

Important – Planning permission & notices of consent

Compliance with conditions

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Manchester City Council
C/o Agent

Agent (if used)

Mr Ed Harvey
Avison Young
Norfolk House
7 Norfolk Street
Manchester
M2 1DW

Part 1 – Particulars of the application/development

Proposal: City Council Development for the creation of development platforms, including remediation and earthworks, and change in site levels, to allow delivery of future residential-led development at the Red Bank Neighbourhood, together with the construction of a new road and priority junction from Red Bank, new drainage infrastructure, utility and services connections and diversions, preparatory tree and shrub clearance, and demolition of certain existing structures, along with the creation of new and improved green infrastructure and landscaping including the improvements of St Catherine's Wood to form part of a City River Park, and other associated works.

Location: Red Bank Neighbourhood, Victoria North, Manchester

Date of application: 8 March 2022

Application number: 133143/VO/2022

Part 2 – Particulars of decision

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

Article 35 Declaration

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

Condition(s) attached to this decision

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

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

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

Drawings

VNIF-ARP-00-YYY-DR-G-0009_P05, VNIF-PLA-ZZ-YYY-DR-L-1011 Rev P02.08, VNIF-PLA-ZZ-YYY-DR-L-1002 Rev P02.05, VNIF-PLA-ZZ-YYY-DR-L-1005 Rev P02.03, VNIF-PLA-ZZ-YYY-DR-L-1006 Rev P02.06, VNIF-PLA-ZZ-YYY-DR-L-1007 Rev P02.04, VNIF-PLA-ZZ-YYY-DR-L-1008 Rev P02.04, VNIF-PLA-ZZ-YYY-DR-L-1009 Rev P02.01, VNIF-PLA-ZZ-YYY-DR-L-1010 Rev P02.04, VNIF-PLA-ZZ-YYY-DR-L-1012 Rev P02.04, VNIF-PLA-ZZ-YYY-DR-L-1013 Rev P02.04, VNIF-PLA-ZZ-YYY-DR-L-1014 Rev P02.03, VNIF-PLA-ZZ-YYY-DR-L-1015 Rev P02.02, VNIF-PLA-ZZ-YYY-DR-L-3001 Rev P02.03, VNIF-PLA-ZZ-YYY-DR-L-3002 Rev P02.03, VNIF-PLA-ZZ-YYY-DR-L-3003 Rev P02.03, VNIF-PLA-ZZ-YYY-DR-L-3004 Rev P02.03, VNIF-PLA-ZZ-YYY-DR-L-3005 Rev P02.03, VNIF-PLA-ZZ-YYY-DR-L-3006 Rev P02.03, VNIF-PLA-ZZ-YYY-DR-L-4000 Rev P02.04, VNIF-PLA-ZZ-YYY-DR-L-4001 Rev P02.02, VNIF-ARP-00-YYY-DR-CH-0001_P06, VNIF-ARP-00-YYY-DR-CH-0002_P05, VNIF-ARP-00-YYY-DR-CS-0002_P02, VNIF-ARP-00-YYY-DR-CD-0001_P02, VNIF-ARP-00-YYY-DR-CD-0002_P05, VNIF-ARP-00-YYY-DR-CD-0003_P04, VNIF-ARP-00-YYY-DR-CD-0010_P04, VNIF-ARP-00-YYY-DR-CD-0011_P04, VNIF-ARP-00-YYY-DR-CD-0012_P04, VNIF-ARP-00-YYY-DR-CD-0018_P04, VNIF-ARP-00-YYY-DR-CD-0019_P05 stamped as received by the City Council, as Local Planning Authority, on the 8 March 2022.

Supporting documents

Lighting Strategy prepared by Arup, Project Execution Plan (Construction Management) prepared by BAM, Crime Impact Statement prepared by Greater Manchester Police, Demolition Method Statement prepared by BAM, Tree Replacement, Ecology and Biodiversity Net Gain Mitigation Strategy (including updated BNG metric) prepared by Avison Young/ TEP; Design and Access Statement prepared by Plan-it, Landscape Management Plan prepared by Plan-it, Local Labour Agreement prepared by Avison Young, Planning Statement prepared by Avison Young, Social Value Summary prepared by MCC/ Avison Young, Statement of Community Involvement prepared by Counter Context; and Environmental Statement prepared by Avison Young, including the following technical chapters:

- a. Ecology and Trees
- b. Archaeology and Heritage
- c. Ground Conditions
- d. Flood Risk and Drainage
- e. Townscape and Visual
- f. Transport and Access
- g. Air Quality and Dust
- h. Noise and Vibration
- i. Waste
- j. Health
- k. Socio-Economics

I. Climate Change

stamped as received by the City Council, as Local Planning Authority, on the 8 March 2022.

Flood Risk Assessment (ref: VNIF-ARP-ZZ-YYY-RP-CD-0002 | P04, dated 28 April 2022) stamped as received by the City Council, as Local Planning Authority, on the 29 April 2022

Arup FRA clarification note Ref P02 (26th May 2022) and Arup Hydraulic Assessment of HIF Infrastructure Proposals - Rev 4 (10th June 2022)

Stage One Road Safety Audit stamped as received by the City Council, as Local Planning Authority, on the 29 April 2022

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

3) No vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the removal works including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

4) Prior to the commencement (excluding vegetation clearance and tree removal) a detailed construction management plan outlining working practices during construction shall be submitted for approval in writing by the City Council, as Local Planning Authority. This should include:

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

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

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

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

5) a) Prior to the commencement of the development (excluding vegetation clearance and tree removal), details of a Local Labour Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Labour 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 Labour Proposal
- iii) measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

6) No development works shall take place (excluding vegetation clearance and tree removal) until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

- 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, including installation of a permanent information panel.

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

6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason- To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy (2012), saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995) and NPPF.

7) a) Notwithstanding the Ground Investigation Interpretative Report, Victoria North Infrastructure Works, ARUP, Reference: VNIF-ARP-ZZ-YYY-RP-CG-0009, Dated: 31 January 2022 and Ground Investigation Interpretative Report, Victoria North Infrastructure Works, ARUP, Reference: VNIF-ARP-ZZ-YYY-RP-CG-0009, Dated 23 February 2022., (a) before the development hereby approved commences (excluding vegetation clearance and tree removal), the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Submission of the further Site Investigation and Risk Assessment Reports
- Submission of a detailed Remediation Strategy

The development shall then be carried out in accordance with the approved details.

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

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

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

8) No infiltration of surface water drainage into the ground where adversely elevated concentrations of contamination are known or suspected to be present is permitted. Should any infiltration be required, prior to the commencement of any works, details shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details to demonstrate that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, and to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution pursuant to policy EN14 of the Manchester Core Strategy (2012).

9) Prior to the commencement of the development, details of the method for piling, or any other foundation design using penetrative methods shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of the development.

Reason- For the ongoing protection of the Water Environment from risks arising from land contamination, and to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution pursuant to policy EN14 of the Manchester Core Strategy (2012).

10) Notwithstanding the details submitted on the flood risk and drainage chapter of the Environmental Statement stamped as received by the City Council, as Local Planning Authority, on the 8 March 2022, (a) the development shall not commence (except for enabling works including groundworks, tree clearance and vegetation removal) until a scheme for the drainage of surface water has been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- The proposed works does not consider the existence of the culverted ordinary watercourse, the Cheetham Hill Junction Drain. Investigation works should be carried out to identify the exact location of the asset, the catchment of the watercourse and if needed a diversion route should be submitted to the LPA for approval. Note diversions works to existing ordinary watercourses require a Land Drainage Consent from the LLFA.

- Consideration of alternative green SuDS solution (that is either utilising infiltration or attenuation) if practicable;

- Proposed discharge rates should be accompanied by a breakdown of catchment areas which are comparable to points of outfall.

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

- 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. This should include proposed elevations.

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

disposal routes (as follows) is required.

- Where surface water is connected to a Main River, any works within or adjacent to the river that would affect it would require consent from Environment Agency. An email of acceptance of the proposed new connections will suffice.

- Where alterations are proposed to the Main River, any works within or adjacent to the river that would affect it would require consent from the Environment Agency.

- An email of acceptance is required from the EA, confirming that the proposed works to the existing channel and flood plain areas are acceptable.

- Confirmation that the EA approve of the 'precautionary approach' flood model to be used for the scheme.

- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.

- For sites where proposed development would cause unusual pollution risk to surface water, evidence of pollution control measures (preferably through SuDS) is required.

- Hydraulic calculation of the proposed drainage system;

- Construction details of flow control and SuDS elements

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

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

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

For the avoidance of doubt the scheme shall include the following:

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

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

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

12) Prior to the commencement of works to install the planters and Union Plaza Steps full details of the proposed channel re-sectioning shall be submitted for approval in writing by City Council as, local planning authority. The details shall include long and cross sections at appropriate intervals to clearly show the proposed changes in cross section and be supported by river modelling as necessary together with timescale for implementation.

The approved scheme shall be implemented within a timescale agreed and subsequently maintained, in accordance with the scheme's timing/phasing arrangements.

Reason - To ensure that there are no detrimental impacts to flood levels, flood storage or flood flow routes in accordance with policy EN14 of the Manchester Core Strategy (2012) and the NPPF.

13) Prior to the commencement of the works to the River Irk, including riverbed and riverbank proposals (except surface water outfalls), detailed design for the proposed river restoration and works to the riparian corridor shall be submitted for approval in writing by the City Council as local planning authority.

The proposals shall include the following:

- o A detailed river restoration design supported by hydromorphological survey of the channel, both at the reach to be restored and upstream catchment, to aid design and selection of River Irk restoration options outlined in indicative plans for St Catherine's Wood (DR-L-3001 & 3002 Rev. P02.03) and Union Plaza (DR-L- 3003 Rev. P02.03).
- o Sufficient cross-sections to represent all riparian design proposals outlined (DRL-1011 Rev. P02.08) within the proposed development (i.e., any proposed introduction of channel boulders/riffle areas added for flow variation, sections of channel narrowing, river wall removal and what type of new revetment techniques proposed; that is preferably based on softer bio-engineered solution where feasible.
- o Water levels to be marked on cross sections in m.
- o Proposed and existing bed levels to be marked on cross-sections in m AOD.
- o Details of any new in channel structures or bed substrate added to river, and where sourced from.

Detailed proposals for any new river toe protection, marginal berms/deflectors areas and their installation.

- o Timing of works
- o Access to banks and channel
- o pollution prevention techniques adopted during construction.
- o Site supervision
- o Biosecurity
- o A pre and post construction monitoring plan for the River Irk channel

The approved scheme shall be implemented within a timescale agreed and subsequently maintained, in accordance with the scheme's timing/phasing arrangements.

Reason - To secure opportunities for enhancing the site's nature conservation and geomorphological value in accordance with policies EN9 and EN12 of the Manchester Core Strategy and the NPPF.

14) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars as outlined in the arboricultural impact assessment prepared by TEP stamped as received by the City Council, as Local Planning Authority on the 8 March 2022 (Appendix 6.4 ES); and

paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

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

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

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

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

15) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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

16) Prior to the commencement of the development, a method statement for removing or the long-term management / control of Japanese knotweed, Giant hogweed & Himalayan Balsam identified on the site (TEP, Feb 2022) shall be submitted for approval in writing by the City Council, as local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese knotweed, Giant hogweed & Himalayan Balsam during any operations e.g., mowing, strimming, bank regrading or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant. Development shall be carried out in accordance with the approved method statement.

Reason - In the interest of preventing the spread of Japanese knotweed, Giant hogweed & Himalayan Balsam which are invasive species in accordance with policy EN15 of the Manchester Core Strategy and the NPPF.

17) In the event that a phase of development and mitigation works in the Tree Replacement, Ecology and Biodiversity Net Gain Mitigation Strategy (including updated BNG metric) prepared by Avison Young/ TEP stamped as received by the City Council, as Local Planning Authority, on the 8 March 2022, do not commence within 12 months of the completion of the enabling works hereby approved, a "Tree Replacement, Ecology and Biodiversity Net Gain Mitigation Strategy" to mitigate against the loss of green infrastructure, tree planting and biodiversity at the application site (including 10%

biodiversity net gain) site shall be submitted for approval in writing by the City Council, as Local Planning Authority within one month of the expiration period.

The strategy shall include location/quantum of any mitigation measures within the Northern Gateway Strategic Regeneration Framework (SRF) area including details of planting, tree planting and biodiversity enhancement measures which equate to a 10% biodiversity net gain.

The mitigation Strategy shall be implemented in accordance with timescale agreed in writing with the City Council, as Local Planning Authority and thereafter retained and maintained in situ.

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 - In the interest of visual and residential amenity should the redevelopment of the site not be forthcoming in line with regeneration aspirations together with mitigating against the loss of vegetation at the application site pursuant to policies SP1, EN9, EN17 and DM1 of the Manchester Core Strategy (2012).

18) (a) Prior to the commencement of this development (excluding vegetation and tree clearance), an updated "Tree Replacement, Ecology and Biodiversity Net Gain Mitigation Strategy" for the four phases of development in the Red Bank Neighbourhood (and/or within the Northern Gateway Strategic Regeneration Framework (SRF) area) on land that MCC has a freehold interest in, as indicated in Tree Replacement, Ecology and Biodiversity Net Gain Mitigation Strategy (including updated BNG metric) prepared by Avison Young/ TEP stamped as received by the City Council, as Local Planning Authority, on the 8 March 2022, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include:

- Ecological evaluation of the current condition and value of development hereby approved (both quantitative and qualitative);
- Ecological evaluation of the current condition and value of the subsequent phases of development in the Red Bank Neighbourhood (both quantitative and qualitative);
- A mitigation and implementation strategy (including a commitment to 10% biodiversity net gain) across all phases of the Red Bank Neighbourhood on land that MCC has a freehold interest in; and
- A monitoring, management and verification strategy to ensure that the mitigation is achieved across the four phases of development (and/or within the Northern Gateway SRF area) including details to update the Tree Replacement, Ecology and Biodiversity Net Gain Mitigation Strategy following the completion each phase of development.

(b) As part of a planning application for each subsequent phase of the Red Bank Neighbourhood development on land that MCC has a freehold interest in, an updated version of the "Tree Replacement, Ecology and Biodiversity Net Gain Mitigation Strategy" will be submitted to the Local Planning Authority for approval. This will provide any updates required to the document approved under part (a) of this condition

to reflect the detailed design proposals contained within that phase, and any subsequent updates to the ecological assumptions required to meet the overall target of 10% biodiversity net gain.

(c) Prior to the first use of each phase of development agreed within part (a) of this condition, a verification report will be requirements to validate that the works undertaken at that stage conforms to the recommendations and required approved within part of part (b) of this planning condition including its contribution towards the 10% biodiversity net gain.

(d) In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the Tree Replacement, Ecology and Biodiversity Net Gain Mitigation Strategy. A verification report and measures shall be agreed until such a time as all four phases of development comply with parts (a), (b) and (c) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

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 - In the interest of securing a biodiversity mitigation strategy for the Red Bank Neighbourhood pursuant to policies SP1, EN9, EN17 and DM1 of the Manchester Core Strategy (2012).

19) Prior to the commencement of development (excluding vegetation clearance and tree removal), a scheme of highway works shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme of highway works shall include:

- Details of any dropped kerbs and tactile paving at the junction of Red Bank to be provided as part of this development hereby approved;
- Parking at the junction which with Red Bank via a traffic regulation order;
- Temporary site entrance signing on Red Bank on either side of the site access;
- Provision of any traffic calming along Red Bank to be provided as part of this development hereby approved and implemented within six months of the development commencing;
- Final details of carriageway design for the Red Bank access (including provision of 2 metre wide footways).

The approved scheme shall be implemented and be in place for the duration and completion of the development and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

20) Notwithstanding drawing VNIF-PLA-ZZ-YYY-DR-L-1014 REV P02.03 stamped as received by the City Council, as Local Planning Authority, on the 8 March 2022, prior to

the commencement of the development (excluding vegetation clearance and tree removal) details of the siting, scale and appearance of the proposed boundary treatment shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details that all boundary treatment is visually permeable from 600mm upwards and that gates open inwards and are set back a minimum of 5 metres from the edge of the carriageway. The approved details shall be implemented upon commencement of the development and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of visual amenity, highway and pedestrian safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

21) Prior to the commencement of the development, a landscape and ecological management plan (30 year plan), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted for approval in writing by the City Council as, the local planning authority.

The scheme shall include the following:

- detailed soft and hard landscaping plans including planting schedule, and associated planting density for all new tree, scrub, groundflora and riparian corridor planting based on principles outlined in planting and habitats plan DR-L- 1008/P02.04 together with hard landscaping materials;
- details of maintenance regimes of all new or retained habitats;
- details of any new habitat created on site including SUDs ponds, swales.
- details of boundary treatment and river restoration techniques adopted alongside and within River Irk waterbody.

The agreed landscape and ecological management plan shall be implemented and thereafter retained and maintained.

Reason- To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012) and the NPPF.

22) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of the development, full details of such a scheme for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme for that phase of development shall be implemented in full prior to the first occupation of the development and shall remain in operation for so long as the development is occupied.

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

23) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in

accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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

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

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

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

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

26) The development hereby approved shall include for full disabled access to be provided to walkways.

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

27) Prior to any above ground works, details of the natural play equipment to St Catherine's Wood shall be submitted for approval in writing by the City Council. This shall include the siting, scale, appearance and materiality of any equipment. The approved shall be implemented as part of the development and thereafter retained and maintained.

Reason - In the interest of visual amenity pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

28) Prior to any above ground works, final details of accessible routes, elevated decks, feature steps, elevated boardwalks and seating terraces shall be submitted for approval in writing by the City Council. This shall include the siting, scale, appearance and materiality of any installations. The approved shall be implemented as part of the development and thereafter retained and maintained.

Reason - In the interest of visual amenity pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

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

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

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

You can apply online at the following address:

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

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 14 July 2022

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

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

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

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.