P01 Site Wide North Elevation
 10334-Z1-SHP-G100-EL-XX-B5D802 P01 Site Wide South Elevation
 10334-Z1-SHP-G100-EL-XX-B5D803 P01 Site Wide East Elevation
 10334-Z1-SHP-G100-EL-XX-B5D804 P01 Site Wide West Elevation
 10334-Z1-SHP-G100-EL-XX-B5D805 P01 Site Wide Elevation Section AA
 10334-Z1-SHP-G100-EL-XX-B5D806 P01 Site Wide Elevation Section BB
 10334-Z1-SHP-G100-SE-XX-B5D801 P01 Site Wide - Long section

F1 Elevations

10334-F1-SHP-G100-EL-XX-B5D801 P01 F1 Elevation
 10334-F1-SHP-G200-EL-XX-B5D801 P01 GA Podium Elevation

F2 Elevations

10334-F2-SHP-G100-EL-XX-B5D801 P01 F2 Elevation
 10334-F2-SHP-G200-EL-XX-B5D801 P01 GA Podium Elevation 8 0 Detailed Elevations
 10334-F1-SHP-G251-DE-XX-B5D801 P01 F1 Tower - Typical detailed elevation
 10334-F1-SHP-G251-DE-XX-B5D802 P01 F1 Tower - Minimum corner detailed
 elevation
 10334-F1-SHP-G251-DE-XX-B5D803 P01 F1 Tower - Parapet detailed elevation
 10334-F1-SHP-G251-DE-XX-B5D804 P01 F1 Podium - Typical elevation
 10334-F2-SHP-G251-DE-XX-B5D801 P01 F2 Tower - Typical detailed elevation
 10334-F2-SHP-G251-DE-XX-B5D802 P01 F2 Tower - Maximum corner detailed
 elevation
 10334-F2-SHP-G251-DE-XX-B5D803 P01 F2 Tower - Parapet detailed elevation
 10334-F2-SHP-G251-DE-XX-B5D804 P01 F2 Podium - Typical elevation

Landscape Drawings

Z1-TPM-G710-PL-XX-3851 101 P02 Landscape General Arrangements
 F1-TPM-G710-PL-XX-3851 102 P01 Tower F1 Ground Floor Private Garden
 F2-TPM-G710-PL-XX-3851 103 P01 Tower F2 Ground Floor Private Garden
 Z1-TPM-G710-PL-XX-3851 104 P02 Hardworks
 Z1-TPM-G710-PL-XX-3851 105 P02 Lighting Layout
 Z1-TPM-G710-PL-XX-3851 201 P02 Public Realm. Planting Plan

F1-TPM-G710-PL-XX-3851 202 P01 Tower F1 Private Garden Planting Plan
F2-TPM-G710-PL-XX-3851 203 P01 Tower F2 Private Garden Planting Plan
21-TPM-G710-PL-XX-3851 101 P1 Plot F Proposed Trees

Reports

PR-TPM-G710-RP-GRD-3851 501 P02 Landscape Design Statement
PR-TPM-G710-RP-GRD-3851 502 P01 Landscape Management Report
PR-TPM-G710-RP-GRD-3851 503 P01 Tree Management Strategy
10334-Z1-SHP-A180-RP-XX-B5D802 P03 Design and Access Statement dated October 2021 by SimpsonHaugh and Partners
10334-Z1-SHP-A180-RP-XX-B5D803 P01 Design and Access Statement Addendum dated December 2021 by SimpsonHaugh and Partners
Television Desk-Based Report by Pager Power dated October 2021
Radar Mitigation Scheme agreed with NATS (En Route) plc;
Highways and Transport - Post-Submission Response by Curtins dated 25 February 2022,
Environmental Statement Non-Technical Summary dated November 2021;
Environmental Statement Volume 1 dated November 2021;
Environmental Statement Volume 2 dated October 2021,
Archaeological Desk-Based Assessment Report No SA/2021/31 Version 1 by Salford Archaeology,
Written Scheme of Investigation (WSI) for an Archaeological Evaluation of Plot F, Great Jackson Street Version 1, dated 5 November 2021,
Aviation Safety Assessment dated October 2021 by Pager Power
Broadband Connectivity Assessment dated October 2021 by Pager Power
Crime Impact Statement 15 July 2021 Reference 2021/0264/CIS/01 by Greater Manchester Police,
Management Strategy by Zenith Property Management received by the City Council as local planning authority on 12 November 2021;
Fire Statement Form received by the City Council as local planning authority on 12 November 2021,
Plot F Local Labour Agreement - July 2021,
Summertime Internal Environment CIBSE TM59 Overheating Analysis by Futureserv Ltd
Environmental Standards and Energy Statement Ref 2021 072 dated November 2021 by Element Sustainability,
Written Scheme of Investigation for an Archaeological Evaluation by Salford Archaeology Revision 1.0 dated 5 November 2021,
Planning and Tall Building Statement dated November 2021 by Deloitte,
Acoustics Ventilation & Overheating Assessment Technical Note Ref T01-PR0660-MPF dated 3/11/2021 by Fisher Acoustics,
Arboricultural Impact Assessment with Tree Protection Measures dated 22 July 2021 by Godwins Arboricultural Limited,
Ecological Survey and Assessment dated October 2021 by ERAP,
Flood Risk Assessment and Drainage Strategy Revision V05 Ref 078524-CUR-XX-XX-RP-C-92001 dated 20 October 2021 by Curtins;
Geotechnical and Geoenvironmental Desk Study dated 8 October 2021 by Coffey,
HSE Substantive Response pgo-0684 by Hoare Lea, and
The agent's email (Jennifer Chatfield of Deloitte) to Lucy Harrison dated 25 January 2022 with subject title App Ref 132199/FO/2021 - Plot F GJS - GMFRS

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

3) The development shall be phased in accordance with drawing numbers 10334-Z1-SHP-G000-PL-Grd-B5D804 Revision P02 Site Wide - Ground Phasing Plan and 10334-Z1-SHP-G000-PL-B1-B5D801 P01 Site Wide - Basement Phasing Plan

Reason - For the avoidance of doubt, pursuant to Policy DM1 of the Core Strategy, as the development is proposed to be carried out in a phased manner.

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

Reason - In order to provide protection to nesting birds, pursuant to Policy EN15 of the Core Strategy

5) If a bat is found during demolition all work shall cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England shall also be informed. Demolition shall then be carried out in accordance with the safeguarding measures.

Reason - In order to provide protection to bats, pursuant to Policy EN15 of the Core Strategy

6) Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the proposed piling does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework

7) 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 - In the interests of residential amenity, pursuant to Policy DM1 of the Core Strategy for the City of Manchester

8) 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 hereby approved 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

9) No externally mounted telecommunications equipment shall be mounted on any part of the development including the roofs

Reason - In the interest of visual amenity pursuant to policy DM1 of the Core Strategy

10) Foul and surface water shall be drained on separate systems

Reason - To secure proper drainage and to manage the risk of flooding and pollution, pursuant to Section 10 of the National Planning Policy Framework and Policy EN14 of the Core Strategy

11) The development hereby approved shall include for full disabled access to be provided to the public realm and via the main entrances to the buildings and to the floors above

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

12) a) Prior to the commencement of development within Phase 1, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to that phase shall be submitted to and approved in writing by the Local Planning Authority. The Preliminary Risk Assessment shall conform to the 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 Phase shall not commence until a scheme for the investigation and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the Local Planning Authority

The measures for investigating the site Phase identified in the Site Investigation Proposal shall be carried out, before the Phase 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 Local Planning Authority

b) When the development within Phase 1 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 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 phase is occupied, then development shall cease and/or the development phase 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 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

13) Prior to the commencement of development in Phase 1 (excluding demolition works) a programme of archaeological works shall be undertaken in line with the Written Scheme of Investigation (WSI) for an Archaeological Evaluation of Plot F, Great Jackson Street Version 1, dated 5 November 2021. The works are to be undertaken in accordance with the WSI, which covers the following.

1 A phased programme and methodology of investigation and recording that includes
- archaeological evaluation trenching,
- pending the results of the above, a targeted open-area excavation.

2 A programme for post-investigation assessment to include
- production of a final report on the results of the investigations and their significance

3 Deposition of the final report with the Greater Manchester Historic Environment Record

4 Dissemination of the results of the archaeological investigations commensurate with their significance

5 Provision for archive deposition of the report and records of the site investigation

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in Section 16, Paragraph 199 of the National Planning Policy Framework.

14) a) Prior to the commencement of development within Phase 1, details of a Local Benefit Proposal in order to demonstrate a commitment to recruit local labour for both the construction and operation elements of the development shall be submitted for approval in writing by the Local Planning Authority. The approved document shall be implemented as part of the construction and occupation phases 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, and
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 six months of the first occupation of Phase 1, details of the results of the scheme shall be submitted for consideration.

Reason - To safeguard local employment opportunities, pursuant to policies EC1 of the Core Strategy for Manchester

15) Prior to the commencement of development within Phase 1, a detailed construction management plan for that phase 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 shall include:

- *Display of an emergency contact number,
- *Details of Wheel Washing,
- *Dust suppression measures;
- *Compound locations where relevant,
- *Location, removal and recycling of waste,
- *Routing strategy and swept path analysis,
- *Parking of construction vehicles and staff, and
- *Sheeting over of construction vehicles,

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

16) Prior to the commencement of development within Phase 1, a full condition survey of the carriageways/footways on construction vehicle routes surrounding the site shall be undertaken and submitted to the City Council as Local Planning Authority. When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the City Council as Local Planning Authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the City Council as Local Planning Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant.

Reason - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

17) Prior to the commencement of development within Phase 1, a programme for the issue of samples and specifications of all material to be used on all external elevations of the building within that phase shall be submitted to and approved in writing by the City Council as local planning authority. Samples and specifications of all materials to be used on all external elevations of the building within that phase, which shall include jointing and fixing details, details of the drips to be used to prevent staining and a strategy for quality control management, shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above. The development shall be carried out in accordance with the approved details.

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

18) Prior to the commencement of development within Phase 1, a programme for the submission of final details of the public and private realm works relating to that phase shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details

- (i) Details of the proposed hard landscape materials,
- (ii) Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements and for the areas between the pavement and the line of the proposed building,
- (iii) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design,
- (iv) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting,
- (v) Details of boundary treatments, which shall ensure adequate visibility for child pedestrians where adjacent to the adopted highway,
- (vi) Details of the proposed street furniture including seating, bins and lighting,
- (vii) Details of any external steps and handrails;
- (viii) A strategy providing details of replacement tree planting, including details of overall numbers, size, species and planting specification, constraints to further planting and details of on-going maintenance
- (ix) All the features required for wind mitigation as set out in Chapter 14 'Wind Microclimate' of the Environmental Statement Volume 1.

b. The above details shall then be submitted to and approved in writing by the City Council as local planning authority and fully implemented in accordance with the approved timeframes.

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 R1 1, I3 1, T3.1, S1 1, E2 5, E3 7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the emerging Core Strategy

19) Prior to the commencement of development within Phase 1 full details, including large scale annotated plans, elevations and cross sections, of all the ground floor (podium) elevations of Building F2 shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the approved details

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Core Strategy

20) The drainage for Phase 1 of the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 078524 CUR XX XX DR C 092500, Rev P03 dated 22/03/21 by Curtins. For the avoidance of doubt, surface water shall drain at the restricted rate of

115 l/s No surface water shall be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding, pursuant to national policies within the NPPF and local policies EN08 and EN14 of the Core Strategy.

21) Prior to the commencement of development within Phase 1, details of surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national standards, shall be submitted to and approved in writing by the City Council as local planning authority. The details shall include the following information:

- o Consideration of alternative green SuDS solution if practicable,
- o Details and calculations 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 Conurbation Core Critical Drainage Area,
- o For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event,
- o An existing and proposed impermeable areas drawing to accompany all discharge rate calculations,
- o 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,
- o 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,
- o Details of drainage to prevent surface water flows into basement levels
- o 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,
- o As the site is proposed to drain to a Main River the Environment Agency should be consulted. An email of acceptance of proposed flows will suffice. The Environment Agency should also be consulted to confirm the level of surcharge which should be used on the outfall for the proposed hydraulic model,

- o Where an application is part of a larger site which already has planning permission it is essential that the new proposal does not compromise the drainage scheme already approved;

- o Hydraulic calculation of the proposed drainage system,

- o Construction details of flow control and SuDS elements

The approved scheme shall be implemented before first occupation of Phase 1

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

22) No development within Phase 1 shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented before first occupation of Phase 1 and thereafter managed and maintained in accordance with the approved details. Those details shall include

- a. Verification report providing photographic evidence of construction as per design drawings,

- b. As built construction drawings if different from design construction drawings,

- c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to national policies within the NPPF and NPPG and local policies EN08 and EN14

23) Prior to the commencement of development within Phase 1, studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority

- a) Measure the existing television signal reception within the potential impact areas identified in the Television Desk-Based Report by Pager Power dated October 2021 before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications, and shall include an assessment of the survey results obtained

- b) Assess the impact of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, 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. The study shall identify such

measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (a) above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted 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, pursuant to Policy DM1 of the Core Strategy for the City of Manchester and Section 5 of the National Planning Policy Framework

24) No development in Phase 1 shall be carried out above 50 metres above ground level unless and until the Radar Mitigation Scheme (RMS)(1) approved by the Operator(2) has been fully implemented and the development shall thereafter be operated fully in accordance with the approved details

(1)'Radar Mitigation Scheme' or 'Scheme' means a detailed scheme agreed with the Operator which sets out the measures to be taken to avoid at all times the impact of the development on the M10 Primary and Secondary Surveillance radar and air traffic management operations of the Operator

(2)'Operator' means NATS (En Route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hants PO15 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act)

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

25) a) The development within Phase 1 hereby approved shall be carried out in accordance with:

Environmental Noise Survey, Plot F Great Jackson Street, Manchester, Fisher Acoustics, Reference PR0660-REP01-MPF, November 2021, and

Technical Note. Acoustics, Ventilation and Overheating Assessment, Fisher Acoustics, Reference T01-PR0660-MPF, 3rd November 2021

b) The approved noise insulation scheme shall be completed and a post-completion verification report (including validation that the work undertaken throughout the development within Phase 1 conforms to the recommendations and requirements of the acoustic report approved under part a) above and including the results of post-completion testing to confirm that the internal noise criterion have been met) shall be submitted to and approved in writing by the City Council as local planning authority before any of the dwelling units within Phase 1 are first occupied. Any instances of non-conformity with the approved acoustic report shall be detailed within the post-completion report along with any measures required to ensure compliance with internal noise criteria. Those measures shall be implemented in full before any of the dwelling units within Phase 1 are first occupied.

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

Bedrooms (night time - 23 00 - 07 00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)

Living Rooms (daytime - 07 00 - 23 00) 35 dB L Aeq

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

Reason - To secure a reduction in noise from the main roads and surrounding road networks and any other potential sources of noise, in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy

26) a) The residential amenity areas, including any gymnasium, within Phase 1 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 first occupation of the premises within Phase 1

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

b) Prior to occupation of Phase 1 of the development a verification report to validate that the work undertaken throughout Phase 1 of the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted to and approved in writing by the City Council as local planning authority. The verification report shall include 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 and timescales for the implementation of those measures

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

27) a) Prior to first occupation of Phase 1, the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme 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 equipment so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location

b) Prior to occupation of Phase 1 of the development a verification report to validate that the work undertaken throughout Phase 1 of the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted to and approved in writing by the City Council as local planning authority. The verification report shall include post completion testing to confirm that acceptable criteria has 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 and timescales for the implementation of those measures

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

28) The mitigation measures set out in Chapter 6 'Air Quality' of the Environmental Statement and the email from Jennifer Chatfield dated 28 January 2022 and relating to Phase 1 of the development shall be carried out in full prior to first occupation of Phase 1 of the development and shall remain in situ whilst the development is in operation

Reason - To secure a reduction in air pollution from traffic or other sources and to protect existing and future residents from air pollution, pursuant to Core Strategy Policies EN16 and DM1

29) The Waste Management Strategy within the Design & Access Statement Z1-SHP-A180-RP-XX-B5D802 | REVISION P03 dated October 2021; the Transport Statement by Curtins, and drawing numbers 10334-F2-SHP-G200-PL-Grd-B5D801 P02 GA Plan - Level 00 Entrance Level and 10334-F2-SHP-G200-SK-Grd-008 P01 F2 Ground Floor Bin Collection Point relating to Phase 1 of the development shall be implemented as part of Phase 1 of the development and shall remain in situ whilst the use or development is in operation.

Notwithstanding the above, the waste storage provision shown in drawing number 10334-F2-SHP-G200-SK-B1-001 P01 - 'Sketch GA Plan F2 Level B1 MCC Bin Collection Only Option' and the paragraph on Waste Management within Jennifer Chatfield's email to Lucy Harrison of 28 January 2022 shall be implemented in full should waste collections be undertaken solely by Manchester City Council at any time

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester

30) During the operational phase of Phase 1, no loading or unloading shall be carried out on the site outside the hours of

07 30 to 20 00, Monday to Saturday,
10 00 to 18 00, Sunday/Bank Holiday

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy

31) a. External lighting within Phase 1 shall be designed and installed so as to control glare and overspill onto nearby residential properties in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority prior to installation of the lighting

b Prior to occupation of Phase 1 of the development a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report shall be submitted to and approved in writing by the City Council as local planning authority The report shall include 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 criteria and timescales for implementation

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

32) Development within Phase 1 hereby approved shall be carried out only in accordance with the recommendations of the Crime Impact Statement 15 July 2021 reference 2021/0264/CIS01 by Greater Manchester Police, as relevant to that phase. No building within Phase 1 shall be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation relating to that phase.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester

33) No part of Phase 1 of the development shall be occupied unless and until space and facilities for bicycle parking have been provided in accordance with the approved details. The approved spaces and facilities 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 transport mode, pursuant to policy T1 of the City of Manchester Core Strategy

34) No part of Phase 1 of the development shall be occupied unless and until car parking spaces suitable for use by disabled persons have been provided in accordance with the approved drawings and documents. These parking spaces shall be retained and permanently reserved for use by disabled persons.

Reason - To ensure that adequate provision is made for parking for disabled persons, pursuant to policies CC10 and DM1 of the City of Manchester Core Strategy

35) The wind mitigation measures set out in the Wind Microclimate report by WSP within the Environmental Statement and shown in the approved drawings shall be implemented before first occupation of Phase 1 of the development.

Reason - To ensure that the environs in and around the site are suitable for their intended uses, in the interests of amenity and safety, pursuant to policy DM1 of the Core Strategy.

36) Before first occupation of Phase 1 of the development, a Travel Plan, including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented. The Travel Plan shall be fully implemented, prior to first occupation of the development, and shall be kept in operation at all times thereafter.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy

37) The development within Phase 1 shall not be occupied unless and until the mitigation measures in Section 5 of the Flood Risk Assessment and Drainage Strategy Report Ref 078524-CUR-XX-XX-RP-C-92001 V05 by Curtins have been fully implemented.

Reason - To reduce the risk of flooding pursuant to Section 10 of the National Planning Policy Framework and Policy EN14 of the Core Strategy

38) Prior to the first occupation of the residential element within Phase 1, an electric vehicle car parking strategy for the provision electric car charging to the car parking spaces as indicated on drawings 10334-F2-SHP-G200-PL-B2-B5D801 P01 GA Plan - Level B2 Basement and 10334-F2-SHP-G200-PL-B1-B5D801 P01 GA Plan - Level B1 Basement shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall include the following details

- (a) Layout and location of electric vehicle charging points,
- (b) Provision for 20% of the spaces to be fitted with a 7kw fast charging point,
- (c) Provision that the remaining car parking spaces would be fitted with appropriate infrastructure to be adapted at a future date should demand be shown as part of the travel plan review required by planning condition 36. Any additional charging points identified as part of that review shall be implemented within two months of approval of the annual review.

The electric vehicle car parking strategy shall be implemented prior to the first occupation of Phase 1 and retained and maintained in situ for as long as the development remains in use.

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

39) Prior to the first occupation of the residential element of Phase 1, a scheme of off-site highway works shall be submitted to and approved in writing by the City Council as Local Planning Authority to include the following

- Dropped kerbs and tactile paving to the junctions of City Road East/Medlock Street and Great Jackson Street/Chester Road,

The approved scheme shall be fully implemented prior to the first occupation of Phase 1.

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)

40) Vehicular access to Phase 1 of the development for servicing, emergency and drop-off/pick-up vehicles shall take place in accordance with the approved drawings and documents

Reason - In the interests of public and highway safety and the protection of residential amenity, pursuant to policy DM 1 of the Core Strategy for the City of Manchester

41) a) Prior to the commencement of development within Phase 2, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to that phase shall be submitted to and approved in writing by the Local Planning Authority. The Preliminary Risk Assessment shall conform to the 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 Phase shall not commence until a scheme for the investigation and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the Local Planning Authority

The measures for investigating the site phase identified in the Site Investigation Proposal shall be carried out, before the Phase 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 Local Planning Authority

b) When the development within Phase 2 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 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 phase is occupied, then development shall cease and/or the development phase 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 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

42) Prior to the commencement of development in Phase 2 (excluding demolition works) a programme of archaeological works shall be undertaken in line with the Written Scheme of Investigation (WSI) for an Archaeological Evaluation of Plot F, Great Jackson Street Version 1, dated 5 November 2021. The works are to be undertaken in accordance with the WSI, which covers the following

- 1 A phased programme and methodology of investigation and recording that includes
 - archaeological evaluation trenching,
 - pending the results of the above, a targeted open-area excavation
- 2 A programme for post-investigation assessment to include
 - production of a final report on the results of the investigations and their significance
- 3 Deposition of the final report with the Greater Manchester Historic Environment Record

4 Dissemination of the results of the archaeological investigations commensurate with their significance

5 Provision for archive deposition of the report and records of the site investigation

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20 1 of the Unitary Development Plan for the City of Manchester and guidance in Section 16, Paragraph 199 of the National Planning Policy Framework

43) a) Prior to the commencement of development within Phase 2, details of a Local Benefit Proposal in order to demonstrate a commitment to recruit local labour for both the construction and operation elements of the development shall be submitted for approval in writing by the Local Planning Authority. The approved document shall be implemented as part of the construction and occupation phases 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, and
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 six months of the first occupation of Phase 2, details of the results of the scheme shall be submitted for consideration.

Reason - To safeguard local employment opportunities, pursuant to policies EC1 of the Core Strategy for Manchester.

44) Prior to the commencement of development within Phase 2, a detailed construction management plan for that phase 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 shall include:

*Display of an emergency contact number,

*Details of Wheel Washing;

*Dust suppression measures,

*Compound locations where relevant,

*Location, removal and recycling of waste,

*Routing strategy and swept path analysis,

*Parking of construction vehicles and staff, and

*Sheeting over of construction vehicles,

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

45) Prior to the commencement of development within Phase 2, a full condition survey of the carriageways/footways on construction vehicle routes surrounding the site shall be undertaken and submitted to the City Council as Local Planning Authority. When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the City Council as Local Planning Authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the City Council as Local Planning Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant

Reason - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy

46) Prior to the commencement of development within Phase 2, a programme for the issue of samples and specifications of all material to be used on all external elevations of the building within that phase shall be submitted to and approved in writing by the City Council as local planning authority. Samples and specifications of all materials to be used on all external elevations of the building within that phase, which shall include jointing and fixing details, details of the drips to be used to prevent staining and a strategy for quality control management, shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above. The development shall be carried out in accordance with the approved details

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

47) Prior to the commencement of development within Phase 2, a programme for the submission of final details of the public and private realm works relating to that phase shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details.

- (i) Details of the proposed hard landscape materials,
- (ii) Details of the materials, including natural stone or other high quality materials to be used for the reinstatement of the pavements and for the areas between the pavement and the line of the proposed building,
- (iii) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design,
- (iv) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and bricks, bird boxes and appropriate planting,
- (v) Details of boundary treatments, which shall ensure adequate visibility for child pedestrians where adjacent to the adopted highway;
- (vi) Details of the proposed street furniture including seating, bins and lighting,
- (vii) Details of any external steps and handrails,
- (viii) A strategy providing details of replacement tree planting, including details of overall numbers, size, species and planting specification, constraints to further planting and details of on-going maintenance

(ix) All the features required for wind mitigation as set out in Chapter 14 'Wind Microclimate' of the Environmental Statement Volume 1.

b The above details shall then be submitted to and approved in writing by the City Council as local planning authority and fully implemented in accordance with the approved timeframes

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 R1 1, I3 1, T3 1, S1 1, E2 5, E3 7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the emerging Core Strategy

48) Prior to the commencement of development within Phase 2 full details, including large scale annotated plans, elevations and cross sections, of all the ground floor (podium) elevations of Building F1 shall be submitted to and approved in writing by the City Council as local planning authority The development shall be carried out in accordance with the approved details

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Core Strategy

49) The drainage for Phase 2 of the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 078524 CUR XX XX DR C 092500, Rev P03 dated 22/03/21 by Curtins For the avoidance of doubt, surface water shall drain at the restricted rate of 115 l/s No surface water shall be permitted to drain directly or indirectly into the public sewer The development shall be completed in accordance with the approved details.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding, pursuant to national policies within the NPPF and local policies EN08 and EN14 of the Core Strategy.

50) Prior to the commencement of development within Phase 2, details of surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national standards, shall be submitted to and approved in writing by the City Council as local planning authority The details shall include the following information

- o Consideration of alternative green SuDS solution if practicable;

- o Details and calculations 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 Conurbation Core Critical Drainage Area,

- o For developments which were previously developed, the peak runoff rate from the

development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event,

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

- o 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,

- o 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;

- o Details of drainage to prevent surface water flows into basement levels.

- o 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,

- o As the site is proposed to drain to a Main River the Environment Agency should be consulted. An email of acceptance of proposed flows will suffice. The Environment Agency should also be consulted to confirm the level of surcharge which should be used on the outfall for the proposed hydraulic model,

- o Where an application is part of a larger site which already has planning permission it is essential that the new proposal does not compromise the drainage scheme already approved,

- o Hydraulic calculation of the proposed drainage system,

- o Construction details of flow control and SuDS elements

The approved scheme shall be implemented before first occupation of Phase 2

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

51) No development within Phase 2 shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented before first occupation of Phase 2 and thereafter managed and maintained in accordance with the approved details. Those details shall include

a Verification report providing photographic evidence of construction as per design drawings,

b As built construction drawings if different from design construction drawings,

c Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to national policies within the NPPF and NPPG and local policies EN08 and EN14

52) No development in Phase 2 shall be carried out above 50 metres above ground level unless and until the Radar Mitigation Scheme (RMS)(1) approved by the Operator(2) has been fully implemented and the development shall thereafter be operated fully in accordance with the approved details

(1)'Radar Mitigation Scheme' or 'Scheme' means a detailed scheme agreed with the Operator which sets out the measures to be taken to avoid at all times the impact of the development on the M10 Primary and Secondary Surveillance radar and air traffic management operations of the Operator.

(2)'Operator' means NATS (En Route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hants PO15 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act)

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

53) Prior to the commencement of development within Phase 2, studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority

a) Measure the existing television signal reception within the potential impact areas identified in the Television Desk-Based Report by Pager Power dated October 2021 before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications, and shall include an assessment of the survey results obtained.

b) Assess the impact of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, 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. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (a) above. The measures identified must be carried out either before the building is first occupied or within one month of the

study being submitted 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, pursuant to Policy DM1 of the Core Strategy for the City of Manchester and Section 5 of the National Planning Policy Framework.

54) a) The development within Phase 2 hereby approved shall be carried out in accordance with.

Environmental Noise Survey, Plot F Great Jackson Street, Manchester, Fisher Acoustics, Reference PR0660-REP01-MPF, November 2021; and

Technical Note Acoustics, Ventilation and Overheating Assessment, Fisher Acoustics, Reference: T01-PR0660-MPF, 3rd November 2021.

b) The approved noise insulation scheme shall be completed and a post-completion verification report (including validation that the work undertaken throughout the development within Phase 2 conforms to the recommendations and requirements of the acoustic report approved under part a) above and including the results of post-completion testing to confirm that the internal noise criterion have been met) shall be submitted to and approved in writing by the City Council as local planning authority before any of the dwelling units within Phase 2 are first occupied. Any instances of non-conformity with the approved acoustic report shall be detailed within the post-completion report along with any measures required to ensure compliance with internal noise criteria. Those measures shall be implemented in full before any of the dwelling units within Phase 2 are first occupied.

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

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq

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

Reason - To secure a reduction in noise from the main roads and surrounding road networks and any other potential sources of noise, in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy

55) a) The residential amenity areas, including any gymnasium, within Phase 2 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 first occupation of the premises within Phase 2

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at

the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively

b) Prior to occupation of Phase 2 of the development a verification report to validate that the work undertaken throughout Phase 2 of the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted to and approved in writing by the City Council as local planning authority. The verification report shall include 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 and timescales for the implementation of those measures.

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

56) a) Prior to first occupation of Phase 2, the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme 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 equipment so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

b) Prior to occupation of Phase 2 of the development a verification report to validate that the work undertaken throughout Phase 2 of the development conforms to the recommendations and requirements in the approved acoustic consultant's report shall be submitted to and approved in writing by the City Council as local planning authority. The verification report shall include post completion testing to confirm that acceptable criteria has 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 and timescales for the implementation of those measures.

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

57) The mitigation measures set out in Chapter 6 'Air Quality' of the Environmental Statement and the email from Jennifer Chatfield dated 28 January 2022 and relating to Phase 2 of the development shall be carried out in full prior to first occupation of Phase 2 of the development and shall remain in situ whilst the development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources and to protect existing and future residents from air pollution, pursuant to Core Strategy Policies EN16 and DM1.

58) The Waste Management Strategy within the Design & Access Statement Z1-SHP-A180-RP-XX-B5D802 | REVISION P03 dated October 2021, the Transport Statement by Curtins, and drawing numbers 10334-F1-SHP-G200-PL-Grd-B5D801 P02 GA Plan - Level 00 Entrance Level and 10334-F1-SHP-G200-SK-Grd-010 P01 - F1 Ground Floor Bin Collection Point relating to Phase 2 of the development shall be implemented as part of Phase 2 of the development and shall remain in situ whilst the use or development is in operation.

Notwithstanding the above, the waste storage provision shown in drawing number 10334-F1-SHP-G200-SK-B1-005 P01 - 'Sketch GA Plan Level B1 MCC Bin Collection Only Option' and the paragraph on Waste Management within Jennifer Chatfield's email to Lucy Harrison of 28 January 2022 shall be implemented in full should waste collections be undertaken solely by Manchester City Council at any time

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

59) During the operational phase of Phase 2, no loading or unloading shall be carried out on the site outside the hours of.

07.30 to 20 00, Monday to Saturday,
10 00 to 18 00, Sunday/Bank Holiday

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy

60) a External lighting within Phase 2 shall be designed and installed so as to control glare and overspill onto nearby residential properties in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority prior to installation of the lighting

b Prior to occupation of Phase 2 of the development a verification report to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report shall be submitted to and approved in writing by the City Council as local planning authority The report shall include 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 criteria and timescales for implementation.

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

61) Development within Phase 2 hereby approved shall be carried out only in accordance with the recommendations of the Crime Impact Statement 15 July 2021 reference 2021/0264/CIS01 by Greater Manchester Police, as relevant to that phase No building within Phase 2 shall be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation relating to that phase

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester

62) No part of Phase 2 of the development shall be occupied unless and until space and facilities for bicycle parking have been provided in accordance with the approved details The approved spaces and facilities 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 transport mode, pursuant to policy T1 of the City of Manchester Core Strategy

63) No part of Phase 2 of the development shall be occupied unless and until car parking spaces suitable for use by disabled persons have been provided in accordance with the approved drawings and documents. These parking spaces shall be retained and permanently reserved for use by disabled persons.

Reason - To ensure that adequate provision is made for parking for disabled persons, pursuant to policies CC10 and DM1 of the City of Manchester Core Strategy.

64) The wind mitigation measures set out in the Wind Microclimate report by WSP within the Environmental Statement and shown in the approved drawings shall be implemented before first occupation of Phase 2 of the development.

Reason - To ensure that the environs in and around the site are suitable for their intended uses, in the interests of amenity and safety, pursuant to policy DM1 of the Core Strategy.

65) Before first occupation of Phase 2 of the development, a Travel Plan, including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented. The Travel Plan shall be fully implemented, prior to first occupation of the development, and shall be kept in operation at all times thereafter.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

66) The development within Phase 2 shall not be occupied unless and until the mitigation measures in Section 5 of the Flood Risk Assessment and Drainage Strategy Report Ref. 078524-CUR-XX-XX-RP-C-92001 V05 by Curtins have been fully implemented.

Reason - To reduce the risk of flooding pursuant to Section 10 of the National Planning Policy Framework and Policy EN14 of the Core Strategy.

67) Prior to the first occupation of the residential element within Phase 2, an electric vehicle car parking strategy for the provision of electric car charging to the car parking spaces as indicated on drawings 10334-F2-SHP-G200-PL-B2-B5D801 P01 GA Plan - Level B2 Basement and 10334-F2-SHP-G200-PL-B1-B5D801 P01 GA Plan - Level B1 Basement shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall include the following details:

- (a) Layout and location of electric vehicle charging points,
- (b) Provision for 20% of the spaces to be fitted with a 7kw fast charging point,
- (c) Provision that the remaining car parking spaces would be fitted with appropriate infrastructure to be adapted at a future date should demand be shown as part of the travel plan review required by planning condition 65. Any additional charging points

identified as part of that review shall be implemented within two months of approval of the annual review

The electric vehicle car parking strategy shall be implemented prior to the first occupation of Phase 2 and retained and maintained in situ for as long as the development remains in use

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

68) Prior to the first occupation of the residential element of Phase 2, a scheme of off-site highway works shall be submitted to and approved in writing by the City Council as Local Planning Authority to include the following

- Dropped kerbs and tactile paving to the junctions of City Road East/Medlock Street and Great Jackson Street/Chester Road,

The approved scheme shall be fully implemented prior to the first occupation of Phase 2

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)

69) Vehicular access to Phase 2 of the development for servicing, emergency and drop-off/pick-up vehicles shall take place in accordance with the approved drawings and documents

Reason - In the interests of public and highway safety and the protection of residential amenity, pursuant to policy DM 1 of the Core Strategy for the City of Manchester

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.

Crane Guidance

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see:

<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

S278 Agreement

All works to the highway, including any Traffic Regulation Orders (TROs), shall be undertaken via a Section 278 Agreement under the Highways Act with MCC Highways. This should be progressed prior to any works beginning, with the full costs of the Agreement being funded by the applicant. The applicant is advised to follow the link below, in order to commence the process:

https://www.manchester.gov.uk/directory_record/287709/permission_to_work_on_the_highways_-_section_278_agreements/category/355/highways_and_pavements

Materials

Any materials approved for planning purposes should be discussed in full with Building Control. This is to ensure they meet the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with the Building Regulations you should discuss these with the Planning Service as soon as possible as this could materially affect your permission.

Construction Working Hours

To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phases, construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by

Manchester City Council Environmental Health:

- o Monday - Friday: 07:30 to 18:00;
- o Saturday: 08:30 - 14:00;
- o Sunday / Bank holidays: No work.

The applicant should refer to:

https://secure.manchester.gov.uk/info/100006/environmental_problems/2956/noise/9

and

IAQM/EPUK Construction Guidance at:

<http://iaqm.co.uk/guidance/>

DRAFT DECISION

Date:

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

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 2019 until 31st December 2020

DRAFT

SCHEDULE 3

THE OWNER'S GENERAL COVENANTS

PART 1

The Owner hereby covenants with the Council as follows

- 1 To notify the Council in writing within five (5) Working Days of Commencement of Development that development has Commenced
- 2 To pay to the Council the Initial Contribution Index Linked on or prior to the Commencement of Development
- 3 Submit to the Council a schedule of sales prices within 1 (one) calendar month of Practical Completion of the final Dwelling

PART 2

REAPPRAISAL PAYMENTS

- 1 1 Within 2 (two) calendar months of Practical Completion of the final Dwelling, to pay to the Council the Reappraisal Payment which shall be calculated as follows
 - 1 1 1 where the Average Sale Price does not exceed the Benchmark Sale Price no Reappraisal Payment shall be due
 - 1 1 2 where the Average Sale Price exceeds the Benchmark Sale Price the Reappraisal Payment shall be 50% (fifty per cent) of the Excess Amount
- 2 The total Reappraisal Payments shall be capped at the Clawback Contribution Cap
- 3 In the event it is agreed by the Council that the Reappraisal Payment shall not be payable the Reappraisal Fee shall still be due

PART 3

RETENTION OF ARCHITECT

- 1 1 The Owner shall use Best Endeavours to continue to employ the Architect as the lead architect throughout, the Construction Period and until Practical Completion of the Development **PROVIDED THAT** the Architect remains willing and able to fulfil such role in relation to the Development and that such employment is capable of being secured on reasonable commercial terms
- 1 2 Should the Architect not be appointed or continue to be appointed in accordance with paragraph 1 1 above the Owner shall immediately notify the Council of this fact and shall use Best Endeavours to appoint a replacement Architect of a similar calibre and reputation as soon as reasonably practicable and shall thereafter notify the Council of the identity of the replacement architect immediately thereafter

SCHEDULE 4

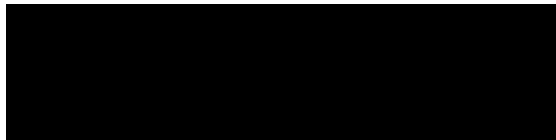
The COUNCIL'S COVENANTS

The Council hereby covenants with the Owner as follows

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

01116086

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



AUTHORISED SIGNATORY

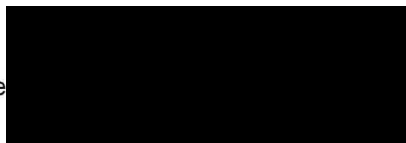
Executed as a Deed by **VQ DEVELOPMENTS LIMITED**

acting by, a director in the
presence of:



Director

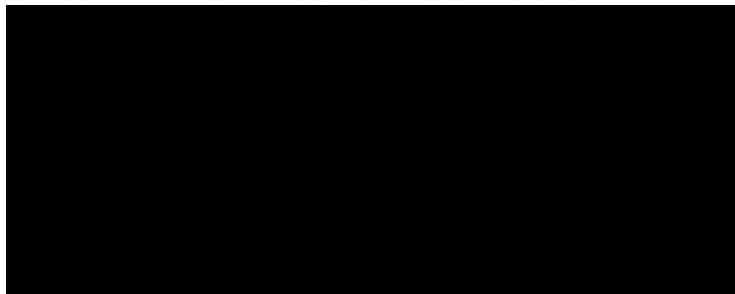
Witness signature



Name (Capitals)

MARK VINCENT SCHILLAR

Address



Occupation

DEVELOPMENT DIRECTOR

23031140

**THE COMMON SEAL of GREATER
MANCHESTER COMBINED AUTHORITY** was
hereunto affixed in pursuance of an Order of the
Authority:



207276



Authorised Signatory

