

**REPORT FOR RESOLUTION**

**COMMITTEE**      **PLANNING AND HIGHWAYS**

**DATE**              **26<sup>th</sup> June 2008**

**SUBJECT**            **083447/OO/2007/N2**  
OUTLINE APPLICATION for the principle of mixed use development comprising 466, 063sqm of residential floorspace (equating to a maximum of 4,348 residential units) Class A1 retail, Class A2 offices, Class A3 restaurant, Class A4 public houses and Class A5 (hot food takeaways (2028sqm in total), Class B1 (offices) and Class D1 non-residential accommodation and Class D2 Assembly and Leisure (11,121sqm in total) and a primary school plus associated access and open space

**LOCATION**            Land Known As Holt Town Waterfront And Bounded By Ashton New Road/ New Viaduct Street/ Bradford Road And, Carruthers Street, Bradford

**APPLICANT**        Cibitas Investments - East Manchester Ltd, C/o Agent

**AGENT**              GVA Grimley LLP 81 Fountain Street, Manchester, M2 2EE

**REPORT OF**        **HEAD OF PLANNING**

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**PURPOSE OF REPORT**

To up-date Members of progress on this application and inform the Committee of the Head of Planning's intention to be minded to approve the application, following changes to the phasing of the proposed development, and associated amendments to the phrasing of conditions following the decision made at the meeting of the Planning & Highways Committee on 20<sup>th</sup> December 2007.

**RECOMMENDATION:**

The Head of Planning recommends that the Committee notes this report and approves the revised conditions, as outlined in Appendix 1.

**Financial Consequences for the Revenue Budget**

There are no financial consequences for the Revenue Budget.

**Financial Consequences for the Capital Budget**

There are no financial consequences for the Capital Budget.

**Contact Officer(s)**

Derek Jones      234-4522      d.jones5@manchester.gov.uk  
Sue Wills      234 -4524      s.wills@manchester.gov.uk

**Background Documents**

Planning application 083447/OO/2007/N2

Planning Policy Statement nos.1, 3,6,9,13, 15,16, 23,24,25  
Unitary Development Plan Policies S2.1, S2.4, R1.1, H1.2, H.2.2, H2.7, E1, E2.2, E2.6, E2.7, E3.3, E3.4, EM1, EM2, EM4, EM10.  
Regional Planning Guidance for the North West UR1, UR4.  
Draft Regional Spatial Strategy  
Guide to Development in Manchester Supplementary Planning Document and Planning Guidance ( April 2007).

**Wards affected**

**Ancoats And Clayton Ward  
Bradford Ward**

**Implications for:**

<b>Anti-poverty</b>	<b>Equal Opportunities</b>	<b>Environment</b>	<b>Employment</b>
Yes	Yes	Yes	yes

1. **INTRODUCTION**

- 1.1 Members will be aware that at the last meeting of the Planning & Highway Committee, their decision on this scheme was to be “minded to approve...subject to a section 106 agreement ” with the Head of Planning authorised to make the final decision.
- 1.2 Following negotiations in relation to the contents of the section 106 legal agreement, the phasing of the development has been revised from that originally presented to Members for consideration. This progress note therefore provides an opportunity to address these matters.

2. **NEGOTIATIONS WITH APPLICANT**

- 2.1 Phasing  
Since the scheme was considered by Planning and Highways Committee in December 2007, the phasing of the development as shown on plan ref :LS 115 has had to be given further consideration following the comments from the Health and Safety Executive and the subsequent requirements as outlined in condition no.59. Condition no.59 prevents development taking place within the inner and middle HSE

consultation zones (as plotted on the HSE Consultation Zones plans), for Transco, Bradford Road Holder Station (East), Bradford Road and for Transco, Bradford Road Holder Station ( West) , Bradford Road until the gas holder station and gas pipeline adjacent to the holders on Bradford Road have been denotified.

As a result the scheme has now been split into five phases (plan ref: CL1001). The initial phase relates solely to plot Aa on Carruthers Street and plot S/T on Ashton New Road at the junction with Hillkirk Street. Phase One comprises the valley sides of the River Medlock, with the exception of any area falling within the inner and middle HSE consultation zones. Phase two comprises the areas on both sides of the Ashton Canal, and finally phases 3a and 3b comprise the area within the inner and middle HSE consultation zones.

## 2.2 Conditions

The late representation report to Committee in December 2007 gave delegated authority to the Head of Planning to make minor phrasing amendments to a significant number of conditions. During negotiations for the S106 agreement the Head of Planning agreed to a number of variations to the conditions largely to reflect the phasing of the proposal and to ensure that the infrastructure and public realm necessary for the development are provided in a timely fashion in relation to the revised phasing proposals. An additional condition relating a restriction on lettings boards has been included.

## 3.0 CONCLUSION

- 3.1 The Head of Planning believes that the scheme has been negotiated in accordance with the Committee decision and is satisfied that these will result in beneficial improvements.

## 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: 083447/OO/2007/N2 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 all held by the Planning Division.

HEAD OF PLANNING

## APPENDIX 1

### Conditions and/or Reasons:

#### Schedule of Documents which form part of the Permission

The following documents form part of the permission and govern the implementation of the permission:

- the Phasing Programme
- the Phasing Plans

#### Definitions

The following definitions apply to terms used in this Permission

"Initial Phase"	Plots Aa and S/T as identified on drawings numbered CL1001
"Phase 1"	Medlock Valley as identified on drawing numbered CL1001
"Phase 2"	Ashton Canal as identified on drawing numbered CL1001
"Phase 3a"	Cambrian Street / Medlock Valley as identified on drawing CL1001
"Phase 3b"	Bradford Road / New Viaduct Street as identified on drawing numbered CL1001
"Phase"	Any of the Initial Phase, Phase 1, Phase 2, Phase 3a or Phase 3b
"Phasing Plans"	the plans attached hereto marked "Phasing Plan" and numbered CL1001; CL1002; CL1003; CL004; CL1005; CL1006 (16 <sup>th</sup> June 2008 revision) and CL1007
"Phasing Programme"	The documents attached hereto marked "Phasing Programme"
"Masterplan Area"	The redline area identified on drawing numbered LS108
"Part Phase"	Any part of a Phase identified on CL1001

“Parameter Plans”	The drawings numbered LS108, LS109, LS110 (13 <sup>th</sup> December 2007 revision) LS111, LS112 (4 <sup>th</sup> December 2007 revision), LS113 (16 <sup>th</sup> June 2008 revision), LS114, LS116, and CL1001
“Plots”	discrete sites referenced within the masterplan, which will be developed individually within each Phase
“Plot Development Works”	Works specific to the development of particular plots which may take place before or after development of that plot and which are particularised in the Phasing Programme
“Site Enabling Works”	Essential Infrastructure Works particularised in the Phasing Programme which must be completed in any Phase before work is commenced in the next phase

1a) Applications for approval of reserved matters for the Initial Phase of development must be made not later than the expiration of three years beginning with the date of this permission. The development of the Initial Phase 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 and to reflect the likely time period for the implications of the proposed development.

1b) Applications for approval of reserved matters for Phase 1 of development must be made not later than the expiration of six years beginning with the date of this permission. The development of Phase 1 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 and to reflect the likely time period for the implications of the proposed development.

1c) Applications for approval of reserved matters for Phase 2 of development must be made not later than the expiration of nine years beginning with the date of this permission. The development of Phase 2 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 and to reflect the likely time period for the implications of the proposed development

1d) Applications for approval of reserved matters for the Phase 3a of development, must be made not later than the expiration of twelve years beginning with the date of this permission. The development of Phase 3a 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 and to reflect the likely time period for the implications of the proposed development.

1e) Applications for approval of reserved matters for the Phase 3b of development must be made not later than the expiration of fifteen years beginning with the date of this permission. The development of Phase 3b 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 and to reflect the likely time period for the implications of the proposed development.

2) Before any building within each Phase of the development is commenced, the applicant shall submit detailed plans and particulars to the Council, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters and (where relevant) other matters as are required under condition nos. 4 to 67 of this permission: the design of the proposal; external appearance of all buildings; and the landscaping of the site.

Reason - To ensure the satisfactory development of the site and because this application is in outline only, and to ensure that the conditions attached to the consent are complied with for each Phase or Part Phase or contract related to the implementation to which they are relevant.

3) Development shall be carried out in accordance with the approved Phasing Programme and Phasing Plans; in particular:

- (i) the Development will proceed consecutively; Phase 1 after the Initial Phase, Phase 2 after Phase 1, and Phase 3 after Phase 2;
- (ii) no Development shall take place in any Phase until after the City Council as Local Planning Authority have agreed in writing that all Site Enabling Works in the previous Phase (as set out in the Phasing Programme) are complete;

- (iii) Site Enabling Works and Plot Development Work in a particular Phase may be carried out concurrently; and
- (iv) unless otherwise stipulated in the Phasing Programme, the development of Plots in a particular Phase may be carried out concurrently with the Site Enabling Works and Plot Development Works.

Reason – To ensure the development is carried out in accordance with the sequencing / phasing described in the Environmental Statement, to ensure that the provision of infrastructure and public realm is properly co-ordinated and comprehensively provided with the built development.

4) Construction of any Phase or Part Phase of development hereby approved by this permission shall not take place unless and until samples and specifications of the materials to be used on all external elevations of that Phase or Part Phase of development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

5) The car parking shall be surfaced, demarcated and made available for use as each Phase or Part Phase of development is occupied, in accordance with details to be submitted to and approved in writing by the City Council as Local Planning Authority. The car parking spaces shall then be available at all times whilst the buildings are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to policy E3.3 of the Unitary Development Plan for the City of Manchester.

6) The development hereby approved shall be carried out in accordance with the drawings numbered CL1006 and LS113 (all received 16<sup>th</sup> June 2008); drawings numbered CL1001, CL1002, CL1003, CL1004, CL1005, (all received 8th February 2008); drawings numbered LS108, LS109, LS111, LS113, LS114, LS116; drawings numbered LS110 and LS117 (received 13th December 2007), and drawing numbered LS112 (received 4th December 2007), and and Transport Assessment, Crime Impact Statement, Statement of Community Involvement, Housing Market Assessment, Planning Statement, Development Framework, Design Handbook (February 2008 revision), Flood Risk Assessment, Environmental Standards Statement, Design and Access Statement, Environmental Statement, Open Space Strategy, Employment Land Review, Business Relocation Strategy and stamped as received by the Local Planning Authority on 4 June 2007; Bat and Black Redstart surveys, stamped as received by the Local Planning Authority on 30 August 2007; Arup's reply to traffic comments (12th September 2007, revision A October 2007); Holt Town Shadow Analysis (received 5 October 2007) Flood Risk Assessment

(received 19 September 2007), Visioning Document (received 5 September 07), Sun path Analysis dated 7 November 2007 as amended by Shadow analysis received 4 December 2007, letter from EDAW to GVA Grimley dated 27 September 2007 in relation to disabled access, Design Clarification dated November 2007, Tree Survey (received 13 November 2007) Holt Town Waterfront planning application, further clarification document received 15 November 2007 unless otherwise agreed in writing with the City Council as Local Planning Authority.

Reason – To ensure that the development is carried out in accordance with the approved plans.

7) No Phase or Part Phase of the development hereby approved shall be occupied unless accreditation, confirming achievement of the Secured by Design standards in respect of the development has been issued by Greater Manchester Police, unless otherwise agreed in writing by City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

8) All vehicles entering and leaving the site during the construction period are to pass through a wheel wash. Details of the wheel wash relevant to each individual Phase or Part Phase shall be submitted to and approved in writing by the City Council as local planning authority prior to the development of that Phase or Part Phase commencing. The wheelwash shall be retained on site during the construction period, and shall be positioned to allow use throughout each Phase or Part Phase of construction; the location(s) of the wheelwash shall be submitted to and approved by the City Council prior to being implemented.

Reason - To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, pursuant to policy H2.2 of the Unitary Development

9) All contractors' vehicles entering and leaving the site during the construction period shall be sheeted.

Reason - To ensure that the proposed development is not prejudicial or a nuisance to the adjacent premises in the interests of public health and amenity, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

10) The details of an emergency telephone contact number shall be displayed in a publicly accessible location on the site and shall remain so displayed unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the interests of local amenity, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) No Phase or Part Phase of development shall take place until there has been submitted to and approved in writing by the local planning authority a plan relevant to that Phase or Part Phase indicating the positions, design, materials and type of boundary treatment to be erected, including that in proximity to the River Medlock. The boundary treatment shall be completed as each building or Phase or Part Phase of development is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

12) No part of each Phase or Part Phase of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority, and in accordance with the Phasing Programme and Phasing Plan unless otherwise agreed in writing. These facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport, pursuant to policy T3.7 of the Unitary Development Plan for the City of Manchester.

13) Full detailed designs (including specifications) of all highways works within each Phase or Part Phase shall be submitted to and approved in writing by the City Council as Local Planning Authority, prior to the development of that Phase or Part Phase commencing. The development of that Phase or Part Phase shall be implemented in accordance with the approved details prior to the commercial uses being brought into use and residential units being occupied and in accordance with the Phasing Plan and Phasing Programme unless otherwise agreed with the Local Planning Authority.

Reason - In the interests of highway safety, pursuant to policy T3.1 of the Unitary Development Plan for the City of Manchester.

14) Details of access proposals to each Phase or Part Phase of development for mobility impaired persons including route widths, levels and gradients, shall be submitted to and approved in writing by the City Council as local planning authority before development of each Phase or Part Phase commences. The approved details shall be implemented before that Phase or Part Phase of the development is first brought into use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester and the Disability Discrimination Act 1995. However, in approving the relevant drawings, the City Council as the local planning authority does not hereby give any warranty that the provisions of the Disability Discrimination Act 1995 have been complied with.

15) Prior to the development commencing of any Phase or Part Phase a scheme for the storage and disposal of refuse including storage of recyclable materials for that Phase or Part Phase of development, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

16) No loading or unloading to the operational development, shall be carried out after 8.00p.m. Mondays to Saturdays with no loading on Sundays and Bank Holidays. Loading and unloading shall be restricted to the period between 07:30 a.m. and 8:00p.m. daily.

Reason - In the interests of residential amenity, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

17) The permitted hours of the Class A1 , A2, A3, A4 , A5, B1, D1 and D2 uses for each building or Phase or Part Phase of development, are to be submitted and agreed in writing by the City Council as Local Planning Authority, prior to the occupation of the buildings.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

18) Details of any roller shutters or security grilles to be installed within the development for each , Phase or Part Phase of development, shall be submitted to and agreed in writing by the City Council as Local Planning Authority before these are in place. Roller shutters and grilles shall be of an open grille construction, with the housing for the mechanism recessed behind the plane of the wall where the mechanism is to be located and be colour-coated.

Reason -In the interests of visual amenity, pursuant to policy DC14 and policy E3.3 of the Unitary Development Plan for the City of Manchester.

19) Upon the occupation of the commercial units, any proposed roller shutters on the frontage of the proposed commercial units shall be open/raised on days that the businesses are open from 9.00 a.m. until the businesses close that same day unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - In order to ensure that the appearance of the building is in keeping with the character of the area, pursuant to policy H2.2 of the adopted UDP.

20) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' or 'excellent' and at least three star sustainability rating under the code for sustainable homes for those elements of the development, which are residential in

nature. A post construction review certificate in relation to any particular Part Phase shall be submitted to and approved in writing by the City Council as local planning authority before that Part Phase is first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

21) Before the development of any Phase or Part Phase hereby approved commences a shop front and signage design strategy for the commercial units shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with the approved details

Reason - To protect the visual amenity of the development, pursuant to adopted Manchester Unitary Development Plan policy H2.2.

22) Within six months of any Phase of the development first being occupied, a repaving strategy for the public footpaths and redundant vehicular crossings within that Phase or Part Phase 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 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 to Manchester Unitary Development Plan policy H2.2.

23) Prior to the commencement of each Phase of development, details of the strategy for all external lighting, including lighting on the buildings, within a building's curtilage, and lighting units within the public realm works, relevant 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.

Reason - To ensure adequate lighting within the development and to ensure full accessibility within the public realm works, pursuant to policies E3.3, H2.7 and E3.4 of the Unitary Development Plan for Manchester (adopted 1995)

24) No trees shall be felled, or have any works undertaken on them, during the bird nesting season ( March to August inclusive), unless otherwise agreed with the City Council as Local Planning Authority.

Reason - To ensure the protection of wildlife habitats in the locality , pursuant to policy E2.4 of the Unitary Development Plan for the City of Manchester.

25) Before development of each Part Phase within each Phase commences, full details , including scaled elevations, plans and cross-section drawings, of temporary infill panels to the ground floor commercial units shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The details submitted shall include an explanation, in drawings or text, of how the proposed works will resist fly posting and graffiti, and how they will be maintained in good condition. Any works approved in discharge of this condition shall be implemented in full before any part of the development under this planning consent is first used, or by such time as may be agreed in writing with the City Council as Local Planning Authority. The strategy for maintaining the infills in good condition shall be operational at all times until the temporary infills are removed from the site.

Reason - In the interests of visual amenity and to ensure that the frontage of the units before occupation has a good appearance within the streetscene, and that this appearance is maintained, pursuant to Manchester Unitary Development Plan policy E3.3.

26) Any Reserved Matters application submitted within the Masterplan Area shall be accompanied by a flood risk assessment specific to the Phase applied for .

Reason - To ensure that the Holt Town Masterplan development will not increase the risk of flooding , pursuant to policy DC25.1 in the Unitary Development Plan for the City of Manchester.

27) No development approved by this permission shall commence until a scheme for the conservation and restoration of the River Medlock has been agreed by the City Council as Local Planning Authority. The development shall be implemented in accordance with the details so approved.

Reason -To conserve and enhance biodiversity within the River Medlock corridor, pursuant to policies E2.3 and E3.4 in the Unitary Development Plan for the City of Manchester.

28) No development of the Initial Phase or Phase 1 approved by this permission shall commence until a marginal strip of land at least 8m wide is established between that Phase (i.e. residential buildings, access roads, car parking areas, etc.) and the bank top of the River Medlock. The development shall be implemented in accordance with the details so approved.

Reason - To conserve and enhance biodiversity within the River Medlock corridor, pursuant to policies E2.3 and E3.4 in the Unitary Development Plan for the City of Manchester.

29) No development of the Initial Phase, Phase 1 and Phase 3 approved by this permission shall commence until a planting scheme relevant to that Phase and including a programme for planting and maintenance and comprising native species along the River Medlock corridor has been submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the details so approved.

Reason - To conserve and enhance the natural ecological features biodiversity within the local aquatic environment of the River Medlock corridor, pursuant to policies E2.6, E3.1 and E3.4 in the Unitary Development Plan for the City of Manchester.

30) No Phase of development approved by this permission shall commence until the existing buildings have been surveyed for evidence of use by bats prior to demolition, and the results of this survey shall be submitted to and approved by the City Council as Local Planning Authority. If bats are found to inhabit these buildings, no development shall commence until a scheme for the conservation of this species has been agreed with the Local Planning Authority. The development shall be implemented in accordance with the details so approved.

Reason - To protect bats and their roost sites pursuant to policies E2.3 and E3.4 in the Unitary Development Plan for the City of Manchester.

31) Prior to commencement of each Phase or Part Phase of development, full details of a scheme for the management, destruction and /or disposal of Japanese knotweed, to be carried out by the developer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. This plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority for approval in order to ensure that the agreed scheme is still applicable.

Reason - To prevent the spread of Japanese Knotweed which has been found on part of the site in accordance with the Wildlife and Countryside Act 1981.

32) Before the commencement of any development within the Masterplan Area and on the anniversary of submission of the first protected species survey a programme of surveys relating to protected species shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The programme thereafter approved annually for each Phase or Part Phase, shall identify the protected species to be surveyed in the following twelve months, shall set out the objectives of the surveys, and shall set out the methodologies to be used and the procedures for reporting to the Local Planning Authority the survey results. The results of all surveys shall be utilised as baseline information in relation to specific mitigation works. Detailed mitigation measures shall be proposed for each Phase or Part Phase of development to address any impacts identified by the survey results and which will either affect reptiles, bats or Black Redstarts, and include compensatory measures where necessary for the possible loss of terrestrial habitat, foraging areas and breeding sites. Mitigation measures shall be submitted to and approved in writing by the City Council as Local Planning Authority, which measures shall be implemented in accordance with the particulars so approved.

Reason - The site includes existing buildings that have the potential to contain bats. The implementation of ongoing protection surveys would ensure that there would be adequate protection measures in place during a phased construction, pursuant to

policies E2.3 and E2.4 of the Unitary Development Plan for Manchester (adopted 1995).

33) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from surface water systems shall be passed through an oil interceptor designed and constructed to have capacity and details compatible with the site being drained. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason - To prevent pollution of the Ashton Canal and River Medlock, pursuant to policy E1.3 of the Unitary Development Plan for the City of Manchester.

34) Prior to any Phase or Part Phase of the development hereby approved commencing on site, a method statement giving details of measures to be taken to prevent any surface water drainage, construction materials or wind blown dust from the development reaching the Ashton canal and River Medlock shall be submitted to and approved in writing by the City Council as local planning authority. The measures to prevent any surface water drainage, construction materials or wind blown dust from the development reaching the canal hereby approved shall be implemented in full before each Phase or Part Phase of the development commences.

Reason - To ensure the protection of a Site of Biological Importance and wildlife habitats in the locality, pursuant to policy E2.4 of the Unitary Development Plan for the City of Manchester.

35) Within six months of the date of approval of reserved matters for any Phase a comprehensive Landscape and Ecology management plan for the long term management of all newly established planting, newly created or enhanced habitats, including wetland areas, shall be submitted for approval to the City Council as the local planning authority.

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 comply with policies E1.3, E2.3, and E2.4 of the Unitary Development Plan for the City of Manchester.

36) No part of each Phase or Part Phase of the development hereby permitted (such works to include the demolition of built structures) shall commence until, details of a permanent bat roost, as part of the approved development and associated lighting scheme have been submitted and agreed with the Local Planning Authority. The permanent bat roost and lighting scheme should then be installed in accordance with the agreed design, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To provide a replacement roost for bats a European Protected Species (Habitats Regulations 1994) and to comply with policies E2.3 and E2.4 of the Unitary Development Plan for the City of Manchester.

37) Detailed designs and specifications of all the bridges to form part of each Phase of the development shall be submitted to and approved by the local planning authority, prior to the implementation of the engineering works in relation to the bridge structures arising within each Phase hereby approved. The approved details only shall be implemented.

Reason - In the interests of visual amenity and accessibility, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

38) Before each Phase (or Part Phase) of the development hereby approved commences, a hard and soft landscaping treatment scheme (relating to that Phase or Part Phase) together with long term maintenance arrangements has been 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 or Part 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, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for each Phase of the development is carried out that respects the character and visual amenities of the area, in accordance with policy H2.2; of the Unitary Development Plan for the City of Manchester.

39) No development of any Phase (or Part Phase ) hereby approved shall commence until a programme of archaeological work in accordance with a written scheme of investigation for that Phase (or Part Phase) comprising the following has been submitted to and approved in writing by the City Council as local planning authority:

- (a) A desk based archaeological assessment of the site;
- (b) A scheme for digging archaeological trial trenches on site (including timetables and particulars of the persons supervising the digging);
- (c) A scheme for archaeological survey of historic buildings
- (d) A scheme for further more detailed archaeological excavation where remains will be damaged by development, including investigating evaluating and archiving any finds and for publishing details thereof (including timetables and particulars of the persons who will carry out said tasks).

The schemes approved under (b) and (c) above shall be implemented in accordance with the timetables contained therein and no development of the relevant Phase or Part Phase shall take place on site until written confirmation of completion of the said schemes has been received by the City Council, unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to Policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in PPG16.

40) a) Before each Phase (or Part Phase ) of the development hereby approved commences, a report (the Preliminary Risk Assessment the Desk Study) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas within that Phase (or Part Phase) shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to the City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

The Desk Study shall be prepared by a suitably qualified person whose competence to carry out the Desk Study has been approved in writing by the City Council as local planning authority (an "Expert").

In the event of the Preliminary Risk Assessment Desk Study identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development of that Phase or Part Phase shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal Scheme) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal Scheme shall be carried out, by an Expert before development of that Phase or Part Phase commences and the Expert shall prepare a report outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development of that Phase or Part Phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy Site Investigation Report, and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

41) Details of a Travel Plan with the objective of reducing car borne journeys; and including particulars of its implementation and monitoring of effectiveness and how measures to improve effectiveness shall be implemented shall be submitted to and approved in writing by the City Council as local planning authority prior to occupation of dwellings or commercial premises within each Phase; For so long as the use is in operation the local planning authority shall be provided with such information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority.

Reason - In accordance with the provisions contained within Planning Policy Guidance 13.

42) Before each Phase (or Part Phase ) of the development commences an acoustic attenuation scheme including particulars of the acoustic glazing and acoustically treated ventilation to be installed as part of that Phase or Part Phase of the development shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in full before use of the residential premises within that Phase or Part Phase first commences.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

43) Before any Class A1, A2, A3, A4,A5 ,B1, D1,D2 or primary school use hereby approved commences, the 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.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

44) The applicant shall, with regard to television reception in the area containing the application site, provide the City Council as local planning authority with studies that:

a) Identify, before each Phase of the development commences, the potential impact area in which television reception is likely to be adversely affected by that Phase of the development. The study shall be carried out either by the Office of Communications (Ofcom), or by a body approved by Ofcom and shall include an assessment of when in the construction process an impact on television reception might occur.

b) Measure the existing television signal reception within the potential impact area identified in (a) above before the particular Phase or Part Phase of development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications, and shall include an assessment of the survey results obtained.

c) Assess the impact of each Phase or Part Phase of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of that Phase or Part Phase of the development or in accordance with the phasing programme required by condition 3 of this planning permission or before that Phase of the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. If that Phase of the development is found to have a detrimental impact upon existing television signal reception, the study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (b) above. The measures identified must be carried out either before the building or Part Phase is first occupied or in accordance with the Phasing Programme required by condition 3 of this planning permission or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that each Phase of the development at least maintains the existing level and quality of television signal reception, as advised in Planning Policy Guidance Note 8: Telecommunications, pursuant to Manchester Unitary Development Plan policy H2.2.

45) Before first occupation of the development the buildings used for Class A1, A2, A3, A4, A5, B1, D1, D2 or primary school purposes, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

46) The permitted hours of the Class A1, A2, A3, A4, A5, B1, D1, D2 and primary school uses are to be submitted and agreed in writing by the City Council as Local Planning Authority, prior to the occupation of the buildings.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

47) Deliveries, servicing and collections, including waste collections to the Class A1, A2, A3, A4, A5, B1, D1, D2 uses and primary school 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 - In order to protect the amenity of local residents and in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester.

48) If when the lighting units are illuminated they cause in the opinion of the City Council as Local Planning Authority undue glare or light spillage to the detriment of adjoining and nearby residential properties, 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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

49) No part of the site outside of the buildings in use for Class A1, A2, A3, A4,A5 ,B1, D1,D2 or primary school purposes shall be used other than in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority. No amplified sound or any music shall be produced or played in any part of the site outside of any building.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

50) Before development falling within Class A1, A2, A3, A4,A5 ,B1, D1,D2 or primary school purposes commences, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy H2.2; of the Unitary Development Plan for the City of Manchester.

51) A litter bin of a size and type to be approved in writing by the City Council as local planning authority shall be installed on the forecourt of any premises falling within Class A1, A3, A5 use, or use for primary school purposes before the use commences and shall remain there for so long as the use is in existence.

Reason - To maintain the quality of the street environment in the locality of the development in order to comply with Policies H2.1, H2.2, H2.6, DC10.1, DC10.4 and DC10.5 of the Unitary Development Plan for the City of Manchester.

52) The first use of each of the commercial units to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission subject to the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

53) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995, no buildings, extensions, or garages shall be erected (other than those expressly authorized by this permission).

Reason – To safeguard the residential amenities of the future occupiers of the dwelling houses, and safeguard the amenities of the occupiers of nearby properties, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

54) Within 3 months of the development commencing, a Community Access Agreement shall be submitted to and agreed in writing by the City Council as Local Planning Authority, in consultation with Sport England. The Agreement shall identify an area of the site to be used for a playing pitch for community use. The Community Access Agreement shall also include the hours of operation. The development shall only be carried out in accordance with the agreed details.

Reason - In the interests of public amenity, pursuant to policy L1.2 of the Unitary Development Plan for the City of Manchester.

55) All pitches and multi purpose games areas shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as Local Planning Authority:-

\* Monday to Sundays 8:00am to 10:00pm

Reason - To safeguard the amenities of the occupiers of future occupiers and existing nearby properties, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

56) All trees, shrubs and hedges within the site and/or trees whose root structure may extend within the site, which are to be retained shall be fenced off before any building or Part Phase or other operation approved by this permission is carried out within the vicinity in accordance with British Standard 5837 (1991). Thereafter, no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence during the construction period.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area, pursuant to policy E2.6 of the Unitary Development Plan for the City of Manchester.

57) No development shall exceed the following limits within the Masterplan Area - residential units (4,470), Class A1 retail, Class A2 offices, Class A3 restaurant, Class A4 public houses and Class A5 hot food takeaways (2028sqm in total), Class B1 (offices) and Class D1 non-residential accommodation and Class D2 Assembly and Leisure (11,121sqm in total) and a primary school plus associated access and

open space, and no physical works to any listed buildings and structures which are present on the site shall be permitted unless Listed Building Consent has been granted.

Reason - For the avoidance of doubt because listed building matters should be subject to a separate application under the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

58) No part of each Phase or Part Phase of the development hereby permitted shall commence until fully detailed cross section plans of the existing and proposed external ground levels of that Phase or Part Phase have been 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, unless otherwise agreed with the local planning authority.

Reason - To ensure that a satisfactory development is carried out, in accordance with policy H2.2 of the Unitary Development Plan for the City of Manchester.

59) No development shall take place within the inner and middle HSE consultation zones (as plotted on the HSE Consultation Zones plans) for Transco , Bradford Road Holder Station ( East) , Bradford Road and for Transco , Bradford Road Holder Station ( West) , Bradford Road until the gas holder station(s) and gas pipeline adjacent to the holders on Bradford Road have been denotified.

Reason –To safeguard the health and safety of future occupiers, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

60) Full detailed designs (including specifications) of measures to safeguard vehicular and pedestrian safety in proximity to the alignment of Metrolink for each Phase or Part Phase of development , shall be submitted to and approved in writing by the City Council as Local Planning Authority, prior to the development of that Phase or Part Phase commencing. The development shall be implemented in accordance with the approved details, prior to the commercial uses being brought into use and residential units being occupied, unless otherwise agreed with the local planning authority.

Reason - In the interests of highway safety, pursuant to policy T3.1 of the Unitary Development Plan for the City of Manchester.

61) Before development commences a scheme shall be devised and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme for the display of industrial archaeological remains found on site which it is suitable safe and viable to display in areas of open space to commemorate the history and archaeology of the site

Reason – to commemorate and disseminate the history and archaeology of the Masterplan Area for the benefit of the local and wider community.

62) No development shall commence until full detailed measures for pedestrian and cycle provision within each Phase or Part Phase of development have been submitted to and approved in writing by the City Council as Local Planning Authority. Measures shall include links to adjacent amenities, facilities, public transport provision and communities. Each Phase or Part Phase of development shall be implemented in accordance with the approved details, prior to any commercial uses being brought into use and residential units being occupied, unless otherwise agreed with the Local Planning Authority.

Reason – in the interests of highways safety, pursuant to policy T3.1 of the Unitary Development Plan for the City of Manchester

63) Prior to commencement of any Phase or Part Phase of development, a strategy to provide interim off-site highways works to junctions for Metrolink, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented for each Phase or Part Phase of development in accordance with the approved details, prior to the commercial uses being brought into use and residential units being occupied, unless otherwise agreed with the Local Planning Authority.

Reason – in the interests of highway safety, pursuant to policy T3.1 of the Unitary Development Plan for the City of Manchester

64) Design of any on-street parking schemes for each Phase or Part Phase of development shall be submitted to and approved in writing by the City Council as Local Planning Authority, prior to that Phase or Part Phase of development commencing. The Phase or Part Phase of development shall be implemented in accordance with the approved details, prior to the commercial uses being brought into use and residential units being occupied, unless otherwise agreed with the Local Planning Authority.

Reason – in the interests of highway safety, pursuant to policy T3.1 of the Unitary Development Plan for the City of Manchester.

65) Prior to any works adjacent to the canal being carried out  
(a) a scheme for the assessment of the impact on the structure of the canal shall be submitted to and approved by the Local Planning Authority. This should cover any works to the towpaths (e.g. landscaping), works / repairs / rebuilding of the canal walls /and/or the need to dewater the canal.  
(b) If works will impact on any of these features then prior to the works being carried out a resurvey for the two species of importance (floating water plantain & grass-wrack pondweed) shall be undertaken in accordance with a scheme first approved by the Local Planning Authority and a scheme for the protection of the two species including a method statement for the carrying out of the said works shall be submitted to and approved by the Local Planning Authority. The works will be carried out in accordance with the approved details.

Reason - to conserve and enhance biodiversity within the Rochdale Canal Site of Biological Importance, pursuant to policies E 2.3, and E3.4 in the Unitary Development Plan for the City of Manchester

66) Unless otherwise agreed by the local planning authority (and for the purposes of this condition, a s.106 Agreement between the Applicant and the Council in relation to the Development including provisions as to Affordable Housing will constitute such agreement), before any Phase or Part Phase of the development hereby permitted is commenced a scheme for the provision of affordable housing within that Phase or Part Phase shall have been submitted to and approved in writing by the local planning authority. For the purposes of this condition such a scheme shall provide affordable housing which satisfies housing needs (including the needs of the disabled where appropriate and identified) and shall include:

- (i) details of the location, size and design of the affordable housing unit;
- (ii) details of the mix of unit sizes which shall include a mixture of 1 bed, 2 bed and family units;
- (iii) a location plan identifying each affordable housing unit within the relevant Phase or Part Phase;
- (iv) no less than 5% of units within Phase 1 Phase 3a shall be affordable housing units;
- (v) no less than 10% of units within Phase 2 shall be affordable housing units;
- (vi) no less than 15% of units within Phase 3b shall be affordable housing units;
- (vii) that the affordable housing units will be shared ownership units;
- (viii) evidence of a contract with a registered social landlord or any other body that the Council has approved for the provision of the affordable housing units within the relevant Phase or Part Phase;
- (ix) a legally enforceable mechanism to ensure that the affordable housing units are on first sale and subsequent sales retained as affordable housing;
- (x) default provisions in the event that the developer is unable to sell the affordable housing units having used reasonable endeavours to do so for a period of 12 months.

Affordable housing shall be provided in accordance with the approved scheme. No more than [60%] of the open market dwellings within any phase shall be occupied before the affordable housing dwellings in that phase have been completed and contracted out to the RSL or such other affordable housing provider as may have been approved pursuant to this condition.

Reason- To secure affordable housing provision in accordance with the guidance outlined in the Guide to Development in Manchester Supplementary Planning

Document and Planning Guidance, and pursuant to the provisions contained within Planning Policy Statement 3.

67) Unless otherwise agreed by the local planning authority no placards, signs, notices, fascias, boards, advertisements or agents' boards for the letting or sale of any residential dwellings shall be erected or placed on the exterior of any buildings. Reason – In the interests of visual amenity , and to safeguard the amenities of future occupiers and existing nearby properties, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.