

Application Number	Date of Appln	Committee Date	Ward
133700/FO/2022	6 May 2022	22 nd Sept 2022	Miles Platting & Newton Heath Ward

Proposal Application for development comprising 378 dwellings (134 apartments and 244 houses) (Use Class C3) and a new community building with ground floor commercial floorspace (up to 671 sq.m) (Use Classes E, F1 and F2), all with associated car parking, highways, landscaping, community park and pocket park, and other associated works, with all matters to be considered; together with an outline application with all matters reserved except for means of access, for a new secondary school (Use Class F1), with associated car parking, highways arrangements, landscaping and other associated works, and the erection of up to 338 dwellings (Use Class C3), with associated car parking, highways, landscaping and new public realm creation, and other associated works.

Location Former Jacksons Brickworks, Ten Acres Lane, Manchester

Applicant Nuvu Investments Ltd, C/o Agent

Agent Mr John Cooper, Deloitte LLP, PO Box 500, 2 Hardman Street, Manchester, M3 3HF

EXECUTIVE SUMMARY

This application relates to a former brickworks site that has been vacant for many years. Due to past use, there is a legacy of contamination across the site which has been challenging in terms of bringing forward its redevelopment.

In 2021, the current applicant was able to demonstrate how the site could be remediated and a strategy was subsequently approved following a robust assessment of how this would be delivered.

The application now under consideration is for development following the implementation of the strategy. It would create 716 homes, with 378 (134 apartments and 244 houses) in a first phase together with a community building, a community and pocket parks. 338 dwellings would follow in a second phase, which also includes the provision of a secondary school. Parking, public realm and landscaping would be provided throughout.

Two objections and one general comment have been received.

Key Issues

The principle of the proposal and the schemes contribution to regeneration, as set out in the report, is considered to accord not only with national and local planning policies but would also deliver key outcomes for the city.

This is a significant site which has been in need of remediation for many years; its importance to the city and its role in meeting key objectives has been set out in the local plan and regeneration frameworks. Following remediation, it would deliver a substantial number of new homes, the applicant has confirmed 67.5% would be affordable: the tenure mix being 35% shared ownership, 25% affordable rent, 7.5% social rent, 25% market rent and 7.5% open market sale.

This would equate to 132 units in Phase 1 and 118 in Phase 2 for Shared ownership; 95 units in Phase 1 and 85 in Phase 2 for affordable rent; 28 units in Phase 1 and 25 in Phase 2 for social rent; 95 units in Phase 1 and 85 in Phase 2 for private rent; and 28 units in Phase 1 and 25 in Phase 2 for open market sale.

Together with the new homes, a secondary school would be provided with other community facilities such as community centre, a small amount of commercial space and green infrastructure across the site.

As the site has awaited remediation, self-seeded vegetation has grown up; this has now in part been cleared as a necessary part of the strategy, however, biodiversity improvements and significant areas of new public realm, providing pocket parks and enhancing connectivity through the site to the Rochdale Canal for pedestrians and cyclists will be provided.

The environmental uplift would also include managing surface water risk through green and blue infrastructure such as swales and rain gardens and a fabric first approach to design.

On construction, a local labour agreement would prioritise Manchester residents for construction jobs. Public realm, linkages and green spaces would be created. Homes would be accessible to meet changing needs of residents.

The potential impacts on local residents are fully set out in the report. These include wider impacts from remediation to construction, to operational impacts such as traffic and visually from the development itself. The assessment of these matters has included where mitigation is required and should be embedded in conditions of the grant of consent.

A full report is attached below for Members' consideration.

Description

The application relates to the former Jackson's Brickworks site, which covers an area of 19.1 hectares (47 acres) and is located within the Miles Platting and Newton Heath ward. It was formerly occupied by brickworks use and subsequently used as a waste tip.

The area to the south of the site is predominantly in residential use. Residential properties accessed from Briscoe Lane, are located at the site's southern boundary alongside the Briscoe Lane Academy and Brighter Beginnings Day Nursery. Ten Acres Lane Sports Centre is located immediately to the west of the Site.

Mitchell Street bounds the site to the east, with residential properties and the Newton Heath Resource Centre. Beyond the residential properties lies part of Newton Heath District Centre along Old Church Street including retail uses, located approximately 300 metres to the east of the site.

The Rochdale Canal is separated from the site by a towpath and runs along the site's northern boundary at a lower level. To the northeast of the site, beyond the canal, is an area of residential properties with a partly derelict textile mill building located to the north-west of the site.

The eastern part of the site contains remnants of one of the brickworks buildings; the remainder is vacant and has now been recently cleared for the most part of self-seeded trees and shrubs. Bunds had been created to discourage unauthorised access particularly from Hallam Road and Mitchell Street, but since the removal of the vegetation from the site, a green weldmesh fence has been installed to the perimeter to provide security.

The topography of the site dips towards the west with a slight dome and high point found to the east side within the site's boundaries. The site rises in height by 10 metres from Ten Acres Lane to Mitchell Street in the east.

Prior to the removal of the vegetation, it is understood that there was little natural surveillance into or from within the site, which resulted in reports of anti-social behaviour and illegal activities taking place. This, together with the levels of ground contamination relating to past use, has meant the site has not had a positive impact on the area.

Planning History

Prior to the application in 2021 (ref: 129197/FO/2021) to remediate the site, there have been attempts to bring forward development. This includes residential development proposals approved in the 1980s and 1990s with planning permission being granted for the erection of 126 no. dwellings on land fronting Ten Acres Lane on 29th April 1999 (ref: 055319/FO/NORTH2/99).

Prior to this, consent was granted in March 1985 for a residential development on Ten Acres Lane and Bower Street.

More recently an outline application for development comprising up to 500 residential dwellings and 3,500 sq m of floorspace for B1(a) use (Business), incorporating new vehicular and pedestrian access from Ten Acres Lane, Hallam Road and Mitchell Street was minded to approve at the meeting of the Committee (ref: 098689/OO/2021/N1) on 16th October 2014. This was subject to the signing of a section 106 agreement.

The legal agreement was not completed, and no consent was issued.

Description of development

This is a hybrid application with Phase 1 being detailed and Phase 2 being in outline with all matters reserved, except for the main points of access.

In total, it would deliver 716 new homes in the two phases.

Phase 1 would provide: 378 residential units (244 houses and 134 apartments) with ancillary community space Class E, F1 and F2 (including an ancillary café) creating 617 sq.m. of floorspace. This would cover an overall area of 6.9ha (17.05 acres) . The mix of units would be 32 , one bedroomed, and 102, two bedroomed apartments, and 59, two bedroomed , 134 three bedroomed and 51 four bedroomed houses .



The houses would be a mix of 2, 2.5 and 3 storeys in height, with the three apartment blocks being 3 storeys. The proposed community hub would be 4 storeys in height, with the proposed community hub and café (Class E, F1 and F2) floorspace at ground level and three floors of apartments above as shown in the visual below.



Phase 2 would involve the creation of an access from Mitchell Street, with a connection to the detailed phase of development. This second phase seeks approval for the principle of the creation of 338 new homes, together with the new school and associated sports facilities, including playing field provision. The school would be delivered by LocatED, providing 1,050 school places. LocatED is a government-owned property company, responsible for buying and developing sites for new schools in England.

The overall site area for Phase 2 is 10.58 ha (26.14 acres).

Two main vehicular access points are proposed, one located on Ten Acres Lane, and one from Mitchell Street. A pedestrian/cycle access is proposed from Hallam Road. The masterplan submitted to support the application shows internal link roads throughout the site.

Off-site highway improvement works are proposed to the Ten Acres Lane/ Briscoe Lane junction to enhance capacity.

The residential development has been laid out in block formations linked to internal circulation routes in the detailed element of the scheme. A similar type of layout has been indicated for phase two. The layout has regard to the site's topography and its relationship to existing street patterns and landscape.

The precise siting of the new homes and the school buildings in the later phase would be finalised as part of a reserve matters application. The outline aspect of this current application provides parameter plans which shows the location of the school site relative to the remainder of the site to be developed for housing and heights of each. This being 2 to 2.5 storeys with buildings up to four storeys in key focal points for the residential elements and up to 2.5 storeys for the school.

To support the application an Environmental Statement has been submitted which covers the following issues:

- Design Evolution;
- Construction Methodology and Programme;

- Ecology;
- Ground Conditions;
- Townscape and Visual Impact;
- Traffic and Transport;
- Noise and Vibration;
- Air Quality;
- Water Resources, Flood Risk and Drainage;
- Socio Economic;
- Cumulative Effects;

A scoping opinion was issued by the Local Planning Authority on 9th April 2021.

Publicity

The proposal, by virtue of the number of residential units, and small area of the site falling with the Central Park Employment location, and being accompanied by an Environmental Statement, the proposed development has been classified as a large scale major development, as a departure, as affecting a right of way, and as being of public interest. As such, the proposal has been advertised in the local press (Manchester Evening News), on 25th May 2022 and site notices were displayed at locations around the application site on 1st June 2022. In addition, notification letters have been sent to local residents and businesses (total of 1092) in the local area on 19th May 2022.

Consultations

Local residents - 1 email has been received querying whether the proposed dwellings would overlook their garden which backs onto the site, and whether additional fencing would be erected to overcome this matter. They also query whether footpaths would be built to run along the rear of their property as this may lead to antisocial problems.

2 objections have been received from local residents on the following grounds:

-due to the siting of a substation in proximity to their property, and that there are no detailed plans relating to the proposed new school which would be close to their house. Another resident suggests that the substation be located on the Ten Acres Lane side of the site, next to the Ten Acres sports facility or the canal side to reduce potential disturbance. They state this was not on original plans and no information regarding noise pollution, atmosphere pollution and decibel rating received.

- concerns that although the proposed development would not open to traffic from Hallam Road on the current plans (cycle lane only), and they believe this will change in the future. They are happy with the current proposal, advising that Hallam Road is already busy with traffic from the primary school drop offs and pickups.

- concerns regarding building houses on contaminated land, advising that they would be in favour of a residential development, but not if the health of existing and future residents would be adversely affected.

They question how the landscaped areas can be planted when the ground is contaminated.

-Concerns that once the existing capping layer on the site is removed, the scheme will be disturbing contaminated land.

-Recommend transposing the location of the school with residential development so that the playing fields would be located on the area which is contaminated, thereby not disturbing the ground with foundations. The school would then be closer to Ten Acres Lane access, reducing traffic flows on Briscoe Lane. and cars parking to drop off on Hallam Road as it is already a big problem with cars during school pickup and drop off for Briscoe Lane Academy.

-there has been no public consultation meeting where they can see the new plans relating to planning application and speak to people, as not everyone has access to the Internet.

Environmental Health - For the build phase element a separate remediation strategy will be required to detail the treatment of the gardens, public open space, school playing fields etc and the gas/vapour protection measures for the buildings. Conditions relating to ground conditions include the need for the submission of a detailed remediation strategy, a verification phasing plan and verification reporting. A validation phasing plan is recommended as this would give the developer the option to provide plot by plot validation for the housing element to allow a gradual release to the market (which will be easier to keep manage compared to a report for all the residential development being submitted at the end of the scheme. The validation reports are required on completion for each agreed phase in the validation phasing plan.

It is also recommended that conditions are attached to any approval as set out below.

School: Extraction of fumes and odours; acoustic insulation in relation to both the outbreak of noise, and ingress of noise; acoustically treated external plant and equipment; a noise management plan for outdoor sports activities and pitches; waste management; air quality; contaminated land.

The Air Quality Assessment is acceptable, however mitigation methods to include details of EV charge points and boiler specifications are needed.

Residential development: acoustic insulation in relation to the ingress of noise; acoustically treated external plant and equipment; waste management; air quality and contaminated land.

The Air Quality Assessment is acceptable, however mitigation methods to include details of EV charge points and boiler specifications are needed.

Commercial/ community uses: Extraction of fumes and odours; hours of operation, servicing hours; acoustic insulation in relation to the outbreak of noise; acoustically treated external plant and equipment; waste management; air quality and contaminated land

The overall development: a construction management plan; construction hours; and a wheelwash.

Planning Casework Unit - Confirm that they have no comment to make on the environmental statement.

Peak and Northern Footpaths Society - No comments received

Highway Services – Has reviewed impact of the proposal in relation to: site access, the highway network, accessibility, on site car parking and cycle parking, pedestrian connectivity and waste collection.

No objections have been raised however, this is on the basis that there are off site highway works and traffic calming measures introduced within the site.

Some additional information has also been sought in relation to modelling and tracking for certain vehicles.

A Transport Assessment Addendum has been subsequently submitted in response to these comments.

Further comments have been subsequently received advising that the request for a 20mph speed limit to be applied throughout the estate has been agreed. In relation to the provision of traffic calming features at suitable intervals, this will need to be agreed at the Section 278 stage. The redesign of the traffic signal arrangement at the junction of Ten Acres Lane/Briscoe Lane, the introduction of pedestrian facilities (and during phase 1 works) is welcomed by Highways. Confirmation has been provided in regard to electric vehicle charging and parking bay and driveway dimensions. The requirement for 100% house and apartment cycle parking has now been met. Furthermore, confirmation has been received in regard to the manoeuvring for waste collection.

It is recommended that any approval be conditioned to require the submission of an off site highways works and a Construction Management Plan which shall include, where appropriate the following details:

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

Transport for Greater Manchester - has raised comments about modelling and mitigation measures. Additional information on the school traffic distribution has also been sought.

As already noted above, a Transport Assessment Addendum has now been submitted to address comments. Any further comments raised will be reported to Committee.

Design for Security - support the application subject to the layout issues within Section 3.3 being addressed and recommend that the physical security measures within Section 4 of the Crime Impact Statement are conditioned.

GMAAS- The application is supported by an archaeological desk-based assessment (DBA) prepared in November 2011). Whilst this was undertaken a long time ago, it is concluded that the DBA and its identification of areas of archaeological sensitivity requiring further investigation are still valid. A historic map regression and discussion shows that much of the site has been disturbed by previous clay extraction pits, but the report is particularly useful, showing buildings and features of archaeological interest and areas of potential archaeological sensitivity.

The archaeological interest relates to the sites of two brickworks, old field boundaries, the former line of Ten Acres Lane which is likely to be of medieval origin, and an old flagstone wall near the canal towpath in the north western part of the site. The next stage is for a Written Scheme of Investigation (WSI) to be produced, providing an appropriate scheme of works to evaluate these areas of archaeological sensitivity through archaeological trial trenching. If the evaluation trenching finds significant archaeological remains then a second phase of more detailed, targeted excavation and recording will be required. The flagstone wall should also be cleared of vegetation and recorded. GMAAS recommend that archaeological interests are secured through a planning condition.

GMEU - Have advised that given the legally binding effect of the proposed conditions requiring enhancements in biodiversity to be provided, both for the detailed elements of the scheme and for the outline proposals, they have a high level of confidence that the proposals will deliver the required gain in biodiversity.

Providing that these conditions are imposed on any permissions which may be granted to the applications, they raise no objections on Ecology grounds.

Flood Risk Management - Recommend that a condition is attached to any approval to required that no development shall take place until surface water drainage works have been implemented which have been approved by the LPA , in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority, together with a condition requiring the submission of the details of the implementation, maintenance and management of the sustainable drainage scheme.

United Utilities - confirm the proposals are acceptable in principle to United Utilities, and request the attachment of a condition to any approval to require the development is implemented in accordance with the submitted Flood Risk Assessment and Drainage Strategy Report, and that a condition is attached in relation to the submission of a sustainable drainage management and maintenance plan for the lifetime of the development

They further advise that they will not allow building over or in close proximity to a water main. and may not allow building over or in close proximity to a public sewer and it is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

Canals and Rivers Trust – Canals and Rivers Trust - The Trust has identified that the main issues relevant to them as statutory consultee are:

- a) Combined masterplan, layout and design
- b) Canal towpath as a sustainable route to the site
- c) Structural integrity of the canal infrastructure
- d) Construction Environment Management Plan
- e) Ecological considerations
- f) Surface water drainage

They also recommend the attachment of conditions relating to the above matters, and condition and a legal agreement to secure a financial contribution towards the upgrading of the canal towpath as part of the Bee Network project, which they feel are necessary to address these matters.

They feel that a development that would provide a frontage and engagement with the canal corridor, and advise the building types facing the canal are acceptable in terms of scale and height and a good amount of public realm is proposed between the housing and the canal, but request that any swales are managed to ensure access to the footpath connections, and ask for consideration for more links to the towpath.

They make comments regarding the materials to the towpath access points, preferring the use of block paving, and state the loss of trees should be compensated for as part of the redevelopment with a net gain in native planting/landscaping, with an associated robust maintenance plan.

They advise that the towpath along this section of the Rochdale Canal will no longer be upgraded as part of the Bee Network project and consider that a financial contribution from developers would be needed to either cover increased maintenance costs, or to upgrade the towpath surface to a standard which is more durable and thus able to accommodate increased usage without adding to their future maintenance costs.

In addition, they advise that the structural integrity of the canal and towpath must not be compromised as a result of any works on the site, but note the buildings on the site would be offset from the canal by 11m which should ensure the scheme would not have a direct impact on the structural integrity of the canal infrastructure or result in any loading of the canal washwall. However, a condition is for the submission of Risk Assessment and Method Statement (RAMS) outlining all works

to be carried out adjacent to the canal is requested. Furthermore, due to the ground conditions at the site the submission of a finalised Construction Environment Management Plan is also requested, which includes the details of a bund and its siting to prevent run-off into the canal, to ensure that the potential for contamination of the waterway in terms of dust, solid materials and surface runoff during the construction phase would be addressed.

They request the planting of native species of trees, and that the planting of trees along the canal corridor avoid species which would get too large as these may cause maintenance issues in the future and result in overshadowing of the canal. Reference is also made to the need to treat any invasive species which may be present. A request is also made that final drainage layouts and ongoing management and maintenance of this is conditioned.

The Trust is generally supportive of measures to increase access to and activity along their waterways where it is appropriate to do so, but advises that a commercial agreement which would also need to set out future maintenance arrangements would be needed.

Environment Agency - have no objection in principle to the proposed development but make the following observations.

In relation to land contamination they have and continue to engage with the developers team regarding the investigation, assessment, and potential remediation of the land to ensure any identified (and, as yet unidentified) risks to controlled waters are fully understood and addressed prior to the commencement of the build phase of the development under this full planning application.

It is their understanding the preparation and enabling phase of the work is being addressed under planning permission 129197/FO/2021. The applicants' submissions to date demonstrates it is possible to manage the risks posed to controlled waters by this development. Further detailed information will be required before built development is commenced, which they understand will be addressed under 129197/FO/2021. They believe it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of this planning permission.

Considering the above, the proposed development is acceptable subject to planning conditions requiring the submission of a remediation strategy.

Arboricultural officers- Have reviewed the proposals for this site and would confirm that they would not object to the proposals from an arboricultural perspective, the existing tree stock consisted of mainly self-set specimens with the exception of the

Manchester Poplars which were pollarded to a point where they no longer offer any significant eco system services.

The mitigation planting proposals appear to have considered the importance of incorporating trees into the development and will on maturity, provide an attractive environment to live.

Legislative and Policy Context

Environmental Impact Assessment

As noted in the earlier part of the report an Environmental Statement (Volumes 1 and 2 and Non Technical Assessment) has been submitted. An extensive range of potential environmental effects in consultation with relevant consultees have been considered and issues which could give rise to significant impact identified.

Each of the matters have been fully assessed in respect of methodology, baseline conditions, identification of effects, mitigation and residual effects.

A number of technical topics where significant environmental effects would be unlikely were also identified and these are subject to specific supporting documents and assessment. These include Archaeology, Climate Change , Electronic Interference, Human Health, Daylight, Sunlight, and Overshadowing, Heritage and Wind Microclimate.

These issues are dealt with in detail in the report.

The National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in July 2021.

It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below.

The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, there are three overarching objectives, which need to be pursued mutually. Firstly, the economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth. Secondly, the social role is required to support

communities by creating a high quality built environment with accessible local services to reflect the needs of the community. Lastly, the environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making.

Section 5 'Delivering a sufficient supply of new homes' states that in order to support the Government's objective of significantly boosting the supply of homes, 'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay' (paragraph 60).

With regards to affordable housing, paragraph 65 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 92) which promote social interaction, be safe and accessible and enable and support healthy lifestyles.

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health' (paragraph 105). Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111).

Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 112).

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 113).

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 119).

Decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive and healthy places.
- (paragraph 124).

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

Paragraph 125 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 124).

Planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The NPPF is clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Conversely, where the design of a development accords with clear expectations in

plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 134).

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 152).

Section 15 'Conserving and Enhancing the natural environment' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, sites of biodiversity, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Noise

This section states that Local Planning Authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;

- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design

This section states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

Health and Well Being

This section states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

Travel Plans, Transport Assessments in Decision Taking

This section states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

Relevant Local Policies

The Development Plan

The Development Plan consists of:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

The Core Strategy was adopted in July 2012 and is the key document in the Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved and accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

Section 38(6) of the 2004 Act requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF also refers to this requirement.

The relevant policies within the Core Strategy are as follows:

Policy SP1 'Spatial Principles' - one of the key spatial principles is the emphasis on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise

the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The proposal would contribute towards meeting housing growth in the City and creating a quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on existing local residents along with promoting a sustainable development.

Policy T1 'Sustainable Transport' seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. The proposal is located in an area where there is access to a range of public transport modes, including regular bus and tram services. The detailed element of the application includes the provision of cycle storage and electric charging points, this aspect of the scheme would be conditioned together with a requirement for the infrastructure to enable the provision of further electric charging points in the future. Furthermore, a condition is recommended in regard to the provision of cycle storage and electric charging points and associated infrastructure in regard to the outline element of the proposal. It is considered that the scheme would accord with the broadly aspirations set out in policy T1.

Policy T2 'Accessible areas of opportunity and needs'. It is considered that the proposed development is in a sustainable location and is close to forms of public transport includes a tram stop within walking distance at the Etihad Stadium, and bus services on Briscoe Lane, Old Church Street and Oldham, and would not have a significant impact on the local highway network and encourage the use of other forms of transport.

Policy H1 'Overall Housing Provision' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. Policy H1 prioritises residential development on previously developed land, in particular through the re-use of vacant housing or other existing buildings. The redevelopment of this brownfield site would accord with policy H1.

The development will form a medium density residential scheme (53 dwellings per hectare) within an area of East Manchester that is expected to accommodate housing growth. Consideration has been given to the access and the layout of the housing along with prioritising the re-use of the previously developed site. In addition, the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The proposed accommodation would comprise a mix of 2, 3 and 4 bed houses and 1, and 2 apartments. These have been designed to comply with the guidance within the Manchester Residential Quality Guidance in regard to floorspace.

Policy H4 'East Manchester' will be the focus for 30% of new residential development over the plan period, with priority given to high quality development and provision of family housing. Higher density housing will be permitted in certain areas of East Manchester, that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Newton Heath, when the development would be part of a mixed-use scheme. The proposed development would accord with

policy H4 by facilitating the delivery of a wide range of new affordable accommodation consisting of 2,3 and 4 bedroom family houses, and 1 and 2 bedroomed apartments, and the creation of a community hub, incorporating a community café.

Policy H8 'Affordable Housing' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. 67.5% of the proposed residential units would be affordable but this is provided through grant funding . The proposed tenure mix would be 35% shared ownership, 25% affordable rent , 7.5% social rent , 25% market rent and 7.5% open market sale.

A viability assessment has been submitted which demonstrates that the development cannot support affordable housing, without the benefit of grant funding. The viability would be reviewed at a later date to determine whether this has changed. Further details will be provided in the main body of the report in this regard.

Policy EC2 ' Existing Employment Space' seeks to retain and enhance the existing employment spaces and enhance existing employment space. Whilst a small area in the north west of the site fronting onto Ten Acres Lane was identified as forming part of the Central Park Strategic Employment Location which lies to the north and south of Oldham Road, this has not been developed out.

Policy EC3 'The Regional Centre'-This site lies within the area defined as the Regional Centre. Within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged. Housing will also be an appropriate use within the Regional Centre. Subject to site and location details, the Regional Centre will generally be a location where higher density residential development is appropriate. The approved remediation works in conjunction with the scheme under consideration would enable the future sustainable development of this site.

Policy EC 5 'East Manchester 'East Manchester is expected to provide approximately 80-85ha of employment land. The majority of this provision will be within the Regional Centre, specifically:

Central Park (policy EC6), B1, B2 ; Eastlands (policy EC7), a major leisure visitor destination with ancillary retail and offices; and the City Centre fringe.

Policy EC6 'Central Park Strategic Employment Location' A small area in the north west of the site fronting onto Ten Acres Lane falls within the area covered by policy EC6. The Policy Central Park as a large scale employment location in East Manchester suitable for 60ha of employment uses, with a range of employment types encouraged across the whole of the Central Park area. For the reasons set out in regard to policy EC 2 above it is considered that on balance the proposed development is able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives for the area

Policy EN1 'Design principles and strategic character areas'. states that all development in Manchester will be expected to follow the seven principles of urban design (character, continuity and enclosure, public realm, ease of movement, legibility, adaptability and diversity) and have regard to the strategic character area in

which the development is located. The detailed element of the proposed development has addressed the principles set out in policy EN1 . The design of the outline element of proposed development will be dealt with at the Reserved Matters stage of the process.

Policy EN3 'Heritage' throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those in the City Centre. New development must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character , setting and accessibility of areas and buildings of acknowledged importance, including scheduled monuments, listed buildings registered parks and gardens , conservation area and archaeological remains.

The Environmental Statement and Archaeological report references 3 listed buildings/structures within 500metres of the site, Newton Silk Mill on Holyoak Street (Grade II), Church of St. Wilfrid and St. Ann on Oldham Road (Grade II), the Church of All Saints and the railings and gateways to the Churchyard of All Saints on Culcheth Lane (Grade II) 360m to the east .

It is not considered that the proposed development would adversely impact on the setting of the listed buildings as none of the listed building referred to above is within a direct line of sight of the proposed development.

With regards to the heritage asset comprising the former brickworks, the reservoir and a flag stone wall referred to in the Environmental Statement would be affected and it is therefore recommended that any approval be conditioned to require a programme of archaeology works to be submitted in accordance with a Written Scheme of Investigation to ensure any are remains which are found are recorded.

Policy EN4 'Reducing CO2 emissions by enabling low and zero carbon development' the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies. The detailed element of the proposal incorporates a fabric first approach and the use of renewable technologies to enable carbon reduction within the development thereby according with the aspirations of policy EN4.

Policy EN6 'Target framework for CO 2 reductions from low or zero carbon energy supplies' states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

The application confirms that the dwellings would be built to a high sustainable standard all in accordance with current building regulations Part L1A and sustainable environmental planning policies. Furthermore, that Dwelling Emission Rate has a betterment over the Target Emission Rate, Building Regulations Part L 2016 by 9% relation to Domestic CO2 emissions reduction targets for the properties within the

first phase of the development. It is anticipated this will be reflected in phase two and a condition be imposed to this affect.

Policy EN 8 'Adaptation to Climate Change' states that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces.

Policy EN9 'Green Infrastructure' states that development should maintain green infrastructure in terms of its quantity, quality and function. Developers should enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

This is a brownfield cleared site that is subject to much contamination due to past use. The self-seeded trees and areas of unkempt vegetation on the site have been cleared as a necessity of its remediation.

The loss of trees and vegetation is regrettable but there was no alternative if the site is to be remediated and reduce health impacts.

The development itself would involve creating areas of green infrastructure to include pocket parks, green space in association with the proposed community hub and pedestrian connection to the canal towpath and well private usable amenity spaces to the proposed dwellinghouses.

Policy EN10 'Safeguarding Open Space, Sport and Recreation Facilities' advises that Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards identified in the Core Strategy, and provide a network of diverse, multi-functional open spaces.

This is a private site, it does not contain sport facilities and has been identified for development. Although there may have been some informal use, the site is heavily contaminated and has no status in terms of a green open space.

Notwithstanding this, it is adjacent to the Ten Acres Lane Astro Turf and Sports Complex, and there are significant levels of semi-natural green space within 15 minutes drive time. Brookdale Park is close by and there are other smaller local parks within the vicinity.

Policy EN11 'Quantity of Open Space, Sport and Recreation' states that as opportunities arise, new open space, sport and recreation facilities will be created across Manchester. The Council will seek the provision of new open space, sport and recreation facilities, in particular where:

- a quantitative shortage of a particular use per head of population, including any expected increase of population created by the new development, based

on the findings of the Open Space, Sport and Recreation study and Playing Pitch Strategy, is identified in the local area;

- where significant levels of development are proposed including within the Strategic Housing Location.

-

The proposal would deliver public realm in the form of pocket parks and a community park in the detailed element of the scheme, with indicative LAP and further public realm in the outline phase of the development. Furthermore, the provision of a school would enable further sports provision to be made available to the local community through a community agreement. It is proposed that this matter, forms a condition of any approval.

Policy EN14 'Flood Risk' advises that proposals on sites greater than 0.5ha within critical drainage areas. In line with the risk-based sequential approach contained within PPS25, policy EN14 seeks that development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA).

All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide.

Manchester contains many sections of rivers which are culverted or 'hidden'; where these are indicated in the SFRA beneath the proposed development site, further investigation will be required and the development proposal should take this into account; where feasible and appropriate development should seek to open up culverted/hidden rivers to reduce the associated flood risk and danger of collapse, taking advantage of opportunities to enhance biodiversity and Green Infrastructure. This site is in Flood Zone 1 and the issue is dealt with in greater detail elsewhere in this report.

Policy EN15 'Biodiversity and Geological Conservation' states the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City, with particular consideration to sites of biodiversity value including Sites of Biological Importance (SBIs) and Local Nature Reserves (LNRs). The adjacent Rochdale Canal is an SBI. Policy EN15 requires developers to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate. The protected species originally present in the site have been relocated in conjunction with assistance from Greater Manchester Ecology Unit in connection with the previously approved application to remediate the site. With the exception of a tree on the Ten Acres Lane frontage all trees and vegetation have been removed. Measures to respond to ecological enhancement and biodiversity are considered in detail elsewhere in this report.

Policy EN16 'Air Quality' states the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be

expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality, alongside other plan objectives. This includes cumulative impacts, particularly in Air Quality Management Areas. The proposed works have the potential to lead to temporary impacts to air quality due to dust creation as part of the remediation and construction processes to be undertaken.

The proposal would not compromise air quality and would incorporate measures to minimise dust from the construction process and car usage during the operational phases. Measures to manage air quality impacts during construction process would be fully addressed as part of the construction management plan for the site.

Policy EN17 'Water Quality' sets out that following elements a development must consider in relation to water quality, and that in particular development should avoid any adverse impact on water quality, including during the construction phase; minimise surface water run-off, maximise the use of appropriate sustainable drainage systems, and minimise groundwater contamination; and if close to a watercourse, the development should ensure waste and litter cannot enter the watercourse. It is proposed that the implementation of measures to safeguard the adjacent canal are conditioned to safeguard water quality.

Policy EN18 'Contaminated Land' states that the Council will prioritise remediation of contaminated land. The applicant has provided details relating to ground conditions and further investigative work would be needed to confirm the findings of the provisional details and determine the levels of mitigation required. As advised earlier in the report, planning permission was approved in October 2021 for the site to be remediated, subject to conditions. As these conditions have yet to be discharged, it is therefore recommended they form part of any approval to redevelop the site. This matter is considered in detail elsewhere in this report.

EN19 'Waste' states proposals must be consistent with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). The applicant has a clear waste management strategy for the site which will ensure that residents adhered to recycling principles. Compliance with this strategy will form part of the conditions of the planning approval.

Policy DM1 'Development Management' all development should have regard the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as proposals which would be sensitive to existing environmental conditions, such as noise;

- Community safety and crime prevention;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

These matters have all been considered and assessed as part of the detailed analysis of the application. In addition to the proposal has been assessed against the Council's space standards.

As set out within the issues section of this report below, the application is considered to accord with these policies.

Saved UDP Policies

Saved Policy EM5 relates to the area of Central Park and seeks its regeneration , including a high quality business park comprising B1, B2 and B8 uses , with high quality landscaping and improved access to the Rochdale Canal. Any new residential development as part of a mix of uses is expected to be of high quality and design to enhance the area. Policy EM5 also recognises that the area is characterised by large area of previously used land and buildings and sites that are currently under used, but the area is well placed to take advantage of its proximity to the City Centre, M60 and road and rail networks.

Saved UDP Policy DC26 advises that the Council intends to use the development management process to reduce the impact on people working and living in the city and will consider the effect of new development proposals that are likely to be generators of noise.

Other material policy considerations

Guide to Development in Manchester Supplementary Planning Document (2007) and Technical Guidance (2015)

The Guide to Development in Manchester - Supplementary Planning Document and Planning Guidance (SPD) was originally adopted on 11 April 2007. The document reflects and provides guidance on the importance of creating attractive, well-designed, well-maintained neighbourhoods. It includes a set of reasoned principles which will guide developers, designers and residents to the sort of development which is anticipated in Manchester.

In addition, technical guidance for developers was published in December 2015. It is composed of two documents, GD03 Environmental Protection and GD05 Planning and Noise.

These documents reflect and provide guidance on the importance of creating attractive, well-designed, well-maintained neighbourhoods. It includes a set of reasoned principles which will guide developers, designers and residents to the sort of development which is anticipated in Manchester.

Manchester Residential Quality Guidance (2016)

This is a material planning consideration in the determination of planning applications and weight should be given to this document in decision making. The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a city of high-quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

Providing for Housing Choice – Supplementary Planning Document and Planning Guidance (2008)

This document sets out in detail the Council's Affordable Housing Strategy and sets out the rationale for the target proportion of affordable housing and tenure mix.

Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)

Adopted in 2015, the vision for the strategy is that 'by 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. There are four objectives in order to achieve this vision which relate to quality and function of green and blue infrastructure; its use as a component of new development; improving access and connectivity and promoting wider understanding and awareness of its benefits.

Residential Growth Strategy (2016)

The Strategy aims to ensure that there is the right quality, mix and type of housing in the right locations to meet demand and changing demographics, develop neighbourhoods of choice and improve equality amongst the City's residents in terms of housing choice, quality and affordability in order to develop strong communities.

In addition, the Strategy sets out the aim to "increase supply and density and the conurbation core on brownfield sites within the Northern and Eastern Gateways.

The proposed development would accord with these aims, in relation to the provision of a mix tenure scheme which would deliver affordable housing.

Manchester Climate Change Framework: 2020-2025 and Manchester Zero Carbon Framework (2020);

In November 2018, Manchester City Council made a series of commitments, informed by the Manchester Climate Change Agency's (MCCA) work with the world-renowned Tyndall Centre for Climate Research based at University of Manchester. The key commitments are well documented and work towards the city becoming zero carbon by 2038, significantly accelerated from the original target of 2050.

A draft Manchester Zero Carbon Framework has been developed which sets out the City's overarching approach to meeting its science-based climate change targets over the period 2020-38 and draft action plans for the period 2020-22 are being developed by the Council and other strategic organisations and sectors.

On 10 July 2019, a motion asking Manchester City Council to formally declare a climate emergency was unanimously agreed. In March 2020 the Executive adopted the Manchester Climate Change Framework 2020-2025. The five-year framework sets out measures that MCC will take in order to reduce carbon emissions from its buildings, energy use and transport.

The proposed development incorporating a fabric first approach and the use of renewable energy in the form of air sourced heat pumps and solar photovoltaics would enable the development to achieve an appropriate level of carbon reduction.

East Manchester Strategic Regeneration Framework

East Manchester Strategic Regeneration Framework's broad aim is to regenerate this area of the city. It identified the need to create sustainable communities; secure the highest standards of physical redevelopment; ensure that development was commercially viable and geared to generating and extending housing choice to a wider cross section of the community; recognising the history of East Manchester; recognising the importance of natural features and enhancing physical and visual connections .

The SRF was refreshed to create a framework for 2008-2018 and specific objectives relating to Newton Heath (within which the eastern part of the application site is located) included the promotion of vacant sites for high quality housing structured on a regular street grid pattern, in particular developing new high quality housing on the former Jackson's Brickworks site. Objectives relating to Central Park (within which the western part of the application site is located) includes promoting Central Park South for wide range of uses, not confined to those reserved for Central Park North. The application currently under consideration has the potential to aid the delivery of these specific objectives.

Eastlands Regeneration Framework (March 2019)

The framework builds on the East Manchester SRF and remains in draft.

Other legislative requirements

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise

disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Section 17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Issues

Principle of Development

The site is located between a predominantly residential area of Miles Platting & Newton Heath ward, and an area of commercial /industrial uses to the west. The principle of development is established through the policy framework and the past applications (albeit the last resolution to be minded to approve was several years ago). Core Strategy policies C3 and H4 both support residential development on the site. Furthermore, Policy SP1 states that the emphasis should be placed on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

This part of the City is also a focus for the provision of new residential accommodation on areas of previously developed land. The site has been identified for regeneration and redevelopment for over 25 years, having been identified within the UDP (1995) and the East Manchester SRF (2008-2018). Despite being allocated for residential and commercial uses, none of the previous planning approvals for the development of the site have been implemented. This is likely to be largely due to the highly contaminated nature of the site. With the remediation strategy granted in 2021 there is now an opportunity to bring forward development which would deliver key objectives.

The provision of an additional 716 new homes including a high % of affordable housing, would boost the supply of much needed new homes .This provision together with the school, a community hub and café would contribute to the creation of a sustainable neighbourhood, positively contributing to the regeneration of the local area.

The development would fully accord with the principles of Policies SP1, H1 and H4.

Regeneration

Regeneration is an important planning consideration as it is the primary economic driver of the city and crucial to its longer-term economic success. This report sets out clearly how the site and this development would deliver significant benefits for the area and the city.

Proposed Residential Accommodation

There is an identified need for housing in Manchester to meet the growing population and workforce. In line with the requirements in the NPPF, the mix of housing has been designed to take into consideration existing and future housing needs in this area of City.

The proposal includes a mix of house sizes and includes the provision of affordable housing (67.5%), which would support the Council's residential growth strategy in addition to meeting the NPPF requirements.

The homes have been designed to meet the Council's clear design aspirations and requirements as set out in the Residential Quality Guide. This includes the provision of front and rear garden spaces to support place making.

Affordable Housing

The application has been submitted by Nuvu Development Ltd who are part of the Your Housing Group Registered Housing Provider. It is proposed that the residential units be delivered would be a mix of open market, private rented and social/affordable rent together with shared ownership.

Policy H8 sets out how developments should respond to the 20% contribution of affordable housing across the City. Using 20% as a starting point, developers should look to provide new houses that will be for social or affordable rent with a focus on affordable home ownership options. Any requirement or not for affordable housing will be based upon an assessment of a particular local need, a requirement to diversify the existing housing mix and the delivery of regeneration objectives. An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The submitted viability appraisal assesses that it would not be viable to provide affordable housing, based on current market conditions; however, the applicant has committed to maximise the quantum of affordable housing to be delivered on the site. Your Housing Group has confirmed it has funding in order to secure delivery the on-site affordable housing through a grant.

The affordable housing would be distributed throughout the site and a tenure-blind approach adopted.

Nuvu Developments (a wholly owned subsidiary of Your Housing Group) would carry out the development works for Your Housing Group. During construction of the scheme the affordable rent and shared ownership properties are transferred to Your Housing Limited (the charitable registered provider arm of Your Housing Group). Your Housing Limited manage the sales programme of homes delivered for shared ownership and are responsible for customer applications and reservations for each development, act as landlord for shared ownership properties and deliver aftercare.

Your Housing Group have confirmed that before any applicant can be offered a property, they must have their eligibility confirmed by the Homebuy Agent for the North West as required by condition of grant by Homes England. The eligibility process is to ensure that applicants meet the criteria for shared ownership – primarily first time buyers – but including people that may have previously owned a property

but can no longer afford to buy one outright . Your Housing Group have indicated a willingness to work with City Council housing officers to consider any applicant they wish to refer.

In addition to the above, the applicant has also agreed to enter into a S106 agreement in relation to a reconciliation clause which would allow viability to be reassessed at a future date.

Climate Change

How climate change is addressed is a key factor in the consideration of planning applications. The proposal and key issues, including air quality, flooding and environment standards are considered in detail in the following sections. This report will therefore consider the relevant specific policies and material considerations and determine whether any undue harm would arise as a consequence of the development.

Ground Conditions

Historically, the site operated as a brickworks, with two large clay extraction pits, which culminated into two extensive excavations that occupied approximately 85% of the site. From the late 1940's onwards the clay extraction pits appear to have been used for landfilling.

Site investigation works have been undertaken and confirmed the scale and nature of the contamination due to this past use. These assessment fed into the approved remediation works (planning permission ref: 129197); the strategy involves general site clearance and removal and disposal of vegetation and trees, fly-tipped materials and surface debris; removal of any asbestos containing materials; break out of hardstanding areas and grubbing out of any subsurface features; processing of crushed concrete, bricks and other appropriate materials; turnover of the top 2-3m of Made Ground and over-dig for some areas of deeper Made Ground (~ 5m depth); and ground gas / vapour mitigation.

As the suite of conditions attached to that approval have yet to be discharged, it is proposed these be attached to any approval for the site's redevelopment.

These conditions had been discussed at length and agreed with both the Environment Agency and Environmental Health and already agreed with the applicant.

These conditions include the requirement for:

- an additional site investigation;
- a detailed assessment of risks to human and environmental receptors (including those off-site).;
- the development and submission of a Ground Stabilisation Works Plan ;
- a verification report
- If, during the undertaking of site works, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority.

- Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Ground Gas

As part of the approved remediation strategy, work would involve excavations that are open to the air. It was suggested that perimeter ground gas monitoring would not be required, as gas would be expected to vent to the atmosphere rather than be forced laterally as a result of ground disturbance. However, this would need to be confirmed following the completion of ground gas risk assessments and development of a finalised detailed remediation strategy, which formed part of the previously approved conditioned approach for the remediation works.

Controlled Waters

The site lies in an elevated position alongside the Rochdale Canal which is considered to be a potentially sensitive receptor; this together with the adjacent residential properties could potentially pose a risk of surface egress of contaminated groundwater.

As part of approved remediation scheme, a monitoring programme including fortnightly chemical testing of the Rochdale Canal for contamination was proposed, and that following the interpretation of the results, if there was an adverse impact from the works, suitable mitigation measures would be implemented.

Furthermore, that monitoring would also include the daily environmental inspections of the site boundary for groundwater seepages or contamination run-off to adjacent land, and should these be identified, then migration prevention / water collection should be installed at the site boundary.

A condition relating to the submission of a finalised detailed remediation strategy was therefore agreed, together with further conditions relating to the submission of plans of the existing and proposed site levels in the form of cross sections; that no infiltration of surface water drainage into the ground, where adverse concentrations of contamination is known or suspected to be present, is permitted other than with the express written consent of the Local Planning Authority.

A condition was also attached relating to the submission of measures to protect the canal including requirements relating to measures necessary to reduce dust and windblown debris from the site with suitable dust suppression techniques., and details of the proposed mitigation works intended to safeguard land stability and structural integrity of the canal.

As these conditions have yet to be discharged it is proposed that they be attached to any approval relating to the proposed development under consideration.

Siting / Layout

The detailed element has been designed so that each of the properties would have a street frontage, with residential properties also facing onto Ten Acres Lane and onto

the Rochdale Canal. This would maintain active frontages and surveillance along the proposed routes within the development.

The proposed development comprises a mix of terraced and mews properties with semi-detached houses, and low- rise apartment blocks, which are appropriate and in character with the wider area.



Terraced houses fronting on to Ten Acres Lane (visual image above) to create a presence, semi-detached houses would be set-back behind front gardens allowing for tree planting with parking behind the building line and to the sides. The proposed three storey terraces of houses and apartment blocks to the north of the site would be set back from the Rochdale Canal with a deep landscaped buffer and would provide natural surveillance of the towpath.

The apartments blocks have been located so that they 'hold' key corners, and create strong landmark overlooking key spaces, with the community hub building designed to create a focal point at the centre of the development.



In line with the Residential Quality Guidance and the Guide to Development in Manchester, the new buildings along with the proposed tree planting and landscaping to front garden areas, would contribute positively to the street scene. Off street parking in the form of driveways to dwellinghouses in part of the site, with parking to the rear of dwellings which front onto Ten Acres Lane or the Rochdale Canal would also be incorporated.

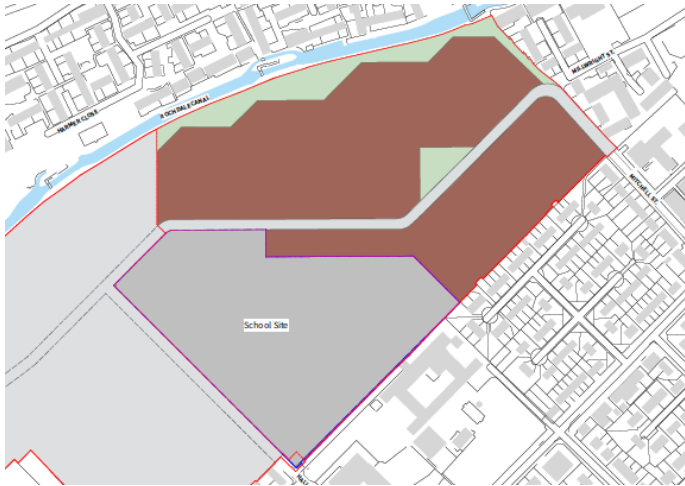
The potential impacts on the residential amenity of existing residents are discussed in more detail below; however, in relation to the siting and layout of these properties, the positioning and orientation of the new properties are considered to be acceptable.

A question was initially raised about whether the proposed school could be located on the frontage to Ten Acres Lane. Options for an alternative site were fully explored with the applicant; however, a location for example onto Ten Acres Lane had the potential to lead to highway safety issues (partly due to the rise in the level of the road to traverse the canal within close proximity to the site), and associated impacts from pick up and drop off arrangements. The proposed location provides the school in the heart of the neighbourhood; in addition, it would be on an area of made ground. If this area was to be used to accommodate new homes, it would require deeper piling and the issues surrounding settlement would be more severe for external space than a playing field.

As such the proposed location of the school presents the best option from a geotechnical perspective, as well as from a transport, highways and accessibility perspective.



As already noted elsewhere, the outline phase seeks approval for access and the principle of development of the school and up to 338 new homes. The parameters plan shows how these can be accommodated together with new public open space.



The access for this phase would be from a north western extension of Mitchell Street and form a connection created in the first phase.

Scale / Massing

The development would comprise 2, 2.5 and 3 storey dwellinghouses with 3 storey blocks of apartments; the community hub would be 4 storey (with community use (including a community café) at ground level with apartments above.

Three storey town houses have been positioned to address the primary route ('The Avenue' -which runs east to west across the site) and to overlook the Rochdale Canal to the north of the site. The 3 and 4 storey apartments blocks are positioned at the key gateways into and within the site to create landmark buildings, which would aid legibility.

Three storey buildings (townhouses and apartments) have been sited facing onto the Rochdale Canal, to the north of the site , to create a strong frontage, with the 4-storey hub building providing a central landmark building centrally within the wider site.

The remainder of the proposal mostly comprises of 2 storey housing, with the use of 2.5 storey houses (incorporating dormer features) to hold key views and reinforce legibility.

The parameters plan for phase 2 indicates a similar height for the residential element of 2 to 4 storeys and the school being up to 2.5 storeys in height. This would ensure a complimentary form of development both in terms of the first phase and as a response to the existing residential neighbourhood.

Overall, the scale of the development responds appropriately to the scale of the existing developments in the area and is considered to be acceptable in this location.

Appearance

The new homes would be contemporary in design, although would involve the use of traditional materials (brickwork and tiles). The images below are typical of the designs which would form the proposed development, ranging from the smaller mews properties to the larger 3 and 4 bedroom dwellings



A contemporary design with similar themes is proposed for the three storey apartment blocks. The proposal would create a modern design based on the housing style in the locality (characterised by traditional interwar semi-detached houses and Victorian terraced properties) and is considered to be acceptable in this location.

It is envisaged a similar theme would run through the later phase.

Residential Amenity

The site is bounded to the south and east by residential properties, together with a primary school, and further dwellinghouses to the north of the canal. As the site has been vacant for a prolonged period of time, it is inevitable that the development would have some impacts. This includes noise from site remediation, construction and once operational.

However, it is not considered this would be to such an extent to cause unacceptable harm, and that conditions set out in the report would enable those aspects likely to

give rise to residential disamenity, to be effectively managed for the temporary period of for example, the construction works.

The distance from the rear elevation of the proposed dwellings and the rear elevations of existing housing to the south is 22.5m, which is an acceptable distance and should not give rise to overlooking.

Within the development a row of part single, part two storey mews houses are proposed; there would be a podium garden on the roof of the single storey element. The design includes a solid wooden privacy screen to the rear of the garden and railings to the front facing the street. Due to the nature of the proposed garden space, there would only be 11m from the rear elevation of these dwellings to the new houses proposed to the rear. To protect privacy, it is proposed that the secondary bedroom window in the latter be obscurely glazed to a height of 1.7m above internal floor level.

The use of conditions in relation to boundary treatments across both phases, together with consideration of the appearance and internal layout of the houses in phase 2 (at the reserved matters stage of the process) would enable privacy issues to be appropriately managed.

It is acknowledged that there would be some increase in traffic, but again this would not be such that it would cause undue harm. It is acknowledged there would be some impact from decontamination of the site and through construction in terms of noise dust.

The remediation of this site and its impacts had been fully considered as part of the planning permission already granted. These phases would be managed and short term.

Townscape and Visual Impact

The site is enclosed for the most part, on all sides by built form, with the surrounding mixed character residential and industrial uses defining the local area of Newton Heath and Miles Platting. The surrounding residential character and that of the Rochdale Canal corridor have strongly influenced and informed the development now under consideration.

The Rochdale Canal is a public right of way and key green route into the city centre, and forms part of National Cycle Network Route 66; it is anticipated that the Bee Network Infrastructure may lead to the canal towpath being widened in the coming years.

There is currently no formal access into the site which has now been cleared due to the reasons set out elsewhere in this report. The loss of the self-seeded trees and vegetation has had some impact in visual terms, but this has been necessary to facilitate remediation to reduce risk to human health. The proposal would deliver new green space and trees, open up the canal which is currently uninviting and together with the built form this would deliver significant uplifts environmentally and physically.

The illustrative visual images below show the relationship to the canal towpath and

within the proposed site.



The design and orientation of the proposed buildings, integrated landscaping and public open space would improve the site visually and deliver a high-quality development on a site with complex ground conditions.

Traffic Generation

It is acknowledged that construction can bring it disruption; this would temporary and the worse impacts can be mitigated with the implementation of a Construction Management Plan. It is not unusual for the impacts to fluctuate as construction progresses.

From the information provided it is suggested that even with fluctuating contractor movements the expected total number of vehicle movements associated with the construction phase of this development would not significantly affect the existing traffic flows. The arrival of vehicles related to construction is also considered to be below that would be expected once the site is fully built out and occupied.

The assessment concludes that the environmental implications of construction traffic are negligible.

The Assessment has also considered the operational phase; inevitably there is predicted to be an increase in traffic on Mitchell Street. However, the overall daily traffic is expected to be significantly below other nearby roads, and in the context of the local area, the level of traffic on Mitchell Street would continue to be relatively low even with the addition of traffic from the proposed development.

The assessment also expects the traffic from the proposed development to have an immaterial impact on driver delay across the majority of the network within the area of study, and that the scheme would deliver enhancement to pedestrian and cyclist amenity.

Ten Acres Lane has been assessed in terms of its capacity, the analysis indicates no issues; however, the proposal includes an improvement scheme at the Briscoe Lane /Ten Acres Lane signalised junction to provide additional capacity. This comprises a widening of the Ten Acres Lane (southbound) approach to allow a separate lane for right turning traffic. It is recommended that a refuge island is installed within the ghost island hatching to the north side to allow pedestrians to cross the road at this point, including the provision of pedestrian facilities on all arms of the junction. An off-street highways condition is therefore proposed.

Overall, the site is considered to be in a sustainable location within walking distance to public transport, the proposal would deliver improved access through the site and to the canal towpath and high levels of cycle storage provision. Trip forecasts in the submitted information show a small percentage of background traffic flows.

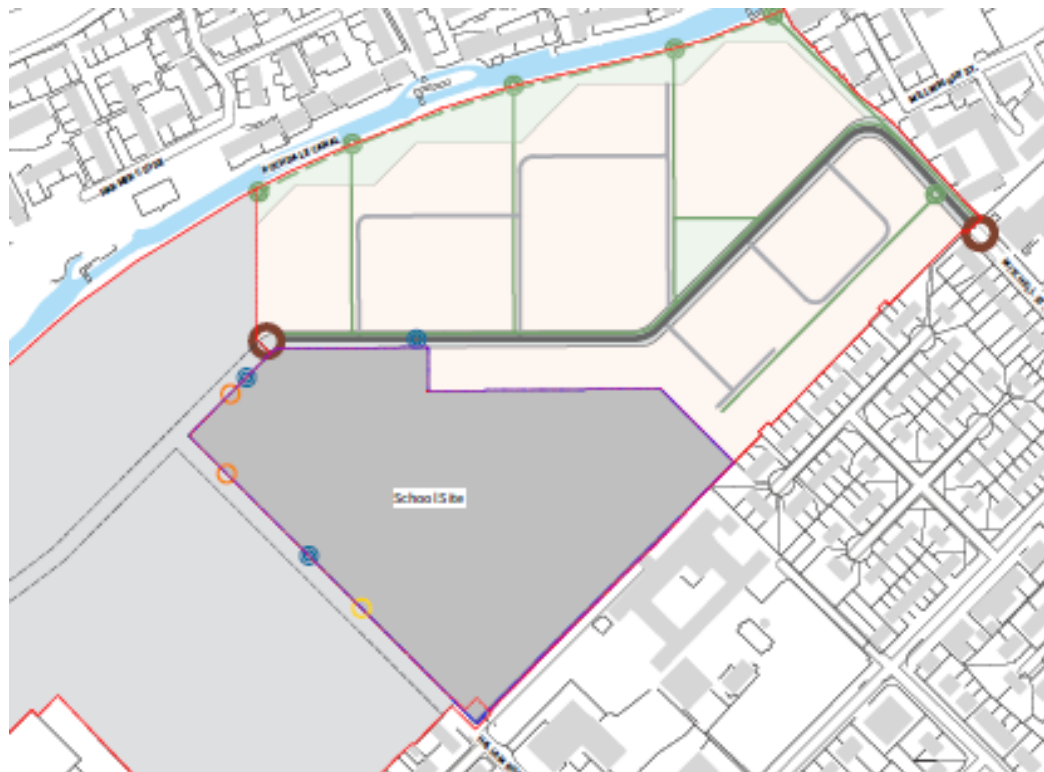
Access

Vehicular access would be from Ten Acres Lane, with a through route being provided west to east joining to Mitchell Street when the outline element of the scheme is designed. The parameters plan effectively provides for a vehicular connection through the site.

An access from Hallam Road has been designed to be accessible only to pedestrians and cyclists; this will help to prevent pupil drop-off to the new secondary school from the existing housing estate. It is understood that pick up and drop off arrangements for the proposed school would take place within the area in Phase 2 of the development ; it is proposed that this aspect of the scheme be conditioned.

Routes within the detailed element of the development have been designed to enable access for pedestrian and cycle users throughout the development, promoting sustainable travel modes, including via direct access to the canal towpath.

The scheme includes some short sections of highway which the applicant (registered provider) is not seeking to be adopted. These areas would be maintained by the applicant or a management company on their behalf.



Further Highway Related Matters and Car Parking

The development includes the provision of 134 off street car parking spaces (100% provision) for the proposed apartments, with 10% provision of spaces for disabled users. There would be off street parking in the form of driveways, or parking provision to the rear of dwellinghouses fronting onto Ten Acres Lane or the canal, with a mix of either 1 or 2 parking spaces depending on the size of the property. This is considered to be acceptable.

The proposal indicates that each house would have an electric charging point for vehicles, with 20% provision for the proposed apartments (cabling provided to all parking spaces to enable future provision). At this stage no details of the kilowattage of the proposed chargers has been provided. It is therefore proposed to attach a condition relating to the delivery of electric charging points, together with confirmation of their capacity to be provided prior to occupation of the first dwelling.

Six electric charging points for vehicles are proposed to the community hub parking facility.

100% cycle storage space would be provided for the new dwellings, on the basis of one secure space per property, in the rear garden. Each apartment block includes a secured communal cycle storage room with a rack to accommodate 9 cycles at ground level within 2 of the apartment buildings where 11 apartments are proposed, and 17 spaces in the other block where 19 apartments are proposed. There would be two cycle storage rooms at ground level within the community hub. Further, commitment has been subsequently provided that 100% provision would be provided for the apartments and it is therefore proposed to condition this aspect of the scheme.

A number of measures to encourage travel to and from the site by sustainable modes are contained within the Travel Plan for the site. It is anticipated that this would also help to encourage a reduced car parking demand.

Traffic calming is proposed; a condition is recommended to require the submission of scheme to deliver a 20mph zone (via traffic regulation order and boundary signs) accompanied by the traffic calming measures.

There would be a transition from carriageway to pedestrian/cycle routes at Hallam Road and Hallam Road modal filter, at the junction of Primary Road 1/Secondary Road 9, and at Ten Acres Pocket Park (where it meets the Primary Road).

Pedestrian crossing points are required at all intersections, and it is anticipated that these would comprise dropped crossings and buff tactile paving. These works would be dealt with as part of the discharge of the proposed highway works condition.

Overall, it is considered that the development would have adequate car and cycle provision to serve the needs of the development. Travel planning is proposed to take advantage of the sites sustainable location; servicing and construction requirements can also adequately met at the site.

Loss of current informal space

The site has been vacant for several years; self-seeded trees and vegetation had developed and there was informal access; the overgrown nature of the site and poor natural surveillance had led to reports of anti-social behaviour. The site has now been largely cleared to facilitate remediation and fenced. If there is any delay to remediation, it was agreed a wildflower meadow would be implemented on site.

The site is private land and is not classed as public open space. There are green spaces in the wider area, this includes Clayton Vale, Moston Brook Valley, Brookdale Park and Broadhurst Park. It has also been identified as a brownfield site for development for many years to meet key council objectives. The proposal itself would provide new green space, tree planting and open space.

Landscaping / Green Infrastructure / Public Realm

A significant level of tree planting (373 trees) would be provided in the first phase with 211 new trees in the second. These would be in front garden areas, the pocket parks and community park, in addition to a deep landscaped buffer along the canal towpath to the northern boundary. The landscaping scheme also includes the provision of native clipped hedge planting, with native herbaceous planting to the water retention swales and rain gardens to the south of the community hub building.

Green infrastructure/ public realm area would be in the form of approximately 1.36ha, within Jackson's Community Park (adjacent to community hub building and fronting the canal) and more in the Ten Acres Pocket Park. This would include play space comprising 0.13ha; Hallam Green, and play space covering 0.08ha; the Hallam Road Pedestrian and Cycle Connection comprising 0.06ha; the Rochdale Canal Linear Park covering 0.41ha and Ten Acres Lane Green Space covering an area of 0.064ha.

The proposed community park would also include the incorporation of play equipment, with young children play equipment proposed in the linear pocket park alongside the proposed route through to the canal.

This represents a significant provision of quality useable public realm for both the existing and future residents in the locality; the needs of elderly residents will also be accommodated.

The final details of species to be planted have not yet been provided for consideration. It is therefore recommended that all soft and hard landscaping treatment proposed for the development are subject to conditions, requiring finalised planting specifications to be submitted for consideration, together with an on-going maintenance strategy with an identified management company.

Landscaping for phase two is a reserved matter, but an indicative plan has been submitted to indicate the split between private gardens and public green spaces, with a further parameters plan showing an illustrative extent of proposed canal side planting; this includes drainage attenuation features and a local area of play (LAP). This approach follows the themes proposed in detailed element of the proposal and

demonstrates that a cohesive comprehensive landscaping scheme is deliverable across the site as a whole.

Trees

In line with the approved remediation strategy, the site has been cleared of trees and vegetation. As noted above 373 trees are proposed to be planted within Phase 1 of the site and 211 in the second phase. The applicant has been asked to reconsider the ratio of non-native trees proposed in order to further improve biodiversity; this has been agreed in principle and the details would be dealt with by condition.

A tree protection plan has been submitted to safeguard existing trees which lie outside of, but in close proximity to the southern and southwestern boundary of the proposed development. It is recommended that this aspect of the scheme is also conditioned.

Habitat Regulations and Ecology

The Rochdale Canal, which adjoins the site to the north, is a Site of Biological Importance Grade A due to the presence of populations of a floating water plantain *Luronium natans* and Grasswrack. It is recommended that conditions are attached to any approval to ensure construction materials do not enter the canal to safeguard the SBI. The proposed development to the north of the site would (with the exception of the proposed hub) be a maximum of three storeys in height and would be set a minimum of 13.2m from the canal at the closest point. There would also be a landscaped buffer set between the properties and the towpath reducing the potential for any overshadowing of the canal. The lighting strategy for Phase 1 incorporates 1m bollard lighting where houses face onto the canal to reduce impacts to bats which use the canal for foraging and commuting.

Protected species that were present on the site have already been relocated with the assistance of Greater Manchester Ecology Unit to enable the remediation works already approved to be undertaken. For clarity, all impacts on ecology and biodiversity were considered and addressed as part of that application.

Reference has been made above of the wildflower meadow required in the event of delays to work on site. Due to the interconnected nature of the remediation scheme and this application it is recommended that the same condition form part of any approval of this development.

The Rochdale canal bordered with a green corridor would assist in supporting bats which use the canal. Furthermore, the tree planting with native species would provide habitats for both birds and bats.

The development therefore presents an opportunity to create habitats available to wildlife on site and provide a betterment to its current low ecological value through a net gain. Conditions are recommended in relation to the provision of bat bricks, bat boxes and bird boxes.

Invasive Species

The site was formerly covered by semi mature vegetation, including Japanese Knotweed and Rhododendron; other invasive non-native invasive species are present in the adjacent canal.

The approved remediation scheme includes the safe removal and disposal of invasive species in accordance with the relevant regulations

Noise

It is acknowledged there are existing residents adjacent the application site and with new development and occupation there would be some impacts. However, it is not considered that this would be unusual or significant.

The three main sources of noise that have been assessed in relation to impact on the development itself include traffic noise from the nearby main roads, the noise generated industrial use to the west of the site across Ten Acres Lane, and to the north of the Rochdale canal.

The noise assessment confirms that noise is not a constraint to residential development, and that good standard of acoustic design can be achieved using reasonable and practicable design measures. The report states that some facades of the proposed dwellings located close to the local road network may exceed internal noise guidelines; however, with appropriate mitigation in the form of standard thermal glazing and ventilation, all dwellings will achieve guideline noise levels while maintaining background ventilation levels.

It is therefore proposed that this aspect of the scheme be conditioned. and that a verification report is submitted upon completion of the development and before first occupation of the residential units, to validate that the work undertaken conforms to the recommendations and requirements in the approved report.

Flood Risk / Surface Water Drainage

The proposed development is located in Flood Zone 1, i.e. land defined as having less than a 1 in 1000-year annual probability of flooding in any one year. The site is also at low risk of flooding from all sources. The development has been assessed against the NPPF 'Sequential Test'. Taking into consideration that the application is for a residential development in Flood Zone 1, NPPF confirms that the development is 'Appropriate'.

Following discussions with Flood Risk Management officers it has been agreed that a conditioned approach should be taken in this instance. Conditions relating to the details of surface water drainage and that the system that is put in place is managed and maintained thereafter are proposed.

Surface run off from the proposed and existing development will be channelled away by a combination of swales and attenuation basins, with swales in the landscaped buffer alongside the canal, and raingardens to the south of the community hub building . This would also have the additional benefits of creating a sense of place in terms of distinct character areas and encourage biodiversity.

Sustainability and Energy Efficiency

The application is accompanied by an Energy Report advises that to meet the challenging demands associated with sustainable development a “fabric first” approach is considered the most cost effective and efficient way of delivering an energy saving development that can meet housing needs and reduce CO2 emissions during the life cycle of each dwelling.

Built in accordance with the fabric first approach detailed in the report with high levels of fabric performance and efficiency, the new homes would constitute a high sustainable standard. This would be in accordance with current building regulations Part L1A and sustainable environmental planning policies. Furthermore, the report states that renewable technologies in the form of air source heat pumps (main heating system) and solar photovoltaic panels (electricity) would be incorporated within the development.

It is therefore proposed to attach a condition to require that the development is implemented in accordance with the Energy Report, and that a post construction review certificate is submitted within a timescale that has been agreed.

Designing out Crime

The application is accompanied by a Crime Impact Statement (CIS) by GMP Design for Security officers . The report suggests that the proposed scheme is acceptable in terms of layout; in order to further improve the scheme from a crime prevention perspective there is a request that consideration is given to secure cycle parking, access control to apartment entrance lobbies, post and delivery arrangements for the proposed apartment blocks and that the overall development achieves secure by design accreditation. These measures are referred to in the CIS

Waste

The waste strategy includes the provision of bins stored in the curtilage of each dwellinghouse for general waste, pulpable recycling, mixed recycling and for green waste. The waste arrangement for the low rise apartment blocks comprises a waste storage room within the building at ground level to serve 11 apartments in Blocks A and C (8x660litre provision). In Block B accommodating 19 apartments 2 bin stores of 8 x 660litre provision are proposed, with 12 x660litre provision proposed to Block D. A condition is proposed to be attached to any approval in regard to refuse storage arrangements within the scheme.

Air Quality

This site is not located in a City Council designated Air Quality Management area (AQMA), although is surrounded by the Greater Manchester AQMA encompassing Oldham Road, Briscoe Lane and Old Church Street (to the north, south and east sides of the site respectively).

The application is accompanied by an Air Quality Assessment which considers the potential impacts to air quality. This demonstrates that the construction phase of the development would result in ‘not significant’ effects on the basis that site-specific mitigation measures are put in place, in accordance with relevant guidance. Such measures would form part of an agreed construction management plan that would be subject to a condition of the planning approval. It is considered that the

impacts on air quality during construction would be temporary and predictable and could be appropriately mitigated through the measures identified above.

The assessment states that the operational phase of the proposed development would also result in 'not significant' effects, and as such no mitigation measures are required. However, specific measures are proposed as part of the hybrid application to futureproof the proposed development which would help to mitigate any potential air quality impacts. These mitigation measures include the planned access and highway improvements (which will reduce congestion generated by the proposal, together with the provision of electric vehicle charging infrastructure and cycle parking at the proposed dwellings. On this basis the scheme is considered to accord with the aspiration of policy EN16. It is recommended that this aspect of the development is conditioned to ensure there are no detrimental impacts to existing air quality conditions as a result of the development.

Ventilation Strategy

A Ventilation Strategy report has been submitted to accompany the application in relation to the community hub, the dwellings and apartments due to the proposed measures for heat recovery, in association with the proposed approach to heating the properties. The strategy has been produced to ensure Part F of the Building Regulations are complied with.

Broadband

Both BT Openreach and Virgin Media have existing fibre infrastructure in place around the application site. It is therefore anticipated that the application properties would have access to good download speeds.

Archaeology

This site has been the subject of an archaeological desk-based assessment in relation to previous schemes. This study found that the site contains no heritage assets and has a very low potential for archaeological remains.

There are no listed buildings within the site or in close proximity to the site. There are heritage assets comprising the former brickworks, the reservoir and a flag stone wall referred to in the Environmental Statement. In view of these, it is recommended that any approval be conditioned to require a programme of archaeology works to be submitted in accordance with a Written Scheme of Investigation to ensure any are remains which are found are recorded.

Permitted Development

The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable. In order to protect the nature of the accommodation being proposed it is considered there is a case for ensuring the dwellings are not converted into multiple occupation without proper consideration. It is recommended that a condition should therefore clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a House of Multiple Occupation (HMO) without the requirement for formal planning permission.

Furthermore, it is considered that there is a case for ensuring that dwellinghouses hereby approved shall be used only as private dwellings and not as 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).An appropriate condition is therefore proposed.

Inclusive Access

The submitted documentation confirms that the proposed houses are positioned to afford level access, and that the dwelling internal ground floor plans are designed to be level and with pedestrian and vehicle approaches having no significant incline. The front and rear doors will have accessible thresholds and all properties meeting the Council's floorspace standards.

Towpath

The proposal access to the canal towpath in proximity to the community hub would achieve a gradient of 1:21 facilitating inclusive access. Given the extensive remediation works required and the after extensive landscaped buffer to be located alongside the route, it is proposed to attach a condition to any approval to require the submission of methodology and measures in relation to the upgrading / resurfacing of the canal towpath, if required , due to damage during construction work. This would enable any treatment of the towpath including materials to be fully explored.

The observations by the Canal and River Trust regarding the potential to create further access points to the canal towpath has been noted. Access in this instance needs to be considered and balanced with the need to provide security for the future occupiers of the site. There would be an additional access to the canal in the vicinity of the community hub and community park and with those that already exist from Ten Acres Lane and Mitchell Street, connectivity is considered to be acceptable.

Comments regarding management of swales are noted. A condition regarding landscaping is proposed which would require the submission of a maintenance scheme for the proposed landscaping. This condition would also enable further consideration to be given to the proposed planting parking courtyards to serve the proposed apartments in proximity to the canal corridor.

Structural integrity of the canal infrastructure

Construction work in close proximity to the canal has the potential to adversely affect its structural integrity. Concerns expressed by the Canal and River Trust are noted. However, due to the proposed houses and apartments being off set from the canal by over 13m, it is anticipated that this should ensure that the building works on the site would not have a direct impact on the structural integrity of the canal infrastructure or result in any loading of the canal washwall.

A condition; however, is proposed to safeguard the canal from debris. Furthermore , the proposed tree planting in the canal side buffer has been set back from the edge of the towpath. As part of the future discharge of the landscaping suitable measures to management root penetration and the canal will need to be considered.

Boundary treatment .

The detailed phase of development would incorporate low walls with railings above to form the boundary treatment to the back of pavement to dwellinghouses, with a 900mm low railing treatment to the curtilage of the proposed apartments, and to form the front curtilage of houses facing onto the canal towpath. Boundaries to rear gardens would comprise walls with timber infill panels above set between 1.8m brick piers adjacent to highways, with 1.8m close boarded fencing forming the overall approach to rear garden boundaries.

Community Engagement

A comment has been received about a lack of consultation. Information provided by the applicant has set out pre application engagement. This included advertising the public engagement process with ways to provide feedback; this was distributed to 3,756 properties closest to the site.

A press release was also issued to the Manchester Evening News and Place North West to advertise the consultation and provided details on how to get in touch with the project team and a Community Information Line was established to enable residents to speak with a member of the development team or to provide their feedback via phone. An email address was also available for residents to request more information, ask questions or provide feedback.

A dedicated website, www.jacksonsbrickworks.co.uk, was created and launched on 4th December 2020 to coincide with the distribution of the letter to the local community and promotions through social media. The website provided an overview of the proposals, the vision for the site, information related to highways and the environment and ways to get in touch with a member of the project team.

To engage with a wider audience, promotion of the proposals and public engagement process was also undertaken through social media platforms. The applicant has advised that during the consultation period, there were 3,946 visitors to the project website.

22 written responses were received during the public engagement process, the majority of which were via the feedback form available on the project website.

- 57% of respondents think there is a need for new, high quality homes in Newton Heath
- 65% of respondents think developers should maximise opportunities on brownfield land first
- Homes for first time buyers, affordable housing, and homes for older people were the property types respondents felt were most needed. No respondents felt large executive homes were appropriate for the area.
- An almost equal split thought the proposals would (48%) and would not (43%) contribute positively to the surrounding streets and spaces.

Further consultation with the community was undertaken in December 2021 in the form of a public exhibition of the plans was held at the Holiday Inn local to the site with members of the development team to answer any questions from local residents.

Consultation materials were also left on display at Newton Heath Library following the public exhibition event until Tuesday 4th January along with feedback forms and contact details.

A community information telephone line, email address and postal address were available throughout the consultation period for those wanting to correspond with a member of the development team.

Concerns were raised by the local community regarding the loss of green space/removal of trees, impact on local traffic, and access from Hallam Road.

Following the public consultation, changes were made to the masterplan. A further consultation was launched until the 6th of March to hear thoughts regarding these changes.

The amendments to the masterplan are in response to the comments received following the second round of consultation, with the principle changes relating to the vehicular access arrangements, primarily with regard to Mitchell Street and Hallam Road.

To take into consideration comments received, the amended scheme as of February 2022 proposed:

- A vehicular through route from Ten Acres Lane to Mitchell Street
- Restricted vehicular access from Hallam Road
- School drop off location

Local Labour and new jobs

The applicant has agreed to a local labour agreement, which will aim to maximise benefits to local residents. This will include monitoring measures. Although construction job numbers are not yet known, the school would provide around 90 new jobs.

A condition is recommended to cover this matter.

Other Matters

As part of the consultation regarding remediation, concerns were expressed about the retention of the rear access to existing properties and re-assurance was sought in respect of consideration to public rights of way.

Given the nature of the proposed remediation works, it was not deemed to be appropriate for health and safety requirement to enable access across the land to the rear of the properties on Morse Road.

The current application, however, accommodates access and shows a gated route to the rear of properties on Morse Road.

Concerns have also been expressed about the siting of a substation in proximity to a resident's property, and that there are no detailed plans relating to the proposed new school which would be close to their house. The substation referred to and the proposed school both lie within Phase 2 of the development. Plans for these aspects of the scheme would form part of a reserved matters application, however, the parameters plan indicate an acceptable relationship.

It has also been suggested that the substation be located on the Ten Acres Lane side of the site, next to the Ten Acres sports facility or the canal side to reduce potential disturbance. However, in order to meet energy demands at this site the scheme already includes the provision of a further substation in the northwest section of the proposed development .

Finally, the Canals and Rivers Trust has asked about a financial contribution to works to the canal towpath. There are significant complexities with developing this site, clearly set out in the report and viability is challenging. Where the applicant is able to enhance the setting of the canal and open up access, these opportunities are being accommodated and it is not feasible to seek or secure a financial contribution.

Conclusion

The proposed scheme offers an opportunity to bring forward a sustainable development of family housing, affordable homes a new school on a site long identified as meeting the needs of the city.

The scheme would incorporate public realm in the form of pocket parks, a community park, and landscaping along the canal towpath, together with improved access to the towpath for pedestrian and cyclists.

All issues have been set out in the report and addressed and this includes where necessary mitigation to ensure the schemes delivery.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Minded to Approve subject to a legal agreement in respect of a reconciliation clause.

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about the provision of electric charging points , highways matters, biodiversity , measures in relation to the canal towpath, and affordable housing, these matters has been satisfactorily resolved and the appropriate conditions have been attached.

Conditions to be attached to the decision

Full permission (Phase 1 of the development)

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) Phase 1 of the development hereby approved shall be carried out in accordance with the following drawings and documents:

Red line boundary plan ref:2490-PLA-00-00-DR-LA-0057 rev.P06

Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 ;

Jacksons Community Park GA Plan ref: 2490-PLA-00-00-DR-LA-0043 rev.P07 ;

Ten Acres Pocket Park Plan ref: 2490-PLA-00-00-DR-LA-0044 rev.P06 ;

Hallam Green GA plan ref: 2490-PLA-00-00-DR-LA-0065 rev.P02 ;

Phase 1 Boundary Treatments Plan ref: 2490-PLA-00-00-DR-LA-0050 rev.P08;

Phase 1 Hardworks Plan ref: 2490-PLA-00-00-DR-LA-0051 rev.P06;

Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (not withstanding the indicated ratio of native to non native planting;

Combined Masterplan ref: 2490-PLA-00-00-DR-LA-0056 rev.P08;

Typical External layout of single dwellings Plan ref: 2490-PLA-00-00-DR-LA-0058 rev.P04;

Lighting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0059 rev.P04;

Street Furniture Plan ref: 2490-PLA-00-00-DR-LA-0060 rev.P03;

Temporary Arrangement with Phase 1 implemented Plan ref: 2490-PLA-00-00-DR-LA-0061 rev.P03;

Tree Protection Plan Phase 1 plan ref: 2490-PLA-00-00-DR-LA-0062 rev.P01;

Illustrative Masterplan ref: 2490-PLA-00-00-DR-U-0046 rev.P02 ;

Phasing plan ref: plan ref: 2490-PLA-00-00-DR-U-0064 rev.P01;

Phase 1 Site Layout ref: 32576 BW01 rev.F;

Adoption layout ref: 32576 BW 02 rev.C;

Parking Allocation Plan ref: 32576 BW 03 rev.C;

EV Charging Allocation layout plan ref: 32576 BW 04 rev.C;

Refuse Strategy Layout ref: 32576 BW05 rev.D,

Street Elevations Sheet 1 of 2 plan ref: 32576 A-P10-100 rev.P1;
Street Elevations Sheet 2 of 2 plan ref: 32576 A-P10-101 rev.P1;
GA Plans Apartment Block A plan ref: 32576 A-P11-001 rev.P2
GA Plans Apartment Block B Ground and first floor plan ref: 32576 A-P11-002 rev.P2;
GA Plans Apartment Block B 2nd floor and roof plan ref: 32576 A-P11-003 rev.P2;
GA Plans Apartment Block C plan ref: 32576 A-P11-004 rev.P2;
GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010 rev.P2;
GA Plans Apartment Block D 2nd and 3rd floor plan ref: 32576 A-P11-0011 rev.P2;
GA Plans Apartment Block D roof plan ref: 32576 A-P11-0012 rev.P1;
GA elevations Apartment Block A plan ref: 32576 A-P13-001 rev.P2;
GA elevations Apartment Block B plan ref: 32576 A-P13-002 rev.P2;
GA elevations Apartment Block C plan ref: 32576 A-P13-003 rev.P2;
GA Elevations Hub Building Block D plan ref: 32576 A-P13-004 rev.P3;
House Type A Muse End (2B3P) plan ref: 32576 A-P19-001 rev.P5;
House Type B End (2B3P) plan ref: 32576 A-P19-002 rev.P4;
House Type C Mid (2B3P) plan ref: 32576 A-P19-003 rev.P4;
House Type D End (2B4P) plan ref: 32576 A-P19-004 rev.P4;
House Type E Mid (2B4P) plan ref: 32576 A-P19-005 rev.P4;
House Type F End (3B4P) plan ref: 32576 A-P19-006 rev.P4;
House Type G Mid (3B4P) plan ref: 32576 A-P19-006 rev.P4;
House Type H End (3B4P) plan ref: 32576 A-P19-008 rev.P4;
House Type I Corner Turner (3B5P) plan ref: 32576 A-P19-009 rev.P4;
House Type J End (3B5P) plan ref: 32576 A-P19-010 rev.P4;
House Type K Mid (3B5P) plan ref: 32576 A-P19-011 rev.P4;
House Type L Mid (3B6P) plan ref: 32576 A-P19-012 rev.P4;
House Type M Detached (4B6P) plan ref: 32576 A-P19-013 rev.P4;
House Type N End (4B6P) plan ref: 32576 A-P19-014 rev.P4;
House Type O End (4B8P) plan ref: 32576 A-P19-015 rev.P4;
House Type P Mid (4B8P) plan ref: 32576 A-P19-016 rev.P4;

CGI Street Scene – View 01- The Avenue plan ref: 32576 A-P21-001 rev.P1;
CGI Street Scene – View 02- Canalside plan ref: 32576 A-P21-002 rev.P1;
CGI Street Scene – View 03- Corner Apartment plan ref: 32576 A-P21-003 rev.P1;
CGI Street Scene – View 04- Mews plan ref: 32576 A-P21-004 rev.P1;
CGI Street Scene – View 05- Hallam Green plan ref: 32576 A-P21-005 rev.P1;
CGI Street Scene – View 06- Hallam Modal filter plan ref: 32576 A-P21-006;
CGI Street Scene – View 07- Hub Building plan ref: 32576 A-P21-007 rev.P1 ;

Environmental Statement Volume 1 dated May 2022
Environmental Statement Volume 2 Technical Appendices;
Environmental Statement Volume 3: Non-Technical Summary
Archaeological Desk Based Assessment ref: 211585 Issue 15 November 2011;
Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01;
Energy report revision F Document No. 23/080/R/01 F dated May 2022;
Local Labour Statement ;
Planning Statement;
Statement of Community Involvement dated April 2022;
Sustainability Strategy and Environmental Standards Statement;

Ventilation Report Document No. 23/080/VR/01 D dated April 2022;
Financial Viability Appraisal April 2022;
Travel Plan and Accessibility Audit ref: VN201804 dated May 2022;
Design and Access Statement dated 28th April 2022;
Nesting Bird Survey April 2022
Received 6th May 2022

GA Floor plan (Ground and First floor Community Hub) ref: A- P11-010 received
18th May 2022
Financial Viability report dated April 2022

Transport Assessment Addendum - Response to Highways Comments
Ref: VN201804 Post App TN01 and Jacksons Distribution spreadsheet received 8th
September 2022;

Reason - To ensure that the development is carried out in accordance with the
approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy
(2012).

3)) Development shall be carried out in accordance with the Phasing shown on plan
ref: 2490-PLA-00-00-DR-U-0064 received on 6th May 2022.

Reason - To ensure that the development is carried out in accordance with the
approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy
(2012).

4) Prior to the commencement of Phase 1 of the development, a detailed
construction management plan outlining working practices during development shall
be submitted to and approved in writing by the local planning authority, which for the
avoidance of doubt should include;

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate
swept path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o Identify measures to control dust and mud, including on the surrounding public
highway including: details of how the wheels of contractor's vehicles are to be
cleaned during the construction period;
- o The details of an emergency telephone contact number for the site contractor to be
displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and
commentary on the condition of carriageway/footways on construction vehicle routes
surrounding the site.
- o Identify measures to reduce noise emissions;

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 (2012).

5) Prior to above ground works commencing in Phase 1 of the development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, and traffic calming) relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

6) Prior to the commencement of Phase 1 of the development a detailed construction environmental management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:-

- Construction Logistics Plan (incl. dust and odour monitoring)
- Dust Management Plan
- Lighting drawings and specifications
- Site compound facilities plan
- Details of perimeter fencing (including location)
- Surface Water Management Plan
- Noise and Vibration Management Plan
- Non-native species Management Plan
- Air Quality Statement
- Construction Dust Assessment
- Traffic Management Plan
- Site Waste Management Plan
- Materials Management Plan
- Environmental Response 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 (2012).

7) Prior to the commencement of on-site remediation works, in Phase 1 of the development , the applicant shall submit, for written approval to the Local Planning Authority an additional site investigation, where necessary, based on and further to current submitted reporting, providing detailed investigation of the risk to all potential on-site and off-site receptors that maybe be affected by contamination derived from the site. The development shall be implemented in full accordance with the details so approved.

Reason- The current combined Phase I & II Ground investigation reporting submitted, does not adequately characterise site conditions in accordance with paragraph 183 of the NPPF. In particular, with regards to controlled waters, the current Phase I & II reporting submitted does provide definitive clarity regarding what

groundwater and leachate (liquid in contact with waste) has been sampled. Further to this, an upwelling of liquid with a foul odour and coloration has been identified which warrants further investigation; there is a potential this upwelling is derived from the known deposited waste mass present within the site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

8) Prior to the commencement of on-site remediation works in Phase 1 of the development, the applicant shall submit, for written approval, to the Local Planning Authority a detailed assessment of risks to human and environmental receptors (including those off-site). The development shall be implemented in full accordance with the details so approved.

Reason - To provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation strategy submitted (JC/MP/MW/LD10162/LET-006-REV D) and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

9) Prior to the commencement of on-site works in Phase 1 of the development, a Ground Stabilisation Works Plan shall be developed, submitted to, and approved in writing by the Local Planning Authority. The Ground Stabilisation works plan should include details (per phase where relevant), as to how identified ground hazards (such as underground structures and boreholes) are to be addressed and decommissioned. Any changes to plan will require the written consent of the local planning authority. The plan shall be implemented as approved.

Reason - To ensure the protection of the development from underground hazards, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

10) Prior to the commencement of Phase 1 of the development, a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed on the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) should be submitted and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development phasing plan, that the detailed remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

11) Prior to the commencement of Phase 1 of the development a verification phasing plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy (per phase as identified in the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) are complete, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that unacceptable risks to the environment and human health can be addressed and that a safe development can be achieved using the identified remediation techniques without adverse impact to human and environmental receptors on and off-site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

12) On completion of phase 1 of the development (as set out in the agreed verification phasing plan), a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and inspections carried out in accordance with the approved verification phasing plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012), 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 in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

13) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination is known or suspected is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters in Phase 1 of the development. The development shall be carried out in accordance with the approved details.

Reason - 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 caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

14) If, during the undertaking of site works in respect of Phase 1 of the development, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority. Written agreement shall then be obtained from the local planning authority to enable onsite works to recommence within the area(s) not affected by the contamination identified. Works shall not recommence with the defined area of contamination until the developer has submitted and obtained written approval, from the local planning authority, of a remediation strategy detailing how the identified contamination shall be dealt with. The remediation strategy shall be implemented as approved

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

15) Piling or any other foundation designs using penetrative methods shall not be permitted in Phase 1 of the development other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason - For the future 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 caused by mobilised contaminants, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

16) No development shall take place in Phase 1 of the development, until a document highlighting a temporary surface water drainage strategy, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved temporary surface water drainage strategy.

Reason - To secure surface water drainage arrangements and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Core Strategy for Manchester (2012).

17) A wildflower meadow is to be implemented on site if construction works for the redevelopment of Phase 1 of the site have not commenced within 12 months of the completion and validation of the remediation works. Details of the soft landscaping scheme to form the wildflower meadow shall be submitted to and approved in writing by the Local Planning Authority. The approved wildflower meadow shall then be implemented, within 3 months of the approval of the scheme.

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

18) No development in Phase 1 shall take place until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out adjacent to the canal has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o demonstration that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;
- o include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with the construction of the buildings and the associated swales and landscaping works;
- o provide details of the tree planting/removal for the trees (including species) adjacent to the canal corridor and the steps taken to prevent root damage to the canal infrastructure and include details of the tree pits/root barrier systems to be provided;

o details specifying how the canal and its users will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;

o include details of the proposed temporary bund (or other structure) to be provided to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason- To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 184 of the National Planning Policy Framework 2021, and policies EN15 and EN17 of the Manchester Core Strategy (2012).

19) No development in Phase 1 shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

Reason- To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and pursuant to policies EN8 and EN14, of the Manchester Core Strategy (2012)

20) No development in Phase 1 hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include

the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason- To 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 policies EN8 and EN14 of the Manchester Core Strategy (2012)

21) Prior to any above ground works in Phase 1 of the development, samples and specifications of all materials to be used on all external elevations of the development 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 agreed 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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

22)The development in Phase 1 hereby approved shall be implemented in accordance with Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01, in particular sections 3.3 and 4. The development hereby approved shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation for the development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

23) The car parking indicated on the approved plan ref: Parking Allocation Plan ref: 32576 BW 03 rev.C be surfaced, demarcated in accordance with the hard landscaping details on plan ref: Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 and made available for use prior to the new dwellings hereby approved being occupied, and maintained in situ thereafter .The car parking shall then be available at all times in perpetuity.

Reason - To ensure that there is adequate car parking for the development proposed when the dwellings are occupied, pursuant to policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

24) Prior to above ground works commencing in Phase 1 of the development, finalised detailed designs for the provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings being occupied.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN8 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

25) Prior to the occupation of Phase 1 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

26) Prior to first occupation of Phase 1 of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Ten Acres Lane and Hallam Road, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

27) Before the development forming Phase 1 hereby approved is first occupied a full Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by residents and those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

28) The development in Phase 1 shall be implemented in accordance with the Lighting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0059 rev.P04. Detailed designs of all lighting columns, lanterns and bollard lighting shall be submitted to and approved in writing by the City Council as local planning authority, prior to the first occupation of the dwellings hereby approved. The development shall be implemented in accordance with the approved details and shall be retained and maintained thereafter.

Reason - To ensure adequate lighting within the development, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

29) If , when the lighting units in Phase 1 are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

30a) Before the Phase 1 residential development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Ten Acres Lane, commercial /industrial premises , proposed community hub and the proposed school, shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises that should be taken into account. The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied. Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units in Phase 1, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

31a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the residential use hereby approved in Phase 1, the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level

of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the occupation of the residential dwellings in Phase 1, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

32a) Before the residential development in Phase 1 commences a scheme for the storage and disposal of refuse (including elevational design of bin stores) and shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

33a) Prior to commencement of the residential development in Phase 1, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason -To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

34a) Fumes, vapours and odours shall be extracted and discharged from the Community Hub (Class E , F1 and F2 uses) accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the uses commence.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the community use and commercial premises hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of the occupiers nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) .

35) The hours of use of the Community Hub (Class E , F1 and F2 uses) are to be submitted to and agreed in writing by the City Council as Local Planning Authority, prior to the first occupation of the building for those uses. The development shall only be carried out in accordance with the approved hours of opening.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

36) Deliveries, servicing and collections to the Community Hub (Class E , F1 and F2 uses) including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

37a) The Community Hub (Class E , F1 and F2 uses) premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

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.

b) Prior to occupation of the Community Hub (Class E , F1 and F2 uses) premises, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

38a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest

noise sensitive location. Prior to commencement of the use hereby approved Community Hub (Class E , F1 and F2 uses) premises the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the operation of the community /commercial premises commencing a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

39a) Before the Community Hub (Class E , F1 and F2) uses commence, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

40a) Prior to commencement of the Community Hub premises, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

41) No remediation ground works in Phase 1 shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological evaluation through trial trenching after removal of vegetation

- dependent on the above, furthermore detailed archaeological excavation (subject to a separate WSI)
- a survey of the flagstone wall
- 2. A programme for post investigation assessment to include:
 - production of a final report(s) on the investigation results.
- 3. Deposition of the final report with the Greater Manchester Historic Environment Record.
- 4. A scheme to disseminate the results of the investigations commensurate with their significance.
- 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- In accordance with NPPF Section 16, Paragraph 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

42) Prior to the first occupation of the residential units hereby approved in Phase 1, finalised details of species for the landscaping scheme on plan ref: Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 and notwithstanding the details on plan ref: Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (and on going management regime for the landscaping scheme Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06), shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings within that phase are first occupied. 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 in that phase of development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within that phase of development

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

43) Prior to any above ground works in phase 1 of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase , shall be submitted to and approved in writing by the City Council as the local planning authority (including the provision of bird boxes and bat bricks) The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place

and to ensure the longevity of new planting in different areas of the site and to providing habitats for birds and bats to improve the ecological value of the application, to comply with policy EN15 of the Manchester Core Strategy (2012).

44) In this condition "retained tree" means an existing tree, shrub or hedge which is shown as retained on the Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (notwithstanding the indicated ratio of native to non native planting; specified in condition no.2 and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

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

(Trees in relation to construction)

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

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

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

45) The development hereby approved in Phase 1 shall be carried out in accordance with the Energy and Sustainability Statement dated 1st December 2020 received by the City Council, as Local Planning Authority, on the 11th December 2020. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy(2012) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

46) Prior to any above ground works in Phase 1 , the finalised details of the positions, heights, and elevational design of the boundary treatment (including gates) within that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property is first occupied and retained as such thereafter.

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, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

47) The boundary treatment in Phase 1 shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site (or removed), other than that shown on the approved plans.

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

48) Prior to first occupation of Phase 1 of the development, a repaving strategy (including any mitigation measures and works) for the towpath to the Rochdale Canal from Ten Acres Lane to the Mitchell Street footpath connection, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

49) Before first occupation of the development thereby approved, the proposed bedroom window at first floor level on the rear elevation to the House Type A Muse End properties on plot nos. 40-46, as shown on plan ref: 32576 A-P19-001 rev.P5 shall be obscurely glazed to a height of 1.7m above the finished internal floor level to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, and shall remain so in perpetuity.

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy (2012).

50) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches, roof alterations or outbuildings shall be erected onto the new build properties within the Phase 1 development hereby approved, other than those expressly authorised by this permission.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

51) 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 within Phase 1 of the development 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 (2012).

52) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses within Phase 1 of the development hereby approved, other than those shown on the approved drawings outlined in condition 2.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

53) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels

do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

55) All highways within Phase 1 of the development hereby approved shall be subject to 20 mph speed restrictions. A scheme to achieve this restriction shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012)

56) Prior to any above ground works, a Stage 2 Road Safety Audit and servicing plan for the Phase 1 of the development hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall detail the appropriate mitigation dependant on the outcome of the Road Safety Audit. Any approved mitigation shall be implemented prior to the first occupation of the residential units and thereafter retained and maintained .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

57) The ground floor community hub and community cafe at ground floor level in Block D, as indicated on drawing GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010 rev.P2; as received by the City Council, as Local Planning Authority, on the 6th May 2022, shall be occupied as community hub and community cafe in the identified areas on the plan and for no other purpose in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, in the interest of residential amenity, pursuant policies SP1 and DM1 of the Manchester Core Strategy (2012).

59a) The Phase 1 development shall not commence until details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

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

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

(b) Within one month prior to construction work 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).

58) Before occupation of the residential units hereby approved, finalised design details of the street furniture to be sited in the locations shown on plan ref: Street Furniture Plan ref: 2490-PLA-00-00-DR-LA-0060 rev.P03; shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details

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

Outline planning permission

61) Applications for approval of reserved matters for Phase 2 of the development must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

62) Approval of the details of the access, (other than to Mitchell Street and the connection to Phase 1 of the development) scale, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

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

Red line boundary plan ref:2490-PLA-00-00-DR-LA-0057 rev.P06

Phase 2 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0042 rev.P07 ;

Combined Masterplan ref: 2490-PLA-00-00-DR-LA-0056 rev.P08;

Illustrative Masterplan ref: 2490-PLA-00-00-DR-U-0046 rev.P02 ;

Phase 2 Parameters – Land Use plan ref: 2490-PLA-00-XX-DR-U-0034 rev.P03;

Phase 2 Parameters – Heights plan ref: 2490-PLA-00-XX-DR-U-0035 rev.P03;

Phase 2 Parameters – Blue and Green Infrastructure plan ref: 2490-PLA-00-00-DR-U-0038 rev.P03;
Phase 2 Parameters – Access and Movement plan ref: 2490-PLA-00-00-DR-U-0039 rev.P03;
Phasing plan ref: plan ref: 2490-PLA-00-00-DR-U-0064 rev.P01;

Environmental Statement Volume 1 dated May 2022
Environmental Statement Volume 2 Technical Appendices;
Environmental Statement Volume 3: Non-Technical Summary
Archaeological Desk Based Assessment ref: 211585 Issue 15 November 2011;
Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01;
Energy report revision F Document No. 23/080/R/01 F dated May 2022;
Local Labour Statement ;
Planning Statement;
Statement of Community Involvement dated April 2022;
Sustainability Strategy and Environmental Standards Statement;
Ventilation Report Document No. 23/080/VR/01 D dated April 2022;
Financial Viability Appraisal April 2022;
Travel Plan and Accessibility Audit ref: VN201804 dated May 2022;
Design and Access Statement dated 28th April 2022;
Nesting Bird Survey April 2022
Received 6th May 2022

Financial Viability report dated April 2022

Transport Assessment Addendum - Response to Highways Comments
Ref: VN201804 Post App TN01 and Jacksons Distribution spreadsheet received 8th September 2022;

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

64) Development shall be carried out in accordance with the Phasing shown on plan ref: 2490-PLA-00-00-DR-U-0064 received on 6th May 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

65) Prior to the commencement of Phase 2 of the development, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate swept path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;

- o Identify measures to control dust and mud, including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.
- o Identify measures to reduce noise emissions;

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 (2012).

66) Prior to above ground works commencing in Phase 2 of the development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, and traffic calming) relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

67) Prior to the commencement of Phase 2 of the development a detailed construction environmental management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:-

- Construction Logistics Plan (incl. dust and odour monitoring)
- Dust Management Plan
- Lighting drawings and specifications
- Site compound facilities plan
- Details of perimeter fencing (including location)
- Surface Water Management Plan
- Noise and Vibration Management Plan
- Non-native species Management Plan
- Air Quality Statement
- Construction Dust Assessment
- Traffic Management Plan
- Site Waste Management Plan
- Materials Management Plan
- Environmental Response 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 (2012).

68) Prior to the commencement of on-site remediation works, in Phase 2 of the development, the applicant shall submit, for written approval to the Local Planning Authority an additional site investigation, where necessary, based on and further to current submitted reporting, providing detailed investigation of the risk to all potential on-site and off-site receptors that maybe be affected by contamination derived from the site. The development shall be implemented in full accordance with the details so approved.

Reason- The current combined Phase I & II Ground investigation reporting submitted, does not adequately characterise site conditions in accordance with paragraph 183 of the NPPF. In particular, with regards to controlled waters, the current Phase I & II reporting submitted does provide definitive clarity regarding what groundwater and leachate (liquid in contact with waste) has been sampled. Further to this, an upwelling of liquid with a foul odour and coloration has been identified which warrants further investigation; there is a potential this upwelling is derived from the known deposited waste mass present within the site, pursuant policies EN17 and EN18 of the Manchester Core Strategy (2012).

69) Prior to the commencement of on-site remediation works in Phase 2 of the development, the applicant shall submit, for written approval, to the Local Planning Authority a detailed assessment of risks to human and environmental receptors (including those off-site). The development shall be implemented in full accordance with the details so approved.

Reason - To provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation strategy submitted (JC/MP/MW/LD10162/LET-006-REV D) and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

70) Prior to the commencement of on-site works in Phase 2 of the development, a Ground Stabilisation Works Plan shall be developed, submitted to, and approved in writing by the Local Planning Authority. The Ground Stabilisation works plan should include details (per phase where relevant), as to how identified ground hazards (such as underground structures and boreholes) are to be addressed and decommissioned. Any changes to plan will require the written consent of the local planning authority. The plan shall be implemented as approved.

Reason - To ensure the protection of the development from underground hazards, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

71) Prior to the commencement of Phase 2 of the development, a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed on the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) should be submitted and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development phasing plan, that the detailed

remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

72) Prior to the commencement of Phase 2 of the development a verification phasing plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy (per phase as identified in the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) are complete, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that unacceptable risks to the environment and human health can be addressed and that a safe development can be achieved using the identified remediation techniques without adverse impact to human and environmental receptors on and off-site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

73) On completion of phase 2 of the development (as set out in the agreed verification phasing plan), a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and inspections carried out in accordance with the approved verification phasing plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012), 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 in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

74) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination is known or suspected is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters in Phase 2 of the development. The development shall be carried out in accordance with the approved details.

Reason - 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 caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

75) If, during the undertaking of site works in respect of Phase 2 of the development, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and

defined in agreement with local planning authority. Written agreement shall then be obtained from the local planning authority to enable onsite works to recommence within the area(s) not affected by the contamination identified.

Works shall not recommence with the defined area of contamination until the developer has submitted and obtained written approval, from the local planning authority, of a remediation strategy detailing how the identified contamination shall be dealt with. The remediation strategy shall be implemented as approved

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

76) Piling or any other foundation designs using penetrative methods shall not be permitted in Phase 2 of the development other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason - For the future 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 caused by mobilised contaminants, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

77) No development shall take place in Phase 2 of the development, until a document highlighting a temporary surface water drainage strategy, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved temporary surface water drainage strategy.

Reason - To secure surface water drainage arrangements and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Core Strategy for Manchester (2012).

78) A wildflower meadow is to be implemented on the site comprising phase 2 if construction works for the redevelopment of the site have not commenced within 12 months of the completion and validation of the remediation works. Details of the soft landscaping scheme to form the wildflower meadow shall be submitted to and approved in writing by the Local Planning Authority. The approved wildflower meadow shall then be implemented, within 3 months of the approval of the scheme.

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

79) No development in Phase 2 shall take place until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out adjacent to the canal has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o demonstration that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;
- o include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with the construction of the buildings and the associated swales and landscaping works;
- o provide details of the tree planting/removal for the trees (including species) adjacent to the canal corridor and the steps taken to prevent root damage to the canal infrastructure and include details of the tree pits/root barrier systems to be provided;
- o details specifying how the canal and its users will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;
- o include details of the proposed temporary bund (or other structure) to be provided to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason- To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 184 of the National Planning Policy Framework 2021, and policies EN15 and EN17 of the Manchester Core Strategy (2012).

80) No development in Phase 2 shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

Reason- To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and pursuant to policies EN8 and EN14, of the Manchester Core Strategy (2012)

81) No development in Phase 2 hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include

the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason- To 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 policies EN8 and EN14 of the Manchester Core Strategy (2012)

82) Prior to any above ground works in Phase 2 of the development, samples and specifications of all materials to be used on all external elevations of the development 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 agreed 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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

83) Phase 2 of the development hereby approved shall be implemented in accordance with Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01, in particular sections 3.3 and 4. The development hereby approved shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation for the development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

84) Prior to the first occupation of the residential development within phase 2, the car parking layout shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

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

85) Prior to the first occupation of the school development within phase 2, the car parking layout and servicing arrangements shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

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

86) Prior to above ground works commencing in Phase 2 of the development, finalised detailed designs for the provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings being occupied.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN8 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

87) Prior to the occupation of Phase 2 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

88) Prior to the occupation of Phase 2 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the school hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

89) Prior to first occupation of Phase 2 of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Mitchell Street, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

90) Before the development forming Phase 2 hereby approved is first occupied a full Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by residents and those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

91) Prior to above ground works , a lighting strategy for the development in Phase 2 including detailed designs of all lighting columns , lanterns and bollard lighting shall be submitted to and approved in writing by the City Council as local planning authority, prior to the first occupation of the dwellings hereby approved. The development shall be implemented in accordance with the approved details and shall be retained and maintained thereafter.

Reason - To ensure adequate lighting within the development, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

92) If , when the lighting units in Phase 2 are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

93a) Before the Phase 2 residential development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Ten Acres Lane, commercial /industrial premises , proposed community hub and the proposed school, shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises that should be taken into account. The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied. Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units in Phase 2, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

94a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the residential use hereby approved in Phase 2, the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the occupation of the residential dwellings in Phase 2, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

95a) Before the residential development in Phase 2 commences a scheme for the storage and disposal of refuse (including elevational design of bin stores) and shall

be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

96a) Prior to commencement of the residential development in Phase 2, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

97a) Fumes, vapours and odours shall be extracted and discharged from the school premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eaves level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the school use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

98a) The school premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

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.

b) Prior to occupation of the school a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report.

The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

99a) Before the development of the school hereby approved commences a scheme for acoustically insulating the proposed classrooms against noise shall be submitted to and approved in writing by the City Council as local planning authority. There may also be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the classrooms are occupied.

Noise survey data shall include measurements taken during a rush-hour/ noisy period to determine the appropriate sound insulation measures necessary.

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

Reason - To secure a reduction in noise from traffic or other sources in order to protect pupils and teachers from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

100a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the school use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the operation of the school commencing a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

101) Prior to commencement of any sporting activities at the school hereby approved a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority.

The NMP shall include an assessment of noise from all activities associated with the use and shall not give rise to any significant adverse impacts on the occupants of nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby residential Accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

102) Prior to the occupation of the school hereby approved, hours of use of the school shall be submitted to and approved in writing by the City Council as Local Planning Authority. The school shall then be used in accordance with the approved hours.

Reason - To safeguard the amenities of the occupiers of nearby accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

103) No activity on any school pitch/field/court facilities shall be permitted outside the hours of:
Mondays to Saturdays, 09:00 to 21:00hrs, Sundays and Bank Holidays , 10:00 to 20:00hrs.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

104)a) Before the school development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

105) a) Prior to commencement of the school development, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be

implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

106) Prior to the installation of flood lighting of any sports pitches, hours of use of the flood lighting shall be submitted to and approved in writing by the City Council as Local Planning Authority. The flood lighting to the sports pitches/multi use games courts shall then be used in accordance with the approved hours.

Reason - To safeguard the amenities of the occupiers of nearby accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

107) Prior to the occupation of the school hereby approved, a community use agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the referenced sports facilities within the school development and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason - To secure well managed safe community access to sports facilities, to ensure benefit to the development of sport pursuant to policy EN10 of the Core Strategy.

108) Deliveries, servicing and collections to the school including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

109) No remediation ground works in Phase 2 shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological evaluation through trial trenching after removal of vegetation
 - dependent on the above, further more detailed archaeological excavation (subject to a separate WSI)
 - a survey of the flagstone wall
2. A programme for post investigation assessment to include:
 - production of a final report(s) on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. A scheme to disseminate the results of the investigations commensurate with their significance.
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- In accordance with NPPF Section 16, Paragraph 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

110) Prior to any above ground works in Phase 2, a hard and soft landscaping treatment scheme shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

111) Prior to any above ground works in phase 2 of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase, shall be submitted to and approved in writing by the City Council as the local planning authority (including the provision of bird boxes and bat bricks). The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to providing habitats for birds and bats to improve the ecological value of the application, to comply with policy EN15 of the Manchester Core Strategy (2012).

112) The development hereby approved in Phase 2 shall be carried out in accordance with the Energy and Sustainability Statement dated 1st December 2020 received by the City Council, as Local Planning Authority, on the 11th December 2020. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy (2012)

and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

113) Prior to any above ground works in Phase 2, the details of the positions, heights, and elevational design of the boundary treatment (including gates) within that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property is first occupied and retained as such thereafter.

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, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

114)The boundary treatment in Phase 2 shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site (or removed), other than that shown on the approved plans.

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

115) Prior to first occupation of Phase 2 of the development, a repaving strategy (including any mitigation measures and works) for the towpath to the Rochdale Canal from Ten Acres Lane to the Mitchell Street footpath connection , shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

116) 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 within Phase 2 of the development, 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 (2012).

117) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development

shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

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

119) All highways within Phase 2 of the development hereby approved shall be subject to 20 mph speed restrictions. A scheme to achieve this restriction shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012)

120) Prior to any above ground works, a Stage 2 Road Safety Audit and servicing plan for the Phase 2 of the development hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall detail the appropriate mitigation dependant on the outcome of the Road Safety Audit. Any approved mitigation shall be implemented prior to the first occupation of the residential units and thereafter retained and maintained .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

121) The Phase 2 development shall not commence until details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

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

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

(b) Within one month prior to construction work 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).

122) The drop off and pick up arrangement for pupils shall take place with the area identified for the school development as shown on Phase2 parameters – Land Use plan ref: 2490-PLA-00-XX-DR-U-0034 rev.P03 .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Informatives

1) The applicant/developer is advised to contact the Canal & River Trust Infrastructure Services Team on 01782 779909 or email Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust 'Code of Practice for Works affecting the Canal & River Trust' to ensure the waterways are protected and safeguarded.

2) The applicant is advised to contact the Canal & River Trusts Estate Management Team on 0303 040 4040 or email Matthew.Hart@canalrivertrust.org.uk directly to discuss the necessary consents/agreements required to form the towpath access points.

3) Model Procedures and good practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

It is recommended that developers should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management

(LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination

- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

4) Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project

• some naturally occurring clean material can be transferred directly between sites
Developers should ensure that all contaminated materials are adequately characterised

both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

It is recommended that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

5) Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised

both chemically and physically in line with British Standard BS EN 14899:2005

'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any

proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

6) Introduction of SUDS

Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

7) Given the proximity of the works to the canal, the works should also be carried out in accordance with the Trusts Code of Practice

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 129197/FO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Environment Agency
Canal & River Trust
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
Greater Manchester Pedestrians Society
Wildlife Trust
The Coal Authority
Peak & Northern Footpaths Society
The Ramblers Association
Greater Manchester Ecology Unit
Peak & Northern Footpaths Society
Wildlife Trust
Greater Manchester Pedestrians Society
The Ramblers Association
The Coal Authority
Environment Agency
Greater Manchester Archaeological Advisory Service
Greater Manchester Police**

**United Utilities Water PLC
Canal & River Trust
Planning Casework Unit**

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer :	Sue Wills
Telephone number :	0161 234 4524
Email :	sue.wills@manchester.gov.uk

