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68 Hanbury Street, London E1 5JL
Beehive Mill, Jersey Street, Manchester M4 6JG

t: 0845 121 1706

Statement of case

Gateway House, Piccadilly South, Manchester, M1 2GH

Commercial Development Projects Limited

November 2019

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1.0 Introduction

1.1 This statement provides the appellant's full statement of case giving full particulars and copies of documents it refers to and any other evidence at the time of making the appeal. The appeal is against section 195 of the Town and Country Planning Act (1990).

The proposal

1.2 This statement of case relates to the planning appeal submitted on behalf of Commercial Development Projects Limited ('the appellant') against the decision of Manchester City Council ('the Council') to refuse an application for a lawful development certificate at Gateway House, Piccadilly South, Manchester, M1 2GH ('the site') for:

"Certificate of lawful development to confirm that application reference number 106792/JO/2014/C2 (Permission A) has been implemented and that the remaining unimplemented parts of the consent are extant."

1.3 Planning application reference: 106792/JO/2014/C was approved on 17 November 2014 with the following description of development:

"The removal of link from the office building to the apart hotel and amend the number of floors within office building approved by 100761(Refurbishment of Gateway House to create a 182 suite apart hotel above ground floor retail space Class B1 use within mezzanine level above, along with retention of existing parking and retail space within the basement and erection of new 8 storey building comprising Class B1 accommodation above ground floor retail space for use for Class A1 use or Class A2 Use or Class A3 use or Class A4 Use or Class A5 connected to Gateway House by bridge link and erection of new 3 storey gym following demolition of existing single storey building on Ducie Street)as an amendment to application 096872/FO/2011/C2 approved on 23 December 2011) from 8 to 7 floors (overall height of building to be the same)" ('Permission A').

1.4 The decision notice and approved plans for Permission A are attached to this statement at Appendix A.

1.5 A second application for full planning permission (reference: 106793/FO/2014/C2) was approved on the same site on 23 January 2015 with the following description of development:

"Refurbishment of Gateway House to create a 182 suite apart hotel (Class C1) above ground floor retail space for use for Class A1 (Shop) use or Class A2 (Financial and Professional Services) Use or Class A3 (Restaurant and Cafe) Use or Class A4 (Drinking Establishment) Use or Class A5 (Hot Food Take Away) Use with Class B1 (office) use within mezzanine level above, along with retention of existing parking spaces within the basement, formal laying out of existing ground floor rear car park and reduction of existing ground floor car parking spaces from 65 to 53 following demolition of existing single storey building on Ducie Street" ('Permission B').

1.6 The decision notice and approved plans for Permission B are attached to this statement at Appendix B.

1.7 The works to convert Gateway House to an apart-hotel (as approved under both Permission A and Permission B) have been undertaken in full and the building is currently being operated as an apart-hotel by Staycity. The key difference between the two permissions is that Permission A included the erection of two new buildings on the car park to the rear of Gateway House, while Permission B did not and retained this area as a car park. The refused application for a lawful development certificate sought to confirm that Permission A has been implemented and is therefore extant, meaning the new build elements of the scheme can be delivered.

The application

1.8 The application was for a lawful development certificate and the decision was based on the following drawings and documents:

- Application form;
- Planning cover letter;
- Site location plan;
- Legal advice regarding the implementation of planning permission by 39 Essex Chambers;
- Proposed floorplans and elevations that were approved under planning permission reference: 106792/JO/2014/C2; and
- Decision notices for applications for the approval of details reserved by condition associated with planning permission reference: 106792/JO/C2 (Permission A).

1.9 The application for a lawful development certificate was refused on 26 April 2019 and the reasons for refusal comprised the following:

- Reason 1 – Implementation:
- Only application ref no 106793 (applicant refers to this as Permission B) granted consent for the demolition of the 1 storey building (former Avis Car Hire building) and formal layout, rationalisation and increase in numbers of the surface level car parking to the rear of Gateway House (engineering operation and retrospective change of use). These works have been implemented along with the conversion of Gateway House also approved by that permission. The works associated with the rear car park did not form part of application ref no 106792 (applicant refers to this as Permission A). On this basis Permission B has been implemented. Permission A has not been implemented and has now expired.
- Reason 2 – Pre-commencement conditions:
- The permission granted under application ref no 106792 (Permission A) was granted subject to a number of pre- commencement conditions.
- The pre-commencement requirements of conditions 3 (Materials), 9 (Refuse), 10 (Fumes) and 14 (Acoustics) have only been partially complied with (in relation to the conversion of Gateway House only) and are therefore only part discharged; and
- The pre-commencement requirements of conditions 7 (Emergency Number), 24 (Shop Front and Signage Strategy) and 28 (Surface Water Management) have not been met so have not been discharged.
- In view of the above Manchester City Council as the Local Planning Authority do not concur with the applicants view that compliance with the pre-commencement conditions is such that application ref no 106792 (applicant refers to this as Permission A) can be deemed, notwithstanding Reason 1, to have been implemented.

2.0 The facts

Acts of Parliament

2.1 Section 192 of the Town and Country Planning Act (1990) states that if, on the an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

Development plan

2.2 The development plan comprises:

- Manchester's Core Strategy (2012);
- Manchester's extant Unitary Development Plan Policies;
- Greater Manchester Joint Waste Development Plan Document (2012); and
- Greater Manchester Joint Mineral Plan Development Plan Document (2013).

Representations received

2.3 The Council's website indicates that no representations were received from neighbours in relation to the application for a lawful development certificate.

Government guidance

2.4 Once a certificate has been granted following an application under section 192, it means that any proposed use or development in accordance with it must be presumed as lawful, unless there is a material change before the use or development has begun (paragraph 002, Planning Practice Guidance).

2.5 A local planning authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is or would be lawful. Planning merits are not relevant at any stage in this particular application or appeal process (paragraph 009, Planning Practice Guidance).

2.6 In determining an application for a prospective development under section 192, a local planning authority needs to ask: "if this proposed change of use had occurred, or if this proposed operation had commenced, on the application date, would it have been lawful for planning purposes?" A refusal is not necessarily conclusive that something is not lawful, it may mean that to date insufficient evidence has been presented (paragraph 009, Planning Practice Guidance).

3.0 The appellant's case

3.1 The appellant's response to the reasons for refusal set out in the local planning authority's decision notice are set out below.

Reason for refusal 1

3.2 Reason for refusal 1 is as follows:

"Implementation: Only application reference number 106793 (applicant refers to this as Permission B) granted consent for the demolition of the one storey building (former Avis Car Hire building) and formal layout, rationalisation and increase in numbers of the surface level car parking to the rear of Gateway House (engineering operation and retrospective change of use). These works have been implemented along with the conversion of Gateway House also approved by that permission. The works associated with the rear car park did not form part of application reference number 106792 (applicant refers to this as Permission A). On this basis Permission B has been implemented. Permission A has not been implemented and has now expired."

3.3 Whilst the first reason for refusal suggests that the demolition of the single-storey building fronting Ducie Street was only approved under Permission A, the demolition of the building was approved under both Permission A and Permission B as it was necessary in order to deliver both schemes. Whilst it is acknowledged that the area of land to the rear of Gateway House has been laid out as car parking, it is not considered that the works undertaken to mark out the car park comprise engineering works or a material change of use in the land.

3.4 As set out in the submitted Opinion by 39 Essex Chambers, laying out tarmac and painting it with white lines is not considered to fall within the definition of development in accordance with section 55 of the Town and Country Planning Act, as such works would not necessarily need to be carried out by a builder and can be carried out without requiring planning permission to be granted.

3.5 Furthermore, parking vehicles is not considered to result in a material change of use to the land, as is suggested in the first reason for refusal. The wider area of land to the rear of Gateway House was already in use as a car park. It is considered that temporary use of the small area of land that was formerly occupied by the single-storey building for car parking would not constitute a change in use of the land, as it was a temporary use of the land for a limited period of time. The temporary use of this area of land for parking cars was intended to take place for a limited time prior to the second phase of new build works granted under Permission A commencing on site.

3.6 It is therefore not considered that the demolition of the single storey building or the laying out car parking demonstrates that Permission B was implemented rather than Permission A, as the demolition of the single-storey building was necessary in order to deliver both permissions. In addition, laying out car parking is not considered to fall within the definition of development as the works to layout car parking spaces would not need to be undertaken by a builder and would not necessarily require planning permission.

Reason for refusal 2

3.7 Reason for refusal 2 is as follows:

"Pre-commencement conditions: The permission granted under application ref no 106792 (Permission A) was granted subject to a number of pre-commencement conditions.

The pre-commencement requirements of conditions 3 (Materials), 9 (Refuse), 10 (Fumes) and 14 (Acoustics) have only been partially complied with (in relation to the conversion of Gateway House only) and are therefore only part discharged; and

The pre-commencement requirements of conditions 7 (Emergency Number), 24 (Shop Front and Signage Strategy) and 28 (Surface Water Management) have not been met so have not been discharged.

In view of the above Manchester City Council as the Local Planning Authority do not concur with the applicants view that compliance with the pre-commencement conditions is such that application ref no 106792 (applicant refers to this as Permission A) can be deemed, notwithstanding Reason 1, to have been implemented."

3.8 As asserted during the determination process, the appellant's case is that condition 3 (materials) has been fully complied with in regards to both the conversion of Gateway House and the new build elements approved under Permission A. This is demonstrated by the decision notice for the application for the approval of details reserved by condition 3, which is attached to this statement at Appendix C. The decision notice clearly states: 'all above ground floor level materials are approved' in relation to application 106792 (Permission A) and does not make reference to the condition being partially discharged.

3.9 In addition, it is considered that condition 9 (refuse details) has been complied with in full. This is demonstrated by the decision notice issued in relation to the application for approval of details reserved by condition 9 (attached at Appendix D), which states that the condition is discharged. The decision does not refer to the condition being part-discharged.

3.10 Similarly, in regards to condition 10 (fumes), it is considered that the requirements of the condition have been complied with in regards to both the conversion of Gateway House and new build elements of the scheme. This is demonstrated by the decision notice for the condition (attached at Appendix E), which states that the condition is discharged in relation to the serviced apartments but will have to be discharged separately for each new tenant occupying the ground floor retail units. The extraction statement referred to in the decision notice includes references to the gym and office buildings, demonstrating that the condition has been discharged in relation to these elements. The decision notice does not state that a fume extraction statement will need to be submitted separately for the office and gym buildings, indicating that no further detail is required to be submitted in relation to these elements.

3.11 In regards to condition 14 (acoustics), it is considered that the condition has been complied with in relation to both the conversion of Gateway House and the new build elements of the scheme, as the decision notice (attached at Appendix F) refers to an approved noise report that includes details for the new build elements of the scheme (the office and gym buildings).

3.12 Further to the above, a table was submitted to the Council during the determination period that set out the status of a number of the disputed conditions. It is attached at Appendix G and includes comments in relation to conditions 3, 10 and 14.

3.13 The decision notice for the approval of detail reserved by condition 24 (shop front design) is attached to this statement at Appendix H. Whilst the decision refers to condition 20 as the shop front design condition, the decision notice refers to both Permission A and B, and the shop front design condition was numbered as '20' on Permission B. However, the decision notice demonstrates that the condition was discharged in full.

3.14 Condition 28 is addressed within pages 3-4 of the planning cover letter that was submitted with the application for a lawful development certificate. As set out within the cover letter, it is not considered that non-compliance with condition 28 demonstrates that Permission A has not been implemented

3.15 In the event that it is considered that any of these conditions have been partially discharged, it is considered that the outstanding details required in relation to the new build elements of the scheme could be submitted to the Council prior to the works on the new build elements of the scheme commencing on site. As set out in the Opinion by 39 Essex Chambers, it is not considered that any of the disputed pre-commencement conditions go to the heart of the planning permission.

3.16 As also set out in the Opinion provided by 39 Essex Chambers, if two planning permissions exist in respect of the same site that are identical in terms of the first stages of development, both planning permissions can be lawfully implemented. It is only when works of construction or development are carried out that unequivocally relate to one planning permission and not to the other that a developer can be said to have elected to carry out one of the planning permissions and cannot rely on the other. Until that point has been reached both planning permissions can be relied on by the developer. It is therefore considered that Permission A has been demonstrated to have been lawfully implemented and as such is extant.

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4.0 Suggested mitigating factors

4.1 The appellant suggests the following mitigating factors:

I. In the event that it is considered that any of the pre-commencement conditions have not been discharged in full in relation to the new build elements of Permission A, the required details can be submitted to the Council to ensure that the Council is satisfied that all conditions have been complied with in full.

MANCHESTER CITY COUNCIL

Important – Planning permission & notices of consent

Compliance with conditions

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Simon Marshall
HSBC Pension Trust (UK) Ltd
Huddersfield Road
Elland
HX5 9BW

Agent (if used)

Mr Max Plotnek
Maddox and Associates Ltd
Amadeus House
27B Floral Street
London
WC2E 9DP

Part 1 – Particulars of the application/development

Proposal: To removal of link from the office building to the apart hotel and amend the number of floors within office building approved by 100761(Refurbishment of Gateway House to create a 182 suite apart hotel above ground floor retail space Class B1 use within mezzanine level above, along with retention of existing parking and retail space within the basement and erection of new 8 storey building comprising Class B1 accommodation above ground floor retail space for use for Class A1 use or Class A2 Use or Class A3 use or Class A4 Use or Class A5 connected to Gateway House by bridge link and erection of new 3 storey gym following demolition of existing single storey building on Ducie Street)as an amendment to application 096872/FO/2011/C2 approved on 23 December 2011) from 8 to 7 floors (overall height of building to be the same)

Location: Gateway House , Piccadilly South, Manchester, M1 2GH

Date of application: 22 September 2014

Application number: 106792/JO/2014/C2

Part 2 – Particulars of decision

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

Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application.

Condition(s) attached to this decision

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

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

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

(a) L(--) 001 Rev A, L(10)100 Rev A, M2904 -101, M2904 -102, M2904 -103, M2904 -104, M2904 -105, M2904 -106, M2904 -107, M2904 -108, M2904 -109, M2904 -110, M2904 -200, M2904 201, M2904 -202, M2904 -203,
M2904 -205, M2904 -206,M2904 -207, M2904 -208, M2904 - 210, L(10)250 Rev A, M2904 - (10)300 Rev A all stamped as received on 10-09-14;

(b) Requirements as detailed in Sandy Brown Associates LLP acoustic report 10-03-2011;

(c) Letter from Hodder and Partners dated 21st December modifying the scheme to remove the ground floor extension at the south eastern elevation of the building; and

(d) Wind mitigation measures identified in the Concluding Remarks Section of RWDL's Pedestrian Level Wind Microclimate Assessment Desk Study dated 7th April 2011.

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

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

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

4) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

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

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. (a)The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if

any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Section 11 of the National Planning Policy Framework and policy EN18 of the Core Strategy.

6) The development hereby approved shall not commence unless and until a Construction Management Plan, including a Site Waste Management Plan, Air Quality Plan, final details of necessary mitigation measures in respect of the protection of bat roosts and associated foraging and commuting and a plan layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction , has been submitted to and approved in writing by the City Council as local planning authority. The strategy shall include details on the timing of construction of scaffolding, the lighting and operation of cranes during construction, and a Human Impact Management Plan.

Reason - To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG)

7) The details of an emergency telephone contact number for shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy.

8) Before development commences or within a timescale as otherwise agreed in writing by the City Council a scheme for the acoustic insulation of any externally mounted ancillary equipment 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 equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

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

9) Before development commences or within a timescale as otherwise agreed in writing by the City Council, a scheme for the storage (including segregated waste recycling) and disposal of refuse for (a) the serviced apartments; (b) the offices; (c) the gym; and (d) the ground floor units 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 prior to occupancy or in the case of the ground floor units prior to any new tenancy commencing and shall remain in situ whilst the use or development is in operation.

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

10) Before development commences or within a timescale as otherwise agreed in writing by the City Council, a scheme for the extraction of any fumes, vapours and odours from (a) the serviced apartments; (b) the offices; (c) the gym; and (d) the ground floor units 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 prior to occupancy or in the case of the ground floor units prior to any new tenancy commencing and shall remain in situ whilst the use or development is in operation.

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

11) Before any new use hereby approved commences, within each of the ground floor units details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

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

07:30 to 20:00, Monday to Saturday,
10:00 to 18:00 Sundays and Bank Holidays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy

13) Before the building hereby approved is first occupied it shall be 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 property.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy

14) Before development commences or within a timescale as otherwise agreed in writing by the City Council ,details of the scheme of acoustic insulation including where

necessary acoustic glazing and acoustically treated ventilation of the following shall be submitted and approved in writing by the City Council as local planning authority:

(a) the serviced apartments:
(b) the gym;
(c) the offices;
(d) any new Class A3, A4 or A5 use within the ground floor unit.

The acoustic attenuation scheme hereby approved shall be implemented in full before each of the above uses first commences.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

15) No part of the site outside of the building 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.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

16) No amplified sound or any music shall be produced or played in any part of the site outside of the building other than in accordance with a scheme detailing the levels at which any music shall be played and the hours during which it shall be played which has been submitted to and approved in writing by the City Council as local planning authority.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

17) Before development commences or within a timescale as otherwise agreed in writing by the City Council details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation unless otherwise agreed in writing.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy.

18) Before development commences or within a timescale as otherwise agreed in writing by the City Council details of the number, location and layout of facilities for cycle parking to be included within the development site shall be submitted and approved in writing by the City Council as Local Planning Authority. The approved cycle parking shall be in place before the use of the development commences.

Reason - In the interests of public safety pursuant to policies DM1 and T2 of the Core Strategy.

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

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

20) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of `very good'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before the building hereby approved is first occupied or within a timescale to be agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development pursuant to the principles contained in the Guide to Development in Manchester 2 and policies SP1, DM1 and EN8 of the Core Strategy

21) No development shall take place / commence until a Written Scheme of Investigation (WSI) covering a programme of archaeological works has been submitted to and approved in writing by the Local Planning Authority and the report(s) made available for consideration. No development shall take place other than in accordance with the approved WSI. The WSI shall cover the following:

1. A phased programme and methodology of site investigation and recording to include: - a desk-based assessment - (where appropriate historic building assessment and possibly more a more detailed survey and interpretive record) - targeted archaeological evaluation - (depending upon the evaluation) targeted area excavation

2. A programme for post investigation assessment to include: - analysis of the site investigation records and finds - production of a final report on the significance of the archaeological interest represented

3. Provision for publication and dissemination of the analysis and report on the site investigation

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

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

The archaeological works should be undertaken by a suitably experienced and qualified archaeological contractor, funded by the applicant. GMAAS would monitor the implementation of the work on behalf of Manchester local planning authority.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved Unitary Development Plan policy DC20.1 and guidance in section 12 of the National Planning Policy Framework.

22) Before development commences or within a timescale as otherwise agreed in writing by the City Council final details of the proposed landscaping scheme (including details of the proposed materials) 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 proposed building is 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 agree in writing by the City Council as local planning authority.

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 EN1, EN9, EN15 and SP1 of the Core Strategy.

23) Occupation of the development shall not commence unless and until a servicing management strategy, including a schedule of loading and unloading locations and times, has been submitted to and agreed in writing by the City Council as local planning authority. Servicing shall thereafter take place in accordance with the approved strategy.

Reason - In the interests of public and highway safety and the protection of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy.

24) Before the development is commenced or within a timescale as otherwise agreed in writing by the City Council 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.

Reason - To protect the visual amenity of the area and to ensure the development is carried out in a satisfactory manner pursuant policies SP1 and DM1 of the Core Strategy.

25) The consent hereby granted is for a development that has full access into and throughout the building and access to the public realm for tenants and members of the public, including those whose mobility is impaired and the arrangements hereby approved shall remain in place as long as the development is operating for the purposed hereby approved

Reason - For the avoidance of doubt and so as to provide direct access for all, pursuant to policy DM1 of the Core Strategy

26) No development shall commence until an additional bat survey of the main building and undercroft is carried out and a method statement, including details of replacement nesting sites, is 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.

Reason - In the interests of visual and residential amenity, in the interests of the protection of bat roosts and associated foraging and commuting areas pursuant Section 11 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1.

27) Notwithstanding the information shown within the Gateway House Facade Lighting Concept, before development commences or within a timescale to be agreed in writing with the City Council as Local Planning Authority, detailed drawings for the scheme for lighting the building and for illuminating all facades of the building including how it will be designed and installed to avoid glare and overspill onto nearby residential properties, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development, pursuant to Core Strategy policies SP1 and DM1.

28) Before development commences or within a timescale as otherwise agreed in writing by the City Council, the following details shall be submitted and approved in writing by the City Council as Local Planning Authority:

Confirmation that of measures that will ensure that no surface from this development is to be discharged either directly or indirectly to the combined sewer network.

Confirmation that the site would be drained on a separate system, with only foul drainage connected into the foul sewer.

Reason - In the interests of protecting adjacent watercourses, and sewer networks pursuant to Section's 10 and 11 of the National Planning Policy Framework and pursuant to policies EN15 and SP1 of the Core Strategy.

29) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building shall be submitted to and approved in writing by the City Council as the local planning authority. Any works approved shall be implemented in full within six months, or as otherwise agreed in writing by the local planning authority, of any part of the development first being occupied.

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 the policies SP1 and DM1 of the Core Strategy

30) The development hereby approved should be scheduled to allow the any black redstarts to complete the breeding and fledging of young before development commences.

Reason - In the interests of the protection of black redstarts pursuant Section 11 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1.

Informatives

This permission does not grant approval under Building Regulations.

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

Date: 17 November 2014

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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

Notes

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

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

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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

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

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

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

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

Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

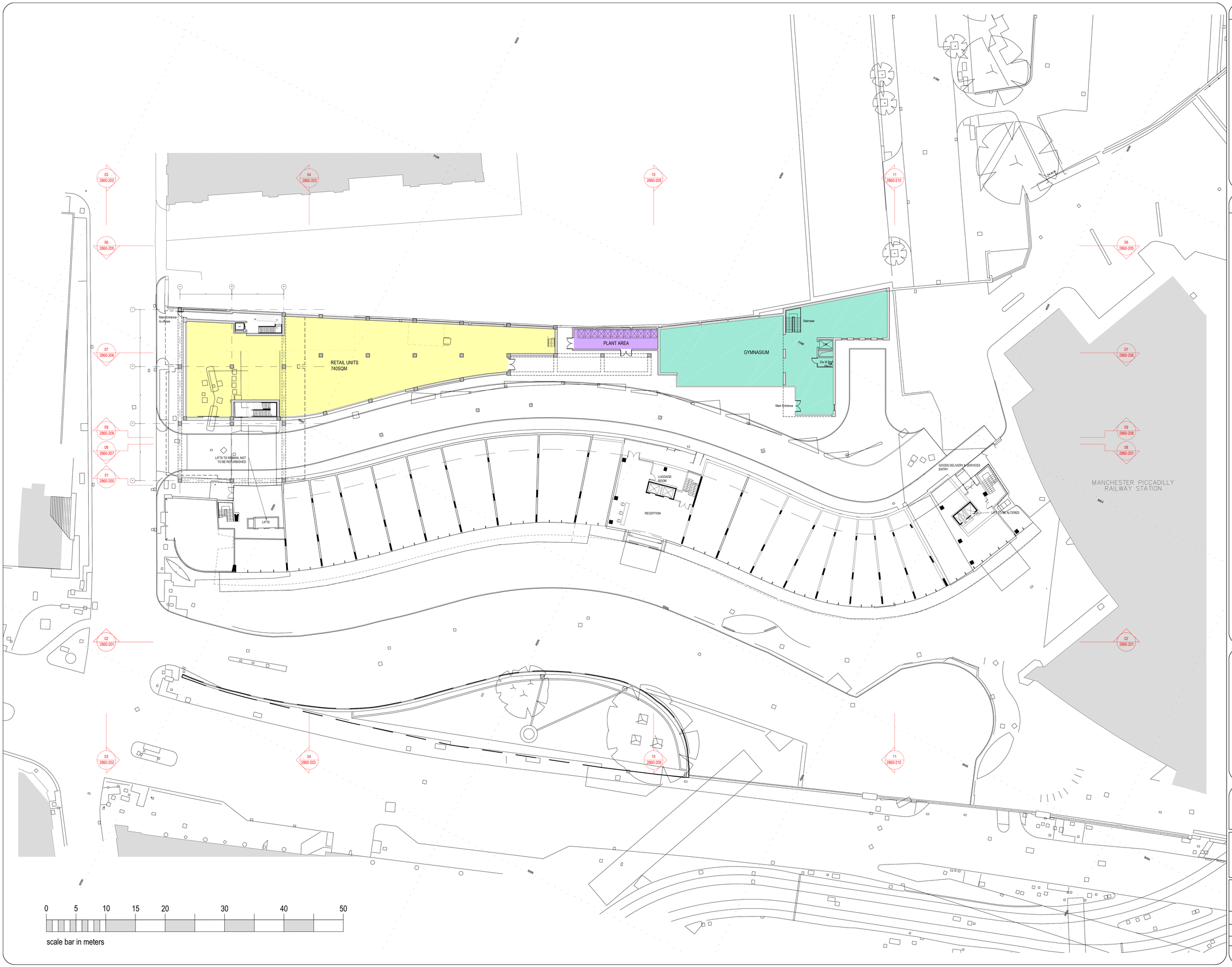
Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.
Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com



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Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

Client

COMMERCIAL DEVELOPMENT PROJECT LIMITED

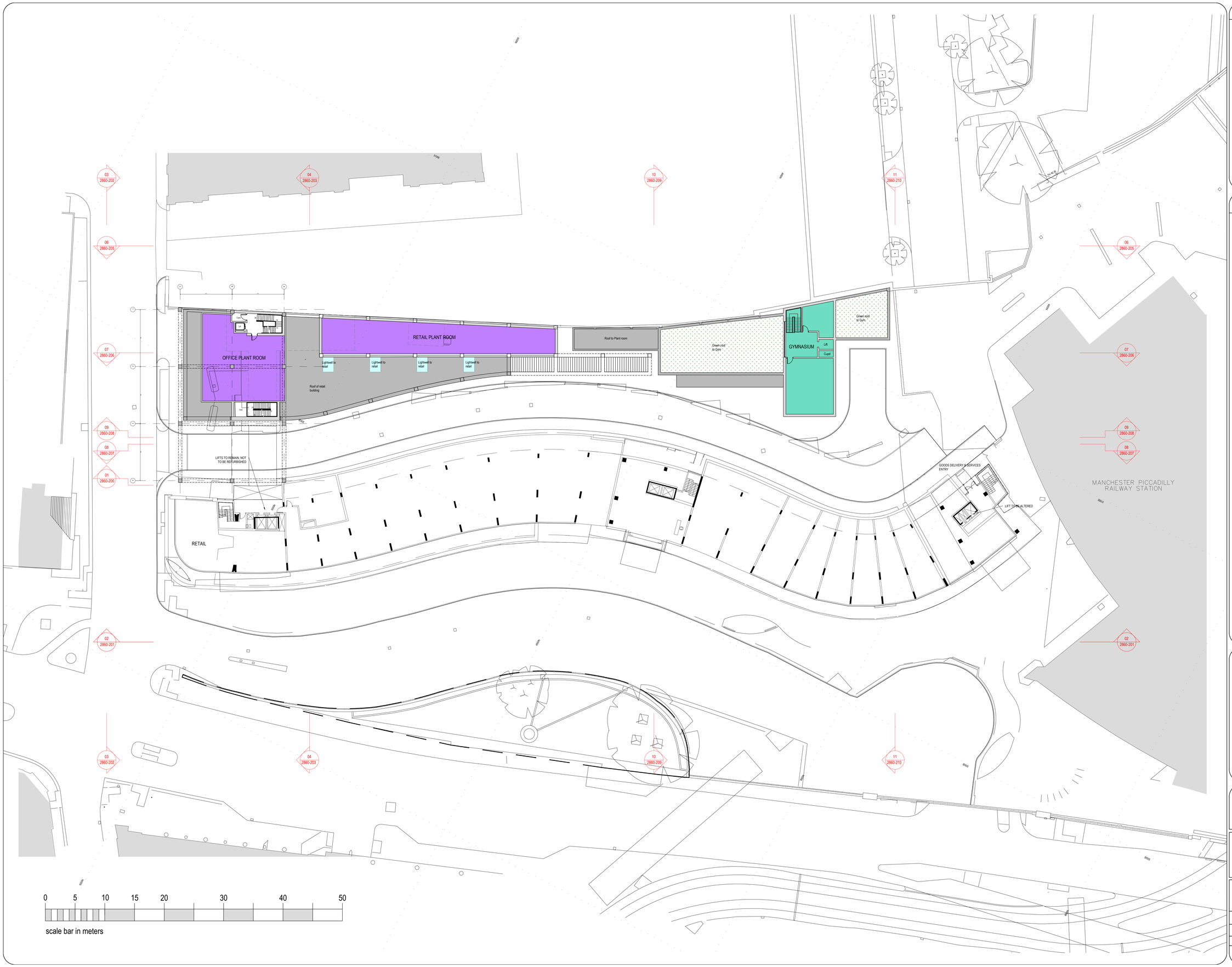
Project

GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

Sheet

PROPOSED GROUND FLOOR PLAN

Drawn: BMS	Date: APRIL 14
Scale: 1:200 @ A0	
Status:	
Drawing No.: M2904-101	Revision:



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FAX No : (01422) 376717
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PROPOSED MEZZANINE FLOOR PLAN

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Drawing No.: M2904-102	Revison:

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PROPOSED FIRST FLOOR PLAN

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Scale: 1:200 @ A0	
Status:	
Drawing No.: M2904-103	Revision:

03 2860-202
04 2860-203
10 2860-209
11 2860-210
06 2860-205
07 2860-206
09 2860-208
08 2860-207
01 2860-200
02 2860-201

1ST FLOOR OFFICE
FFL 1,040mm

LIFTS TO REMAIN, NOT TO BE REFURBISHED

Green roof to giant coqui

Lightwell to retail

Roof of retail bulding

Green roof to Gym

GYMNASIUM

Lift

OFFICE & COMMS

GUEST WC

STAFF WCs

STAFF ROOM

GOODS DELIVERY & SERVICES ENTRY

LIFT TO BE ALTERED

MANCHESTER PICCADILLY RAILWAY STATION

0 5 10 15 20 30 40 50

scale bar in meters

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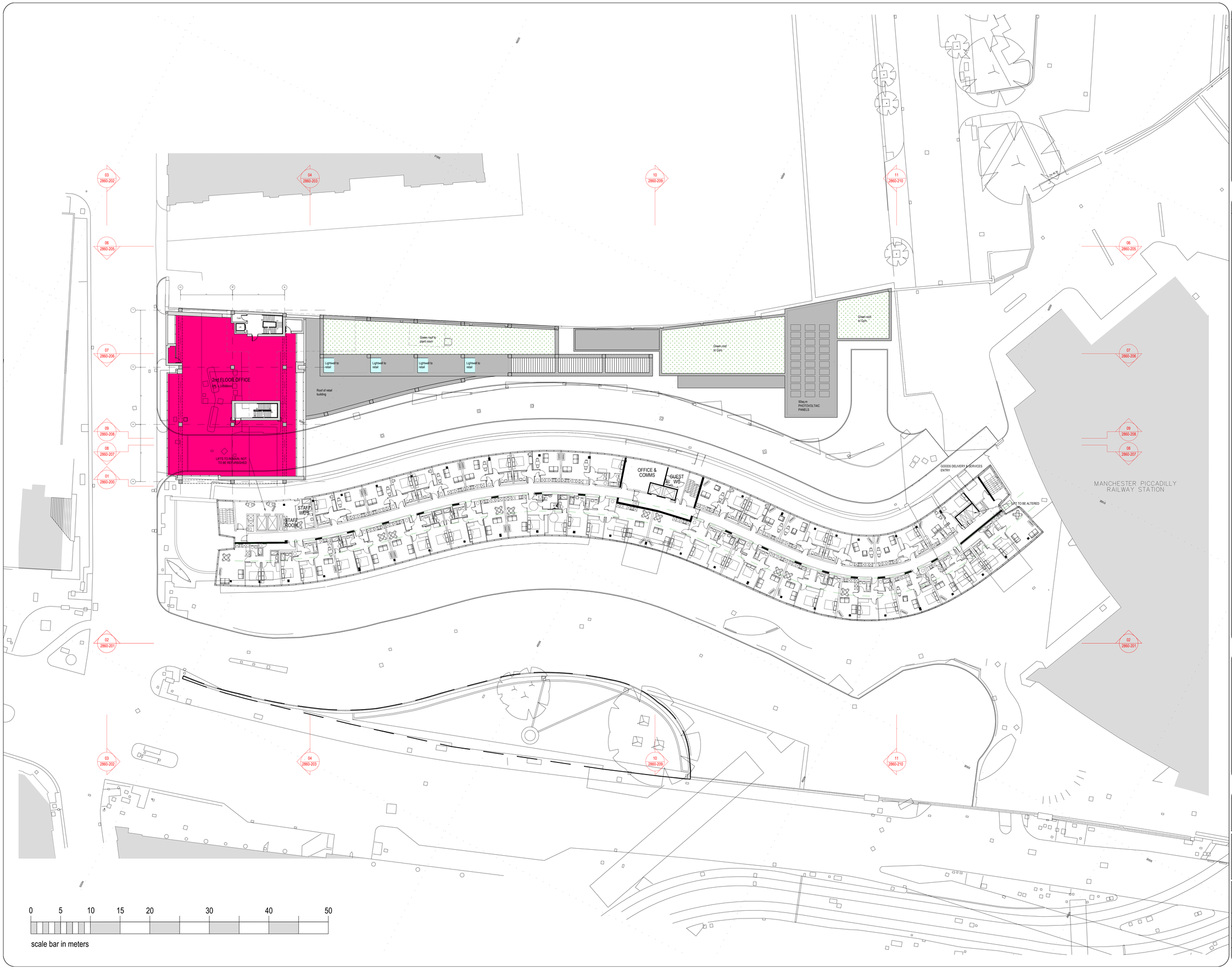

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Elland, West Yorkshire
HX5 9BW
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email : mail@bmselland.com

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PROPOSED SECOND FLOOR PLAN

Drawn: BMS	Date: APRIL 14
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PROPOSED THIRD FLOOR PLAN

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Drawing No.: M2904-105	Revision:

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04 2860-203
10 2860-209
11 2860-210
06 2860-205
07 2860-206
09 2860-208
08 2860-207
01 2860-200
02 2860-201

3rd FLOOR OFFICE
FFL 1.1955mm

LIFTS TO REMAIN, NOT TO BE REFURBISHED

Roof of retail bulding

Lightwell to retail

Green roof to plant room

Green roof to Gym

50sq.m PHOTOVOLTAIC PANELS

OFFICE & COMMS

GUEST WC

STAFF WCs

STAFF ROOM

GOODS DELIVERY & SERVICES ENTRY

LIFT TO BE ALTERED

MANCHESTER PICCADILLY RAILWAY STATION

0 5 10 15 20 30 40 50

scale bar in meters

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PROPOSED FOURTH FLOOR PLAN

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03 2860-202
04 2860-203
10 2860-209
11 2860-210
06 2860-205
07 2860-206
09 2860-208
08 2860-207
01 2860-200
02 2860-201

4th FLOOR OFFICE
FFL 1.58*14cm

LIFTS TO REMAIN, NOT TO BE REFURBISHED

Roof of retail bulding

Lightwell to retail

Green roof to plant room

Green roof to Gym

50sq.m PHOTOVOLTAIC PANELS

OFFICE & COMMS

GUEST WC

STAFF WCs

STAFF ROOM

GOODS DELIVERY & SERVICES ENTRY

LIFT TO BE ALTERED

MANCHESTER PICCADILLY RAILWAY STATION

0 5 10 15 20 30 40 50

scale bar in meters

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PROPOSED FIFTH FLOOR PLAN

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Drawing No.: M2904-107	Revision:

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04 2860-203
10 2860-209
11 2860-210
06 2860-205
07 2860-206
09 2860-208
08 2860-207
01 2860-200
02 2860-201

5th FLOOR OFFICE
Ff's 1,287.2m²

LIFTS TO REMAIN, NOT TO BE REFURBISHED

Roof of retail bulding

Lightwell to retail

Green roof to plant room

Green roof to Gym

50sq.m PHOTOVOLTAIC PANELS

OFFICE & COMMS

GUEST WC

STAFF WC's

STAFF ROOM

GOODS DELIVERY & SERVICES ENTRY

LIFT TO BE ALTERED

MANCHESTER PICCADILLY RAILWAY STATION

0 5 10 15 20 30 40 50

scale bar in meters

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PROPOSED SIXTH FLOOR PLAN

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03 2860-202
04 2860-203
10 2860-209
11 2860-210
06 2860-205
07 2860-206
09 2860-208
08 2860-207
01 2860-200
02 2860-201

6th FLOOR OFFICE
FFL 1.2850mm

LIFTS TO REMAIN, NOT TO BE REFURBISHED

Green roof to plant room

Lightwell to retail

Roof of retail bulding

Green roof to Gym

50sq m PHOTOVOLTAIC PANELS

OFFICE & COMMS

GUEST WC

STAFF WCs

STAFF ROOM

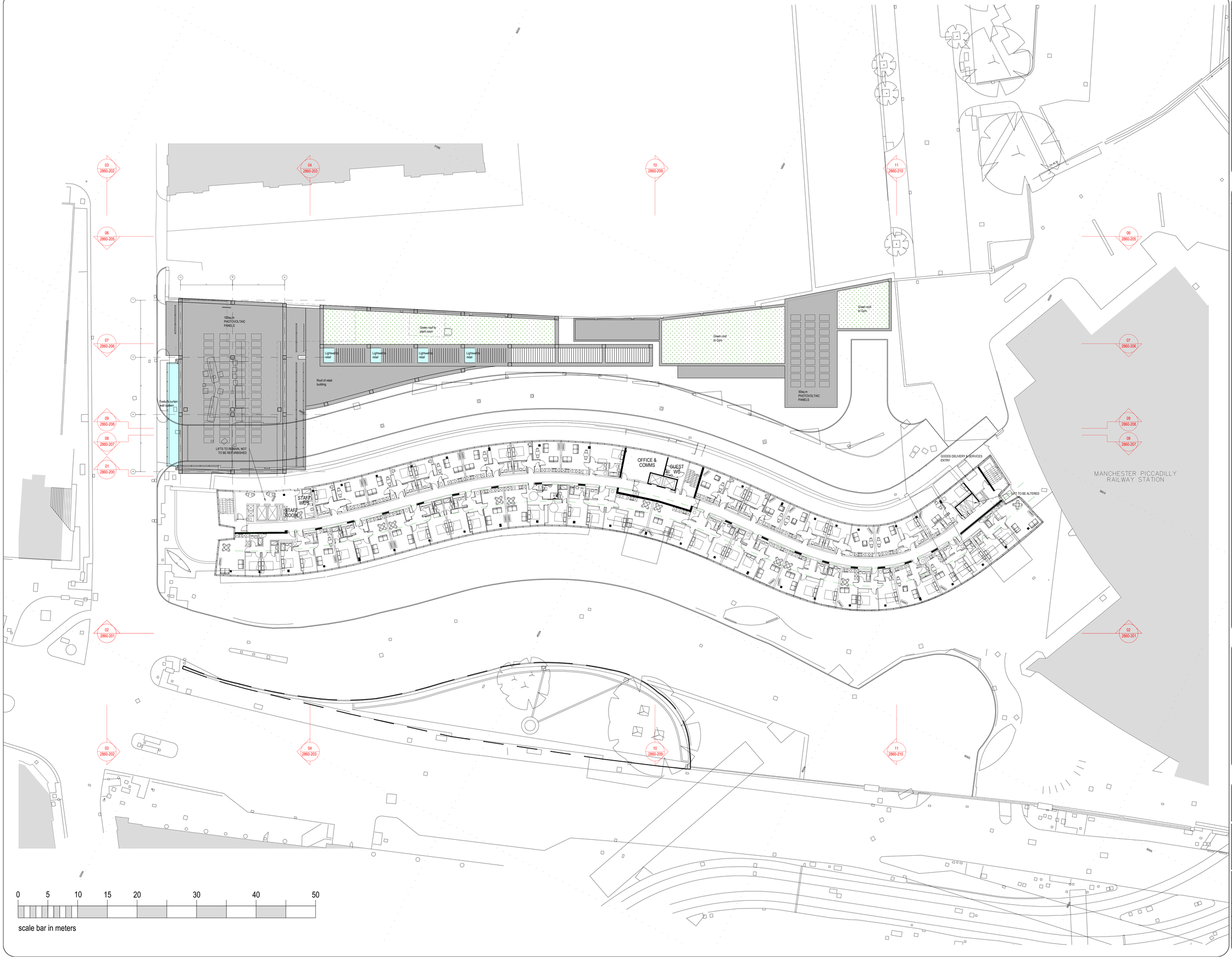
GOODS DELIVERY & SERVICES ENTRY

LIFT TO BE ALTERED

MANCHESTER PICCADILLY RAILWAY STATION

0 5 10 15 20 30 40 50

scale bar in meters



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PROPOSED SEVENTH FLOOR PLAN

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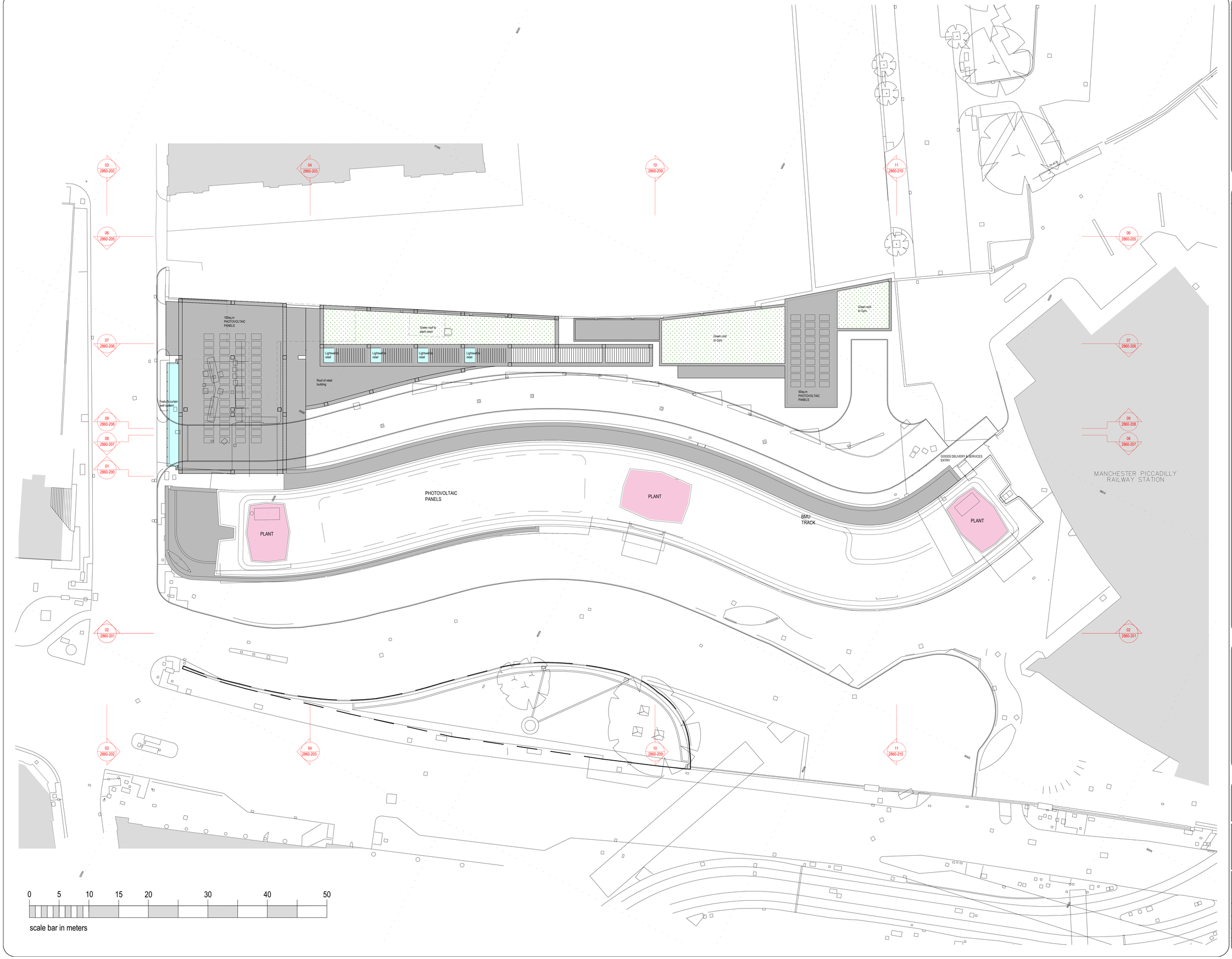
Drawing No.: M2904-109	Revision:



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FAX No : (01422) 376717
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PROPOSED ROOF PLAN

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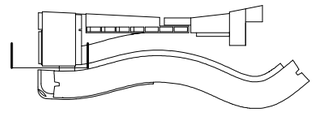
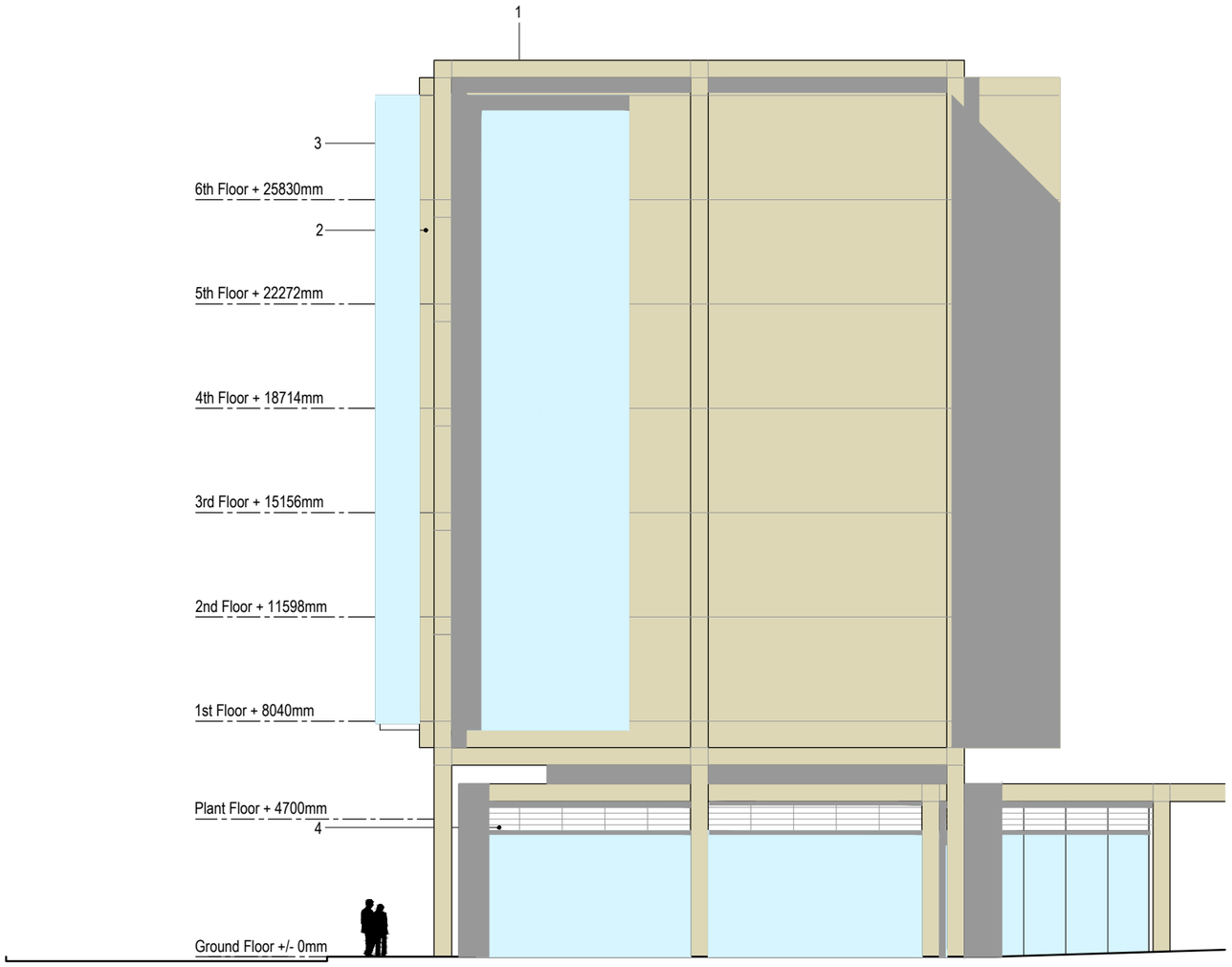
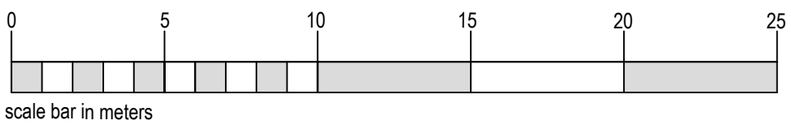
Drawing No.: M2904-110	Revision:



Materials Key:

1. Honed concrete frame
2. Smooth (polished) concrete cladding panels
3. Clear double glazed curtain wall
4. Metal cladding panels





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FAX No : (01422) 376717
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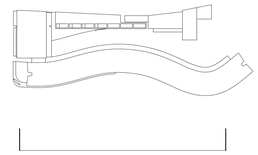
PROPOSED ELEVATION 01

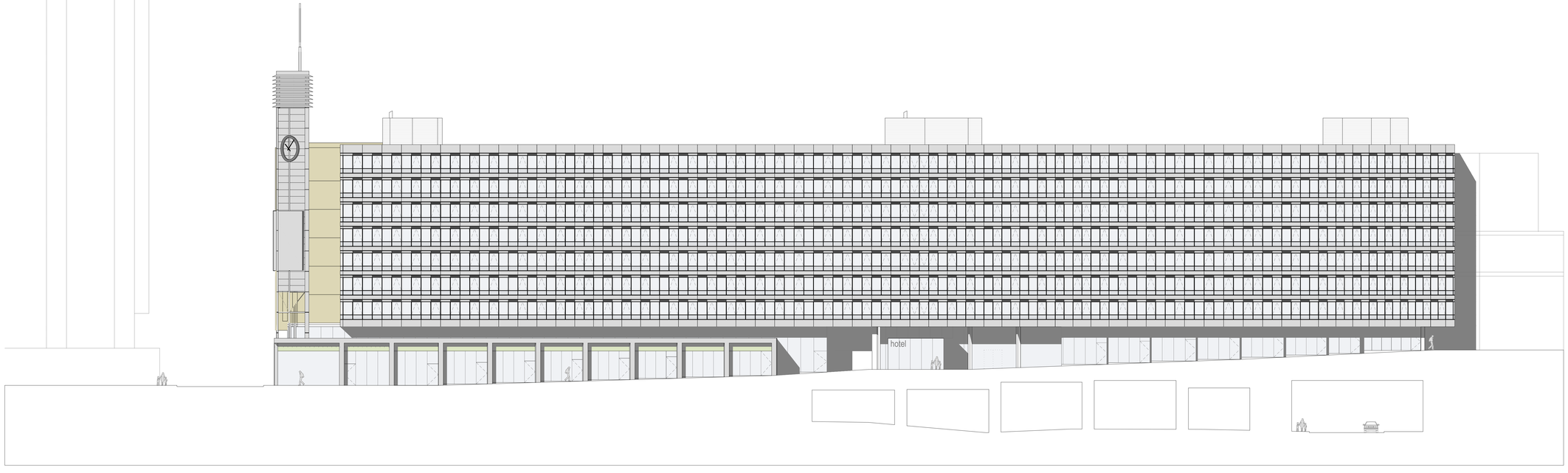
Drawn	Date
BMS	APRIL 14

Scales 1:200 @ A3

Drawing No

M2904-200





DUCIE STREET

STORE STREET

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FAX No : (01422) 376717
email : mail@bmselland.com

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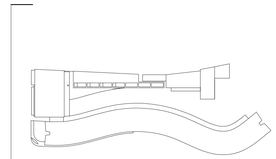
PROPOSED ELEVATION 02

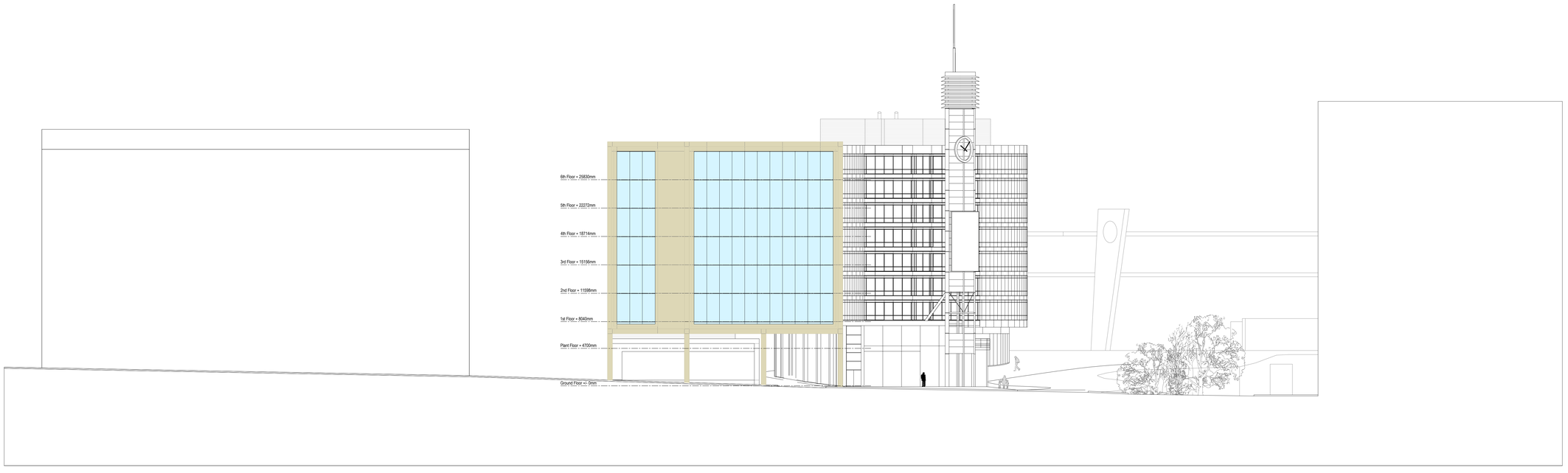
Drawn	Date
BMS	APRIL 14

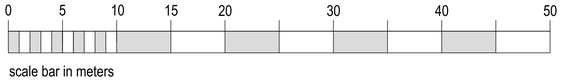
Scale: 1:200 @ A0

Status:

Drawing No.	Revision
M2904-201	







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PROPOSED ELEVATION 03

Drawn	Date
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Scale 1:200 @ A0

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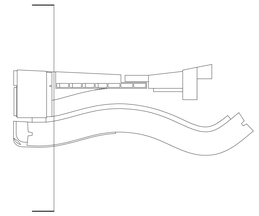

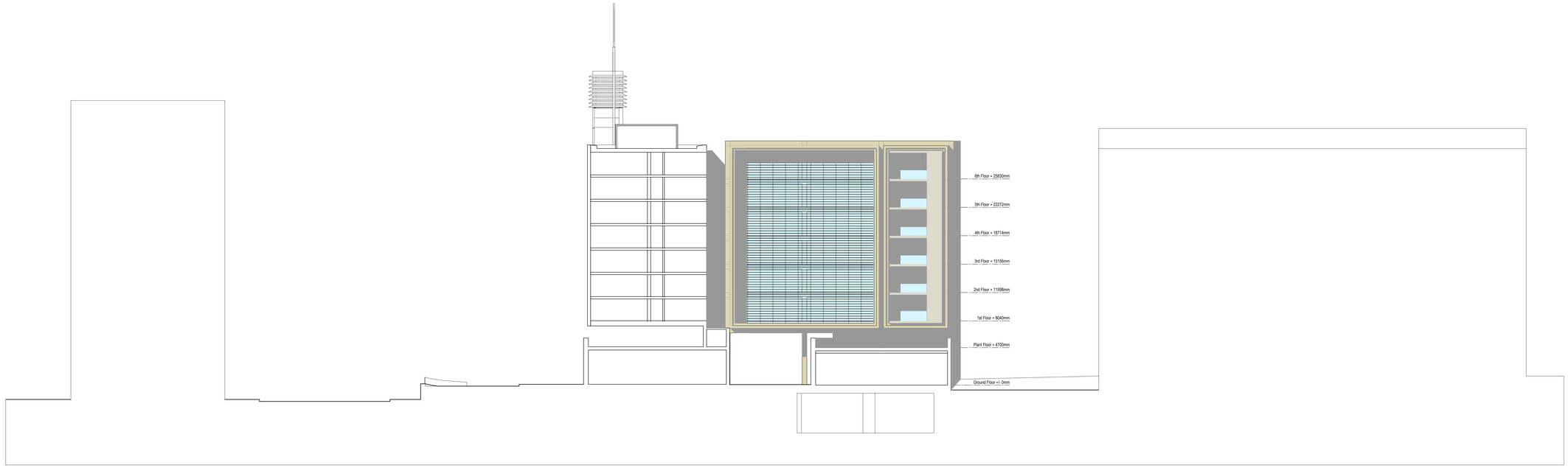



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Elland, West Yorkshire
HX5 9BW
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FAX No : (01422) 376717
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PROPOSED ELEVATION 04

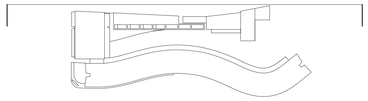
Drawn	Date
BMS	APRIL 14

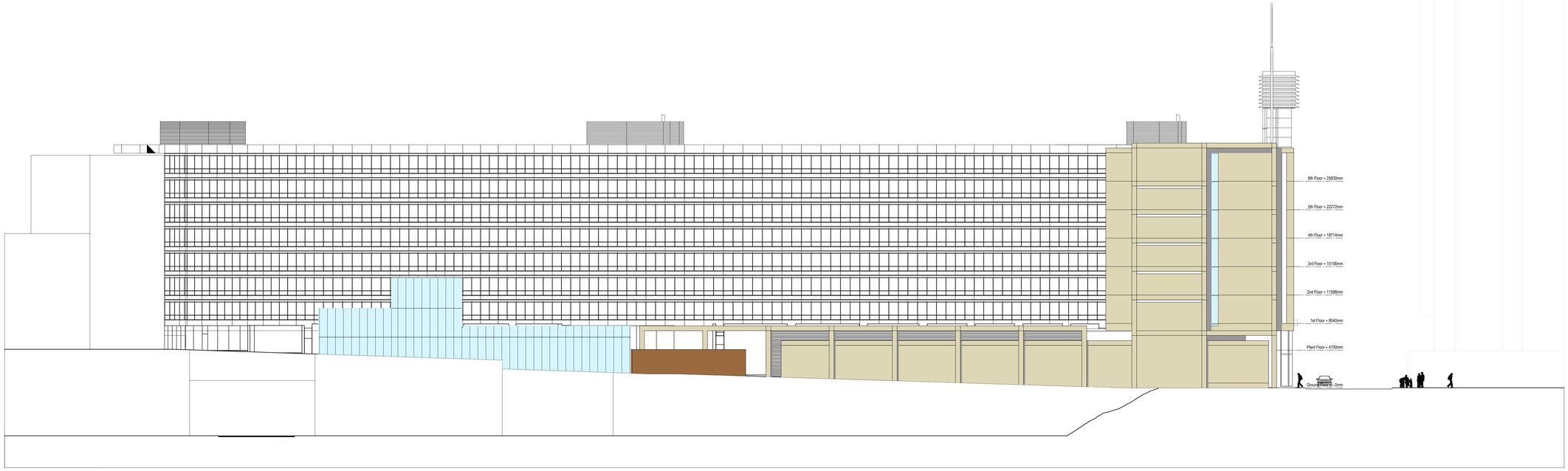
Scale: 1:200 @ A0

Status:

Drawing No.: M2904-203

Revision:





STORE STREET

DUCIE STREET

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Revisions

Rev	Date	Description

BUILDING MANAGEMENT SERVICES LTD

Huddersfield Road
Elland. West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

Client

COMMERCIAL DEVELOPMENT PROJECT LIMITED

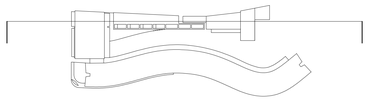
Project

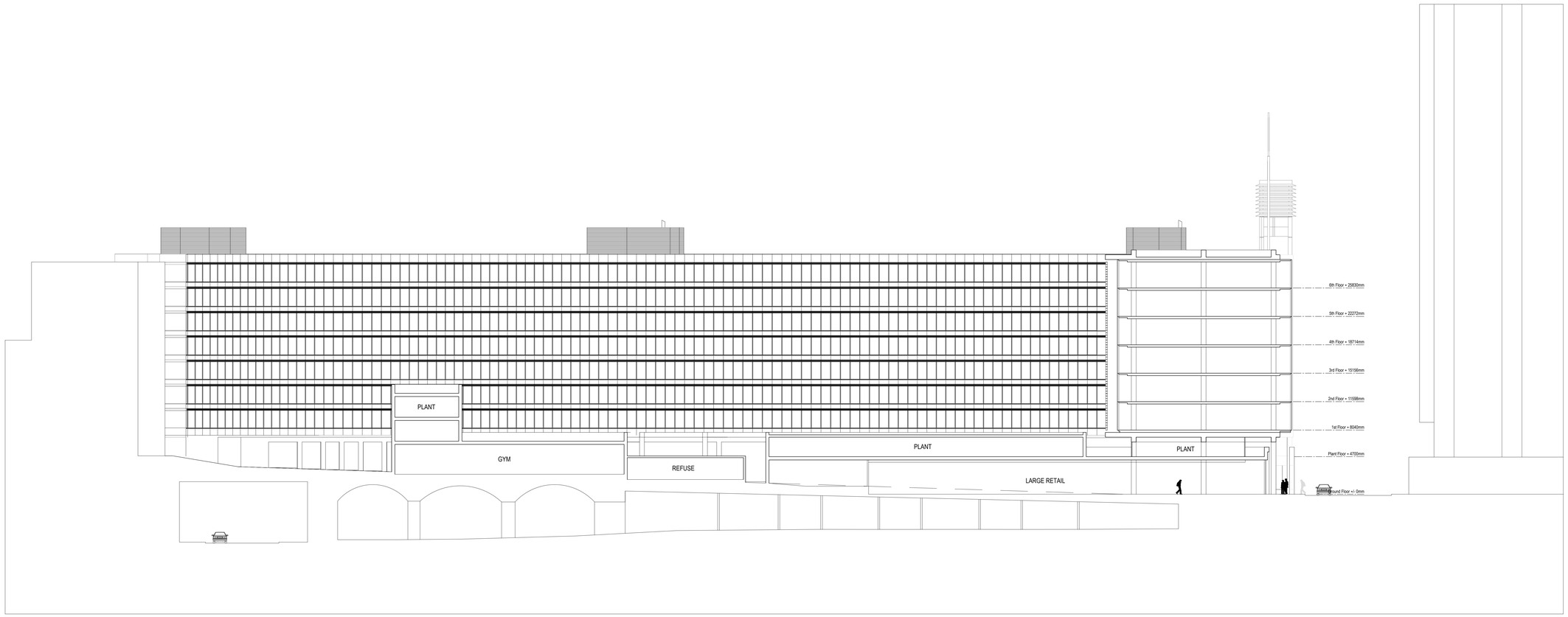
GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

Sheet

PROPOSED ELEVATION 06

Drawn: BMS	Date: APRIL 14
Scale: 1:200 @ A0	
Status:	
Drawing No.: M2904-205	Revision:





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Project

GATEWAY HOUSE
PICCADILLY SOUTH
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Sheet

PROPOSED ELEVATION 07

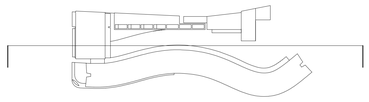
Drawn	Date
BMS	APRIL 14

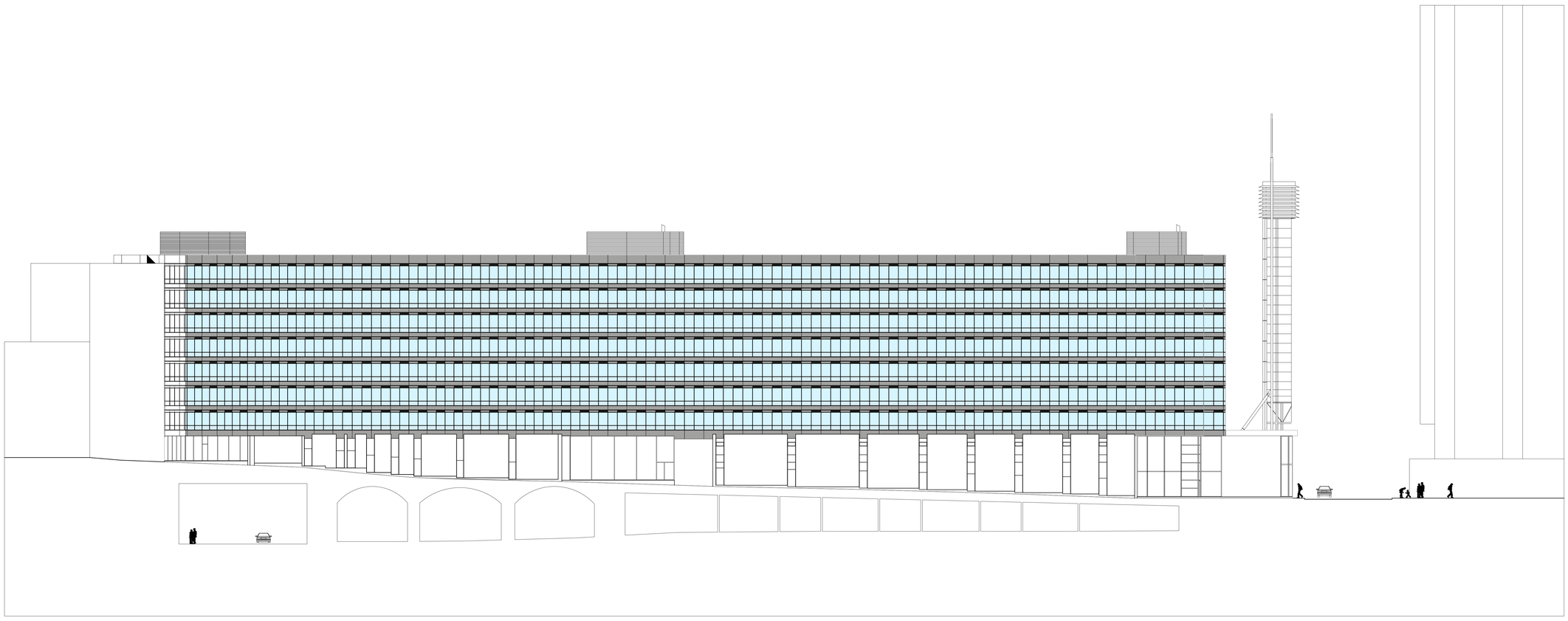
Scale: 1:200 @ A0

Status:

Drawing No.: M2904-206

Revision:





STORE STREET

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0 5 10 15 20 30 40 50

scale bar in meters

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FAX No : (01422) 376717
email : mail@bmselland.com

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PROPOSED ELEVATION 08

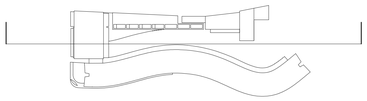
Drawn	Date
BMS	APRIL 14

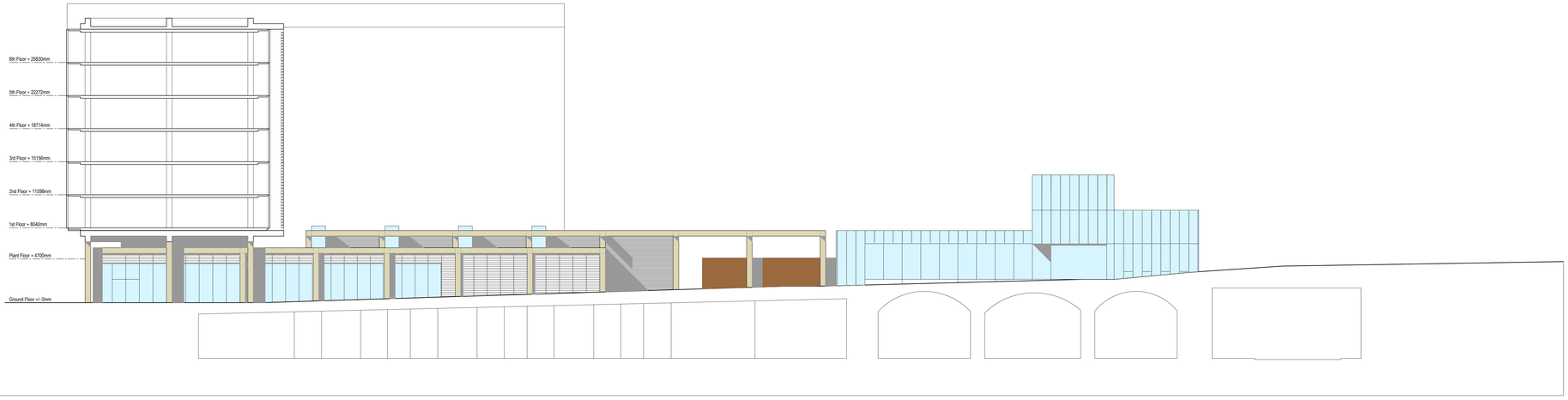
Scale: 1:200 @ A0

Status:

Drawing No.: M2904-207

Revision:





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STORE STREET



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FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

Client

COMMERCIAL DEVELOPMENT PROJECT LIMITED

Project

GATEWAY HOUSE
PICCADILLY SOUTH
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PROPOSED ELEVATION 09

Drawn: BMS	Date: APRIL 14
Scale: 1:200 @ A0	
Status:	
Drawing No.: M2904-208	Revison:

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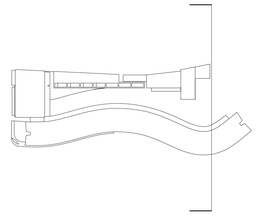
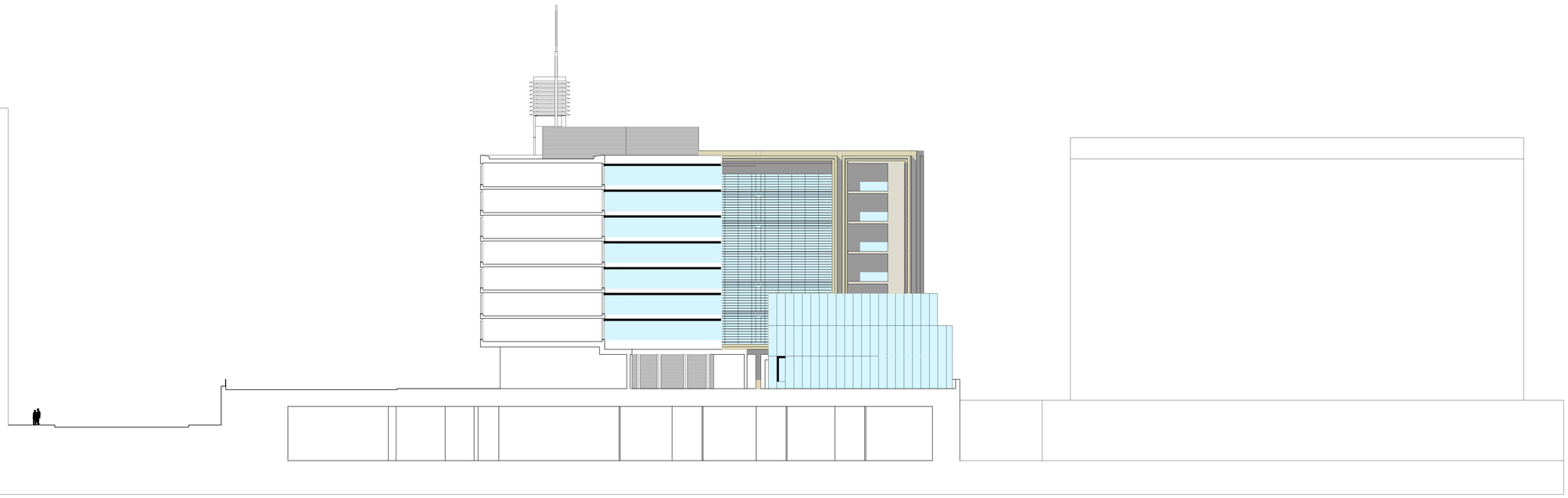


Revisions

Rev	Date	Description



LONDON ROAD



scale bar in meters

BUILDING MANAGEMENT SERVICES LTD

Huddersfield Road
Elland. West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

Client

COMMERCIAL DEVELOPMENT PROJECT LIMITED

Project

GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

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PROPOSED ELEVATION 11

Drawn	Date
BMS	APRIL 14

Scale: 1:200 @ A0

Status:

Drawing No.	Revision
M2904-210	

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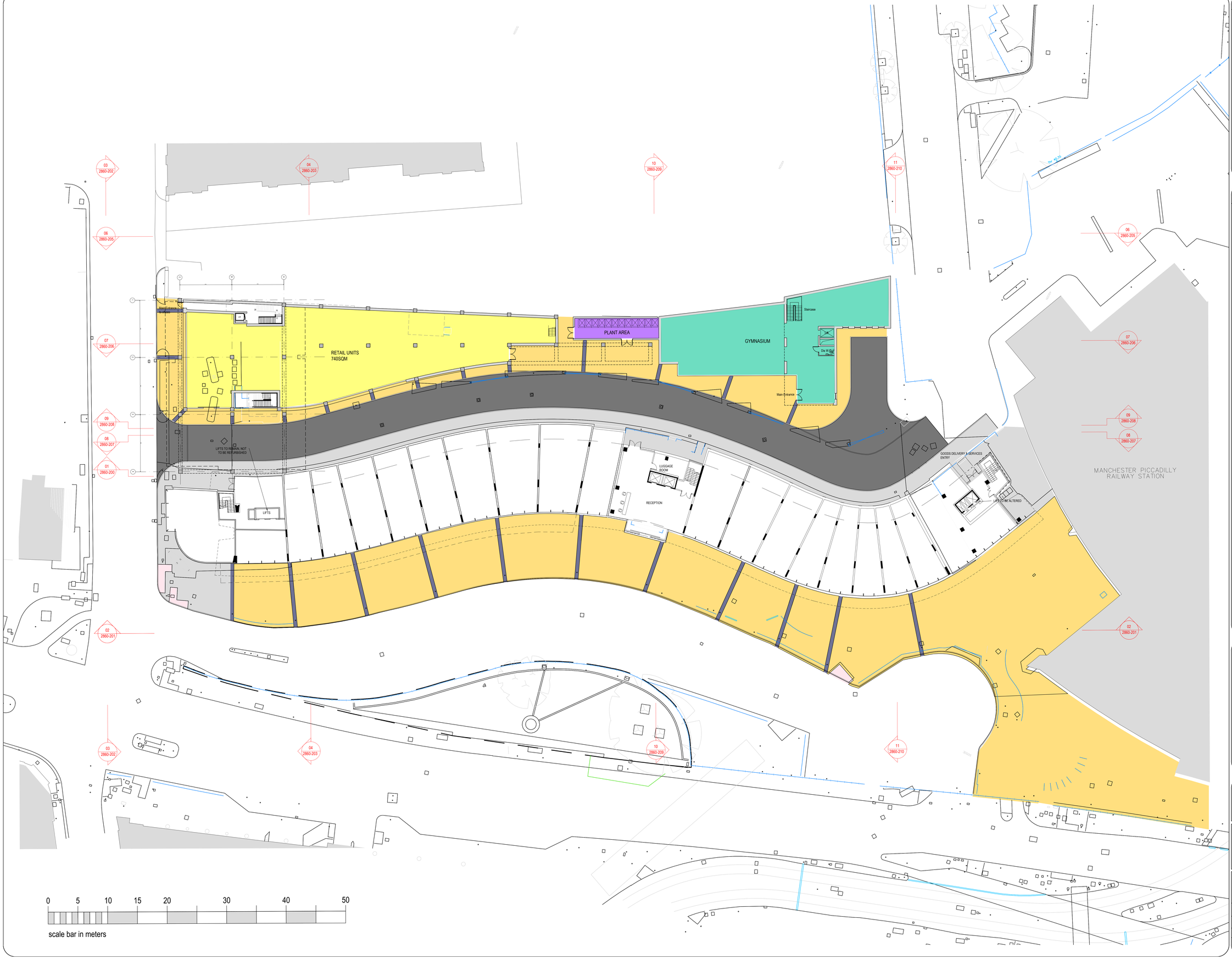
Notes

External Finishes Legend

- Tarmac to access road and car park
- Existing tarmac footpaths
- Existing buff stone aggregate paving with slate feature bands
- Grey block paving to car park islands

Revisions

Rev	Date	Description



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HX5 9BW
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email : mail@bmselland.com

Building Management Services

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PROPOSED HARD LANDSCAPE PLAN

Drawn: BMS	Date: APRIL 14
Scale: 1:200 @ A0	
Status:	
Drawing No.: M2904-300	Revision:

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Simon Marshall
HSBC Pension Trust (UK) Ltd
Huddersfield Road
Elland
HX5 9BW

Agent (if used)

Mr Max Plotnek
Maddox and Associates Ltd
Amadeus House
27B Floral Street
London
WC2E 9DP

Part 1 – Particulars of the application/development

Proposal: Refurbishment of Gateway House to create a 182 suite apart hotel (Class C1) above ground floor retail space for use for Class A1 (Shop) use or Class A2 (Financial and Professional Services) Use or Class A3 (Restaurant and Cafe) Use or Class A4 (Drinking Establishment) Use or Class A5 (Hot Food Take Away) Use with Class B1 (office) use within mezzanine level above, along with retention of existing parking spaces within the basement, formal laying out of existing ground floor rear car park and reduction of existing ground floor car parking spaces from 65 to 53 following demolition of existing single storey building on Ducie Street .

Location: Gateway House , Piccadilly South, Manchester, M1 2GH

Date of application: 5 November 2014

Application number: 106793/FO/2014/C2

Part 2 – Particulars of decision

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

Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application no such issues have arisen whilst dealing with this application.

Condition(s) attached to this decision

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority:

(a) Site plan M2860-001 stamped as received on 10-09-14;

(b) M2860-100 Rev A, 101 Rev C, 102 Rev B, 103 Rev B, 104 Rev B. 105 Rev B, 106 Rev B, 107 Rev B, 108 Rev B, 109 Rev C, 110 Rev B stamped as received on 10-09-14;

(c) M2860-200, 201, 202 and 203 stamped as received on 10-09-14; and

(d) Laura Dimond's e-mail dated 12-01-15 in relation to Taxi pick up and drop off, cycle parking provision and servicing.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EC1, CC1, CC4, CC6, CC7, CC8, C10, T1, T2 , EN1, EN8 , EN15 , EN16, EN17, EN 18 and DM1 and saved UDP Policies DC19.1 and DC26.

3) Notwithstanding the details submitted with the application the development that is hereby approved shall not commence unless and until samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, and a strategy for quality control management have been submitted to and approved 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, as specified in policies SP1 and DM1 of the Core Strategy.

4) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

5) Notwithstanding the details shown in the approved drawings, no development that is hereby approved shall commence unless and until details of the section and profile of the external materials has been submitted to and approved 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, as specified in policies SP1 and DM1 of the Core Strategy.

6) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning

authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. (a)The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Section 11 of the National Planning Policy Framework and policy EN18 of the Core Strategy.

7) The development hereby approved shall not commence unless and until a Construction Management Plan, including details of the following:
*Hours of site opening / operation
* A Site Waste Management Plan,
* Air Quality Plan;
*A plan layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction;
*The parking of vehicles of site operatives and visitors;
*Loading and unloading of plant and materials;
*Storage of plant and materials used in constructing the development;
*Construction and demolition methods to be used, including the use of cranes;
*The erection and maintenance of security hoarding;
*Measures to control the emission of dust and dirt during construction and;
*A scheme for recycling/disposing of waste resulting from demolition and construction works;
*Details of and position of any proposed cranes to be used on the site and any lighting;
*A detailed programme of the works and risk assessments;
*Temporary traffic management measures to address any necessary bus re-routing and bus stop closures.
*Details on the timing of construction of scaffolding,
*A Human Impact Management Plan,

_Details of how access to adjacent premises would be managed to ensure clear and safe routes into Buildings are maintained at all times.

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

Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG)

8) Before development commences or within a timescale as otherwise agreed in writing by the City Council a scheme for the acoustic insulation of any externally mounted ancillary equipment 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 equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

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

9) Before development commences or within a timescale as otherwise agreed in writing by the City Council, a scheme for the storage (including segregated waste recycling) and disposal of refuse for (a) the serviced apartments; (b) the offices; and (c) the ground floor units 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 prior to occupancy or in the case of the ground floor units prior to any new tenancy commencing and shall remain in situ whilst the use or development is in operation.

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

10) Before development commences or within a timescale as otherwise agreed in writing by the City Council, a scheme for the extraction of any fumes, vapours and odours from (a) the serviced apartments; (b) the offices; and (c) the ground floor units 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 prior to occupancy or in the case of the ground floor units prior to any new tenancy commencing and shall remain in situ whilst the use or development is in operation.

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

11) Before any new use hereby approved commences, within each of the ground floor units details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

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

07:30 to 20:00, Monday to Saturday,
10:00 to 18:00 Sundays and Bank Holidays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

13) Before development commences or within a timescale as otherwise agreed in writing by the City Council ,details of the scheme of acoustic insulation including where necessary acoustic glazing and acoustically treated ventilation of the following shall be submitted and approved in writing by the City Council as local planning authority:

(a) the serviced apartments:
(b) the offices;
(c) any new Class A3, A4 or A5 use within the ground floor unit.

The acoustic attenuation scheme hereby approved shall be implemented in full before each of the above uses first commences.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

14) No part of the site outside of the building 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.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

15) No amplified sound or any music shall be produced or played in any part of the site outside of the building other than in accordance with a scheme detailing the levels at which any music shall be played and the hours during which it shall be played which has been submitted to and approved in writing by the City Council as local planning authority.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

16) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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

17) Before the development hereby approved is first occupied a 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 those [attending or] employed in the development
ii) a commitment to surveying the travel patterns of staff 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 to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

18) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of `very good'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before the building hereby approved is first occupied or within a timescale to be agreed in writing by the City Council as local planning authority.

Reason: In order to minimise the environmental impact of the development pursuant to the principles contained in the Guide to Development in Manchester 2 and policies SP1, DM1 and EN8 of the Core Strategy

19) The development hereby approved shall not commence unless and until a servicing management strategy, including a schedule of loading and unloading locations and times has been submitted to and agreed in writing by the City Council as local planning authority. Servicing shall thereafter take place in accordance with the approved strategy.

Reason: In the interests of public and highway safety and the protection of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy.

20) Before the development is commenced or within a timescale as otherwise agreed in writing by the City Council 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.

Reason: To protect the visual amenity of the area and to ensure the development is carried out in a satisfactory manner pursuant policies SP1 and DM1 of the Core Strategy.

21) The consent hereby granted is for a development that has full access into and throughout the building and access to the public realm for tenants and members of the public, including those whose mobility is impaired and the arrangements hereby approved shall remain in place as long as the development is operating for the purposed hereby approved

Reason: For the avoidance of doubt and so as to provide direct access for all, pursuant to policy DM1 of the Core Strategy

22) Notwithstanding the information shown within the Gateway House Facade Lighting Concept, before development commences or within a timescale to be agreed in writing with the City Council as Local Planning Authority, detailed drawings for the scheme for lighting the building and for illuminating all facades of the building including how it will be designed and installed to avoid glare and overspill onto nearby residential properties, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development, pursuant to Core Strategy policies SP1 and DM1.

23) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building shall be submitted to and approved in writing by the City Council as the local planning authority. Any works approved shall be implemented in full within six months, or as otherwise agreed in writing by the local planning authority, of any part of the development first being occupied.

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 the policies SP1 and DM1 of the Core Strategy.

24) Before development (including clearance works) commences a further survey and a method statement (which utilises the survey protocol for Black Redstarts) shall be submitted to the City Council as Local Planning Authority for consideration and as necessary identify measures for the protection of black redstarts and if affected by the proposals identify and specify replacement of nesting sites. The agreed measures shall be put in place prior to any development commencing and any replacement sites provided prior to first occupation of the serviced apartments and the development should be scheduled to allow the any black redstarts to complete the breeding and fledging of young.

In the interests of the protection of black redstarts pursuant Section 11 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1.

25) The ground floor units hereby consented shall only be used for the following purposes as defined in the Town and Country Planning (Use Classes) Order 1987, as amended:

Class A1 (Shop) use or Class A3 (Restaurant and Cafe) Use or Class A4 (Drinking Establishment) Use or Class A5 (Hot Food Take Away) Use; and

Class A2 (Financial and Professional Services) Use excluding any further use as a Betting Shop (in addition to the existing Betting Shop use within unit 2) or payday loan shop.

Reason - In accordance with the City Councils commitment to halting the spread of betting shops and payday lenders which have a damaging economic and social impact on the City and its residents pursuant to Core Strategy policies DM1.

26) No part of the development shall be occupied until details of a parking management strategy for hotel residents has been submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To ensure that suitable arrangements are in place to ensure that hotel guests who arrive by car have access to suitable parking near to the site pursuant to Core Strategy Policies DM1 and T1.

27) The details of an emergency telephone contact number for shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

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

Date: 23 January 2015

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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

Notes

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

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

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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

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

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

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

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

Appendix A – Informative regarding coalfield area

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

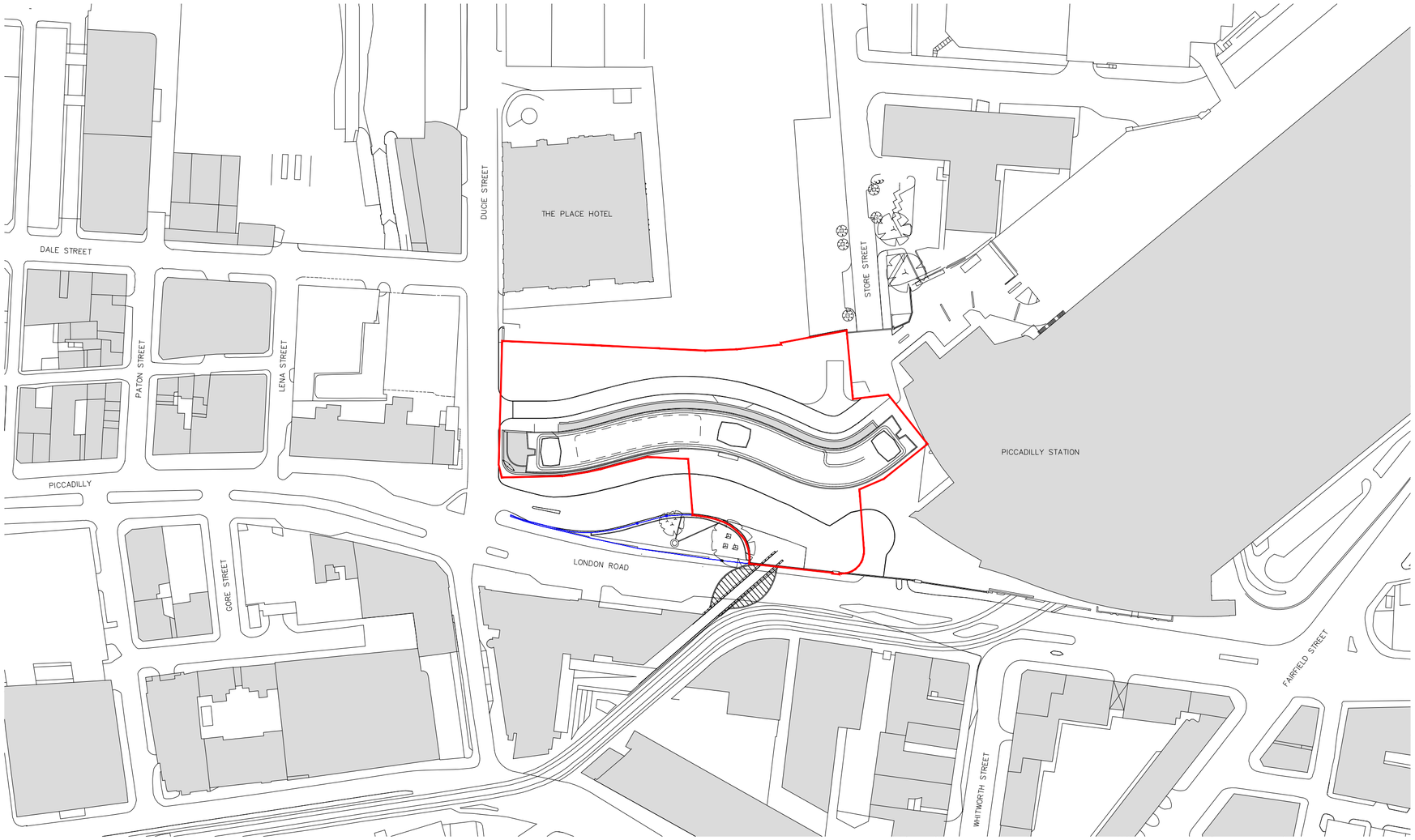
It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:
https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

This Informative Note is valid from 1st January 2015 until 31st December 2016



0 20 40
10 30 50
scale bar in meters

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Notes

Site Boundary

Site Under Ownership of Applicant

Revisions

Rev	Date	Description

BUILDING MANAGEMENT SERVICES LTD

Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

Client

COMMERCIAL DEVELOPMENT PROJECTS LIMITED

Project

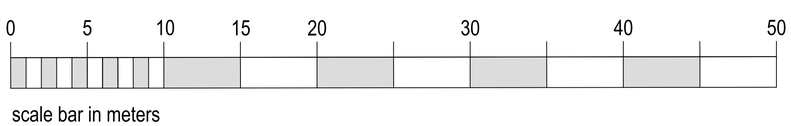
GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

Sheet

PROPOSED SITE LOCATION PLAN

Drawn	Date
BMS	APRIL 14
Scale	Status
1:1250 @ A2	
Drawing No.	Revision
M2860-001	





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A	JUNE 2014	DRAWING UPDATED

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Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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Client

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PROPOSED BASEMENT PLAN

Drawn	Date
BMS	APRIL 14
Scale	
1:200 @ A1	
Status	
Drawing No.	Revision
M2860-100	REV A

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Revisions

Rev	Date	Description
A	SEPT 2014	EXISTING BUILDING REMOVED FOR CLARITY, PARKING NUMBER REVISED AS SHOWN.
B	JAN 2015	EXISTING TURNING HEAD SHOWN HATCHED, CYCLE PARKING FACILITIES ADDED, TAXI POINT ADDED.
C	JAN 2015	TAXI POINT AMENDED

BUILDING MANAGEMENT SERVICES LTD

Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

Client

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GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

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PROPOSED GROUND FLOOR PLAN

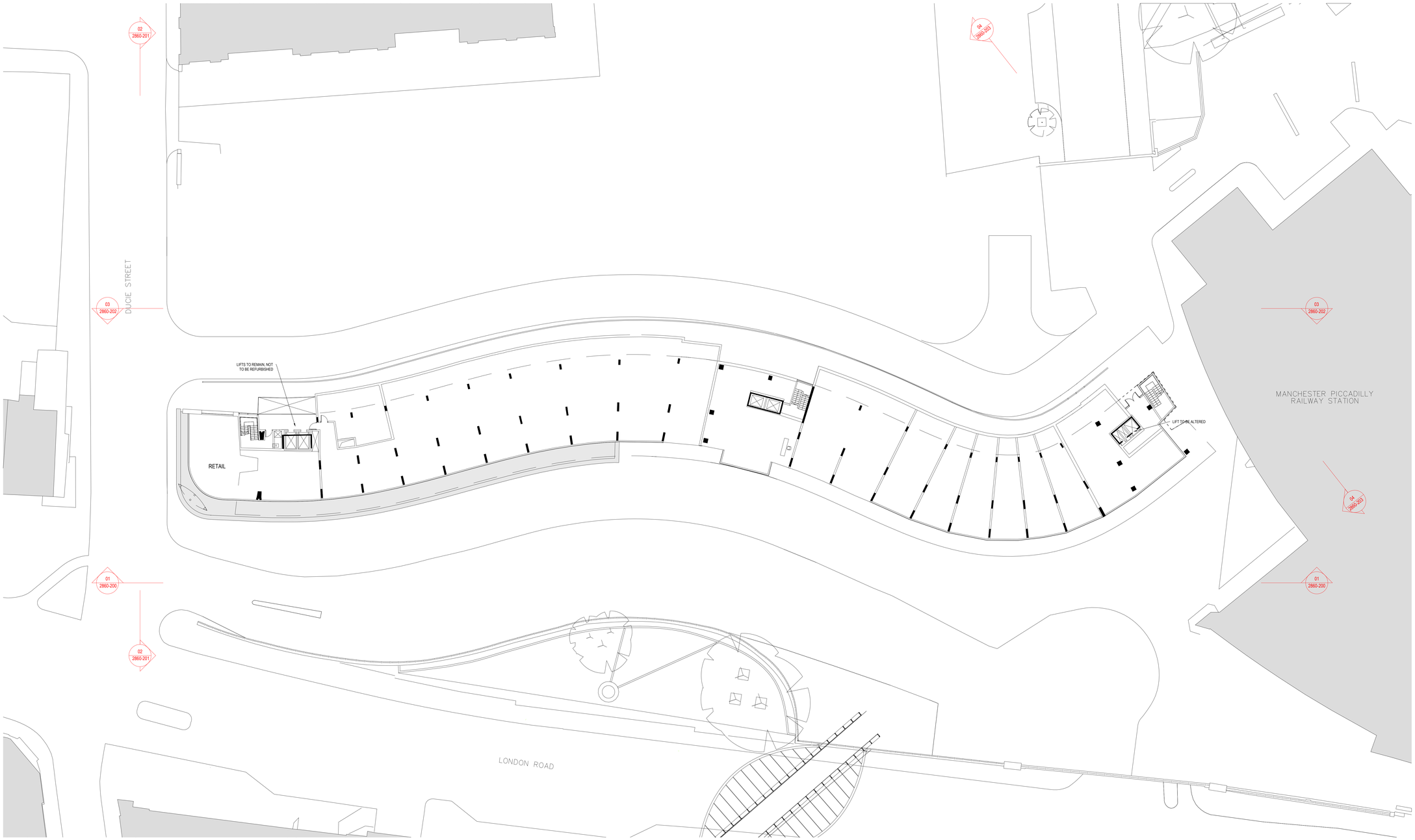
Drawn: BMS	Date: APRIL 14
Scale: 1:200 @ A0	
Status:	
Drawing No.: M2860-101	Revision: REV C

02 2860-201
03 2860-202
04 2860-203
01 2860-200

53 car parking spaces, including 4no. disabled
13no. cycle hoops to provide 26no. cycle spaces
BIN STORE
EXISTING TURNING HEAD AREA SHOWN HATCHED
Taxi point
18m
LUGGAGE ROOM
RECEPTION
LIFTS TO REMAIN, NOT TO BE REFURBISHED
LIFTS
GOODS DELIVERY & SERVICES ENTRY
LIFTS TO BE ALTERED
MANCHESTER PICCADILLY RAILWAY STATION

0 5 10 15 20 30 40 50

scale bar in meters



0 5 10 15 20 30 40 50

scale bar in meters

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Revisions

Rev	Date	Description
A	MAY 2014	DRAWING UPDATED
B	JUNE 2014	DRAWING UPDATED

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Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

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COMMERCIAL DEVELOPMENT PROJECT LIMITED

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GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

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PROPOSED MEZZANINE PLAN

Drawn	Date
BMS	APRIL 14

Scale: 1:200 @ A0

Status:

Drawing No.	Revision
M2860-102	REV B

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Notes

Revisions

Rev	Date	Description
A	MAY 2014	LINEN STORE RENAMED TO STORE ROOM KITCHENETTE ADDED TO STAFF ROOM
B	JUNE 2014	STAFF ROOM LAYOUT AMENDED



0 5 10 15 20 30 40 50

scale bar in meters

BUILDING MANAGEMENT SERVICES LTD

Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

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COMMERCIAL DEVELOPMENT PROJECT LIMITED

Project

GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

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PROPOSED 01 FLOOR PLAN

Drawn: BMS	Date: APRIL 14
Scale: 1:200 @ A0	
Status:	
Drawing No.: M2860-103	Revision: REV B



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Revisions

Rev	Date	Description
A	MAY 2014	LINEN STORE RENAMED TO STORE ROOM
B	JUNE 2014	COLOURS REMOVED

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Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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PICCADILLY SOUTH
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PROPOSED 02 FLOOR PLAN

Drawn	Date
BMS	APRIL 14

Scale 1:200 @ A0

Status

Drawing No.	Revision
M2860-104	REV B

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Revisions

Rev	Date	Description
A	MAY 2014	LINEN STORE RENAMED TO STORE ROOM
B	JUNE 2014	COLOURS REMOVED



0 5 10 15 20 30 40 50

scale bar in meters

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Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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Project

GATEWAY HOUSE
PICCADILLY SOUTH
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PROPOSED 03 FLOOR PLAN

Drawn	Date
BMS	APRIL 14

Scale 1:200 @ A0

Status

Drawing No.	Revision
M2860-105	REV B

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Revisions

Rev	Date	Description
A	MAY 2014	LINEN STORE RENAMED TO STORE ROOM
B	JUNE 2014	COLOURS REMOVED



0 5 10 15 20 30 40 50

scale bar in meters

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Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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GATEWAY HOUSE
PICCADILLY SOUTH
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PROPOSED 04 FLOOR PLAN

Drawn	BMS	Date	APRIL 14
Scale	1:200 @ A0		
Status			
Drawing No.	M2860-106	Revision	REV B

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Notes

Revisions

Rev	Date	Description
A	MAY 2014	LINEN STORE RENAMED TO STORE ROOM
B	JUNE 2014	COLOURS REMOVED



0 5 10 15 20 30 40 50

scale bar in meters

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Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
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COMMERCIAL DEVELOPMENT PROJECT LIMITED

Project

GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

Sheet

PROPOSED 05 FLOOR PLAN

Drawn	BMS	Date	APRIL 14
Scale	1:200 @ A0		
Status			
Drawing No.	M2860-107	Revision	REV B

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Revisions

Rev	Date	Description
A	MAY 2014	LINEN STORE RENAMED TO STORE ROOM
B	JUNE 2014	COLOURS REMOVED





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Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

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PROPOSED 06 FLOOR PLAN

Drawn	BMS	Date	APRIL 14
Scale	1:200 @ A0		
Status			
Drawing No.	M2860-108	Revision	REV B

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Revisions

Rev	Date	Description
A	MAY 2014	LINEN STORE RENAMED TO STORE ROOM
B	JUNE 2014	COLOURS REMOVED
C	JUNE 2014	PLANT ROOM ROOF ACCESS HATCH INDICATED.



0 5 10 15 20 30 40 50

scale bar in meters

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Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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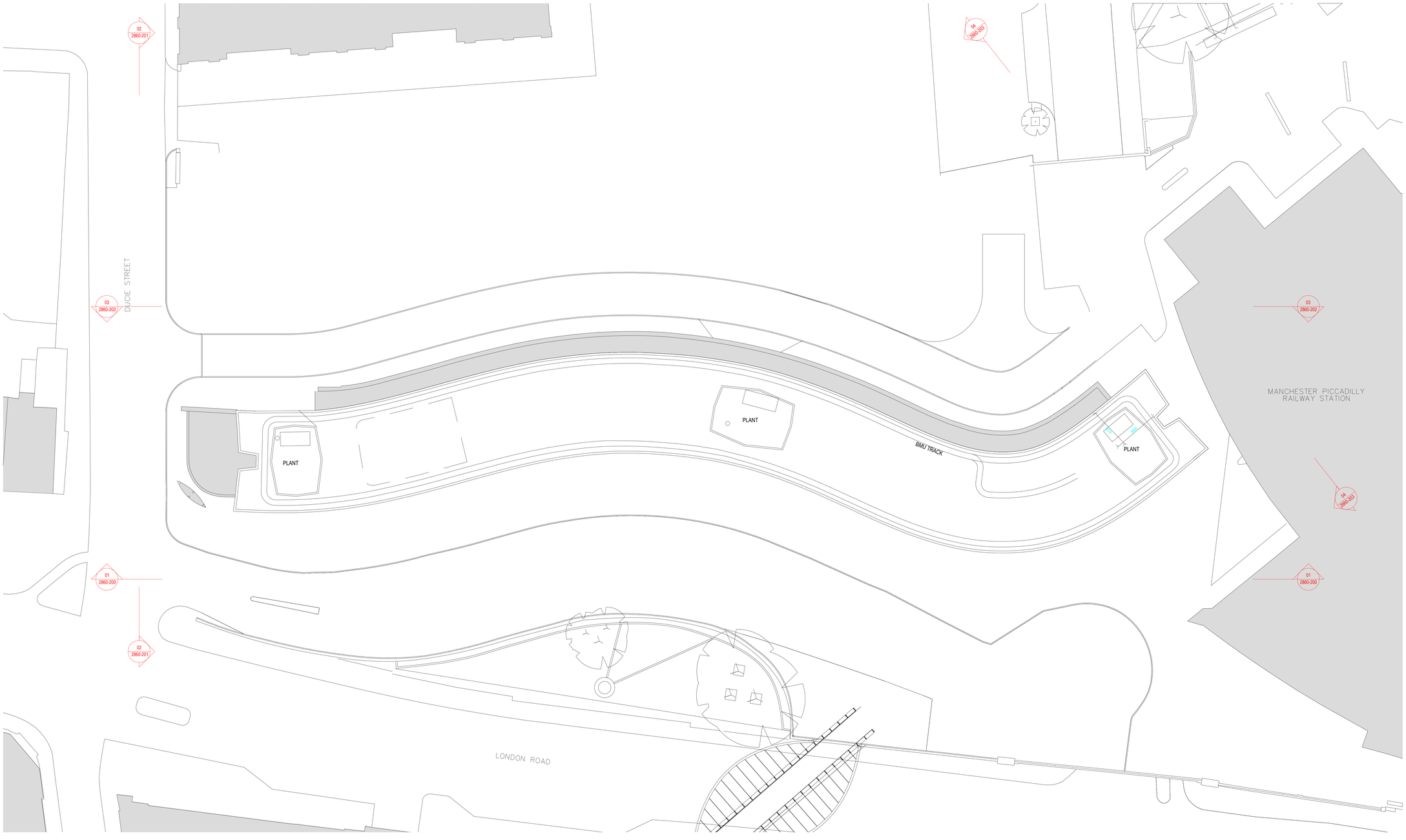
GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

Sheet

PROPOSED 07 FLOOR PLAN

Drawn	BMS	Date	APRIL 14
Scale	1:200 @ A0		
Status			
Drawing No.	M2860-109	Revision	REV C



0 5 10 15 20 30 40 50

scale bar in meters

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Revisions

Rev	Date	Description
A	MAY 2014	DRAWING UPDATED
B	JUNE 2014	COLOURS REMOVED

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Huddersfield Road
Elland. West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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COMMERCIAL DEVELOPMENT PROJECT LIMITED

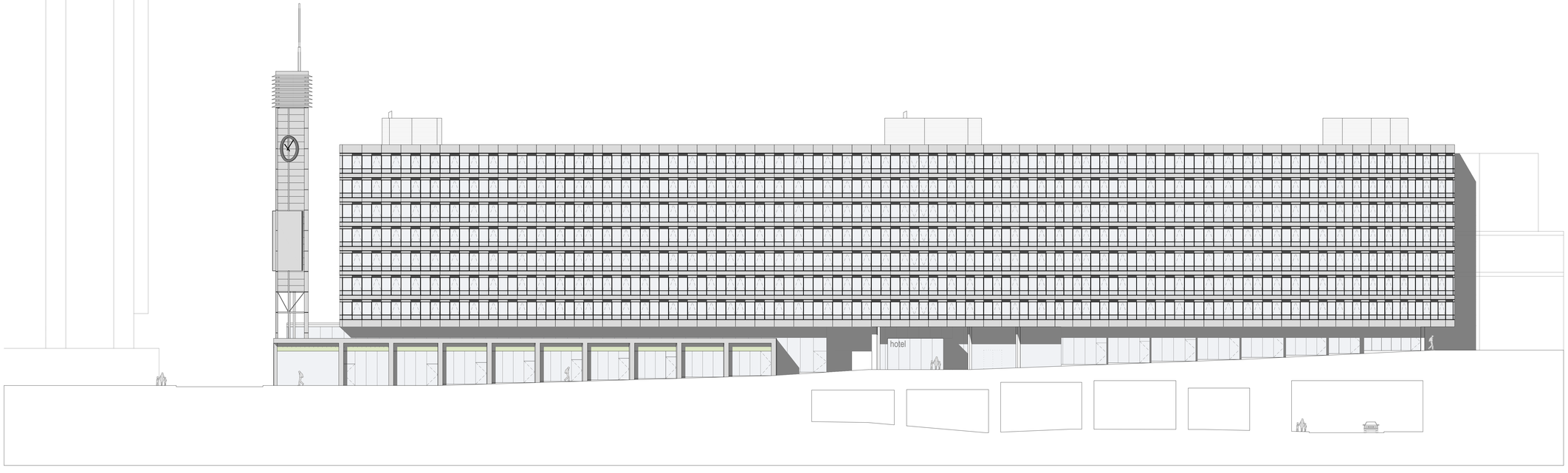
Project

GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

Sheet

PROPOSED ROOF PLAN

Drawn	Date
BMS	APRIL 14
Scale: 1:200 @ A0	
Status:	
Drawing No.: M2860-110	Revison: REV B



DUCIE STREET

STORE STREET

02
2860-201

0 5 10 15 20 30 40 50

scale bar in meters

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HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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Project

GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

Sheet

PROPOSED ELEVATION 01

Drawn	Date
BMS	APRIL 14

Scale 1:200 @ A0

Status

Drawing No. M2860-200

Revision



'ACCESS' ROAD

LONDON ROAD

03
2860-202

01
2860-200

0 5 10 15 20 30 40 50

scale bar in meters

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Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

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PICCADILLY SOUTH
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Sheet

PROPOSED ELEVATION 02

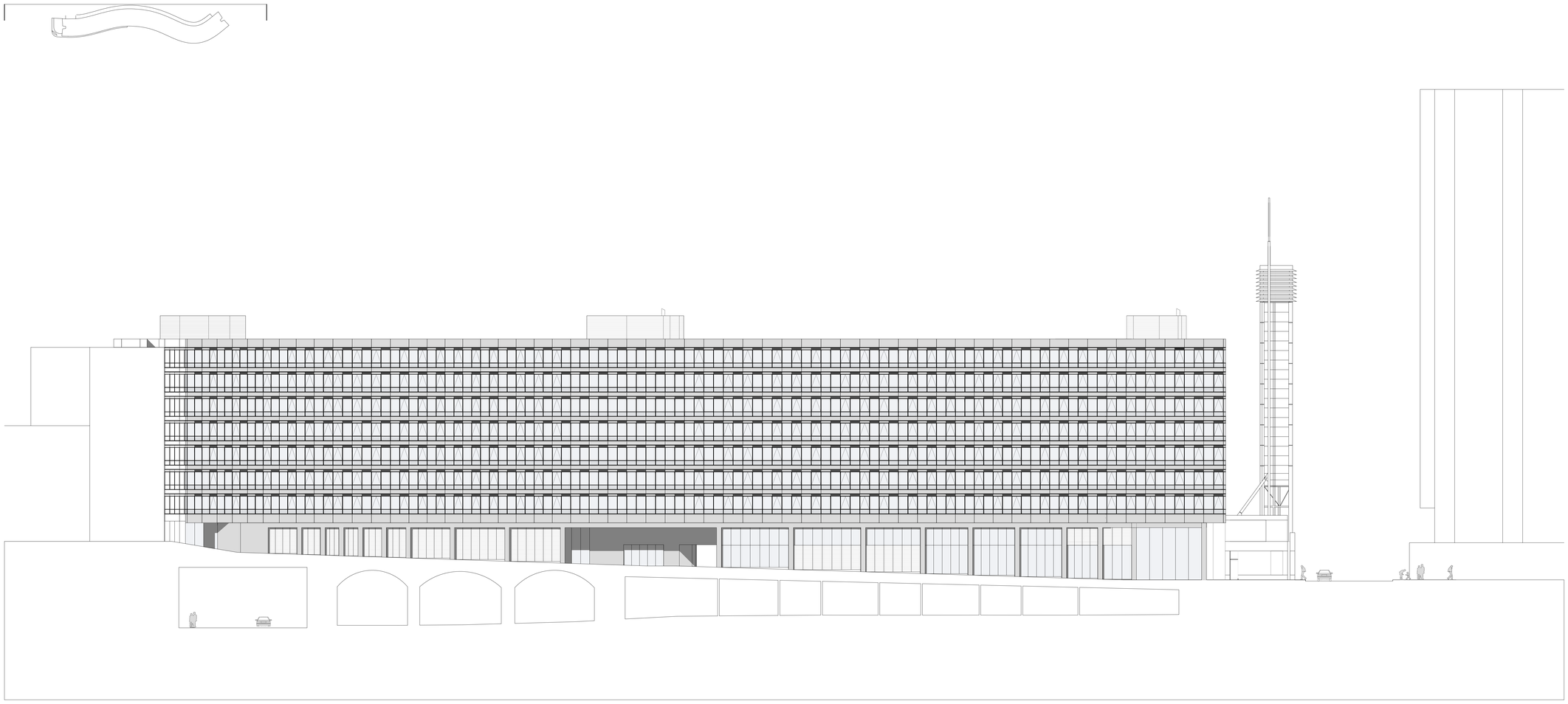
Drawn	Date
BMS	APRIL 14

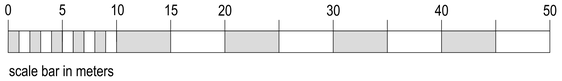
Scale
1:200 @ A0

Status

Drawing No.
M2860-201

Revision





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Huddersfield Road
Elland. West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

02
2860-201

Client

COMMERCIAL DEVELOPMENT PROJECT LIMITED

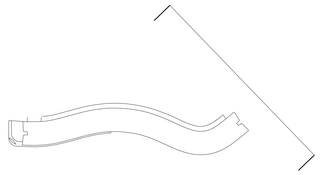
Project

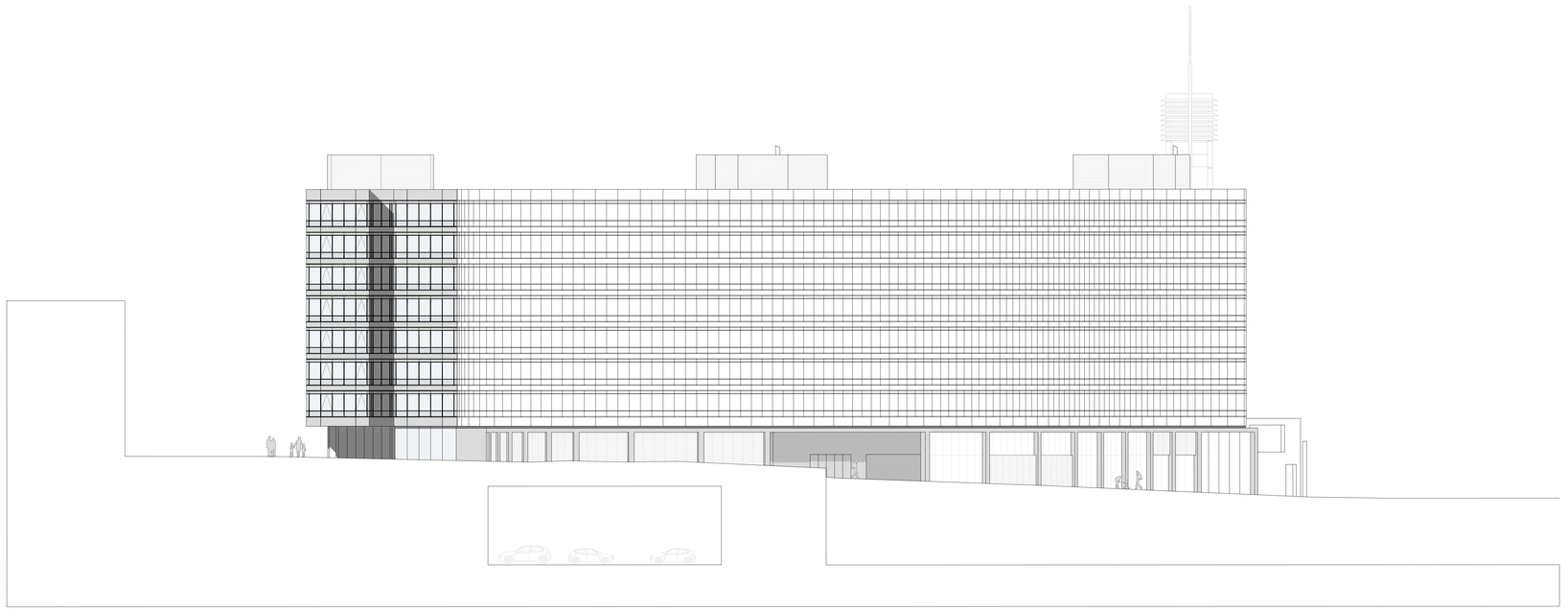
GATEWAY HOUSE
PICCADILLY SOUTH
MANCHESTER

Sheet

PROPOSED ELEVATION 03

Drawn: BMS	Date: APRIL 14
Scale: 1:200 @ A0	
Status:	
Drawing No.: M2860-202	Revision:







scale bar in meters

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Huddersfield Road
Elland, West Yorkshire
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
email : mail@bmselland.com

Building Management Services

Client

COMMERCIAL DEVELOPMENT PROJECT LIMITED

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PICCADILLY SOUTH
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PROPOSED ELEVATION 04

Drawn	Date
BMS	APRIL 14

Scale: 1:200 @ A0

Status:

Drawing No.	Revision
M2860-203	

MANCHESTER CITY COUNCIL

Laura Dimond

Maddox Associates

Amadeus House
27b Floral Street
London
WC2E 9DP

Growth and Neighbourhoods

Planning Department

Julie Roscoe

Head of Planning, Building Control and Licensing

Telephone: +44 (0)161 234 4552
j.roscoe@manchester.gov.uk

PO Box 532 Town Hall
Manchester M60 2LA

Our Ref: Application no's 106792

15th June 2015

Dear Ms Dimond

Re: Planning application ref no 106792 - Gateway House, Piccadilly South, Manchester, Discharge of condition's 3 and 5.

Further to your applications to discharge the above conditions I can confirm the following:

Conditions 3 (Materials) and 5 (section details) – That on the basis of the scheme being implemented in accordance with the following:

Sample panel inspected on site on May 14th 2015;

Dwg L(-)250 Rev A; and

Laura Dimond's e-mail dated 9th June 2015 with reference to power coated colours DBR202-Brilliance and Interpon D2525-YW208G.

That all above ground floor level materials are approved. We still need in conjunction with Condition 20 to agree the details of the ground floor shop fronts and remedial works to the canopy at this level.

Regards

Julie Roscoe

Head of Planning, Building Control and Licensing

MANCHESTER
CITY COUNCIL

Laura Dimond

Maddox Associates

Amadeus House
27b Floral Street
London
WC2E 9DP

Growth and Neighbourhoods

Planning Department

Julie Roscoe

Head of Planning, Building Control and Licensing

Telephone: +44 (0)161 234 4552
j.roscoe@manchester.gov.uk

PO Box 532 Town Hall
Manchester M60 2LA

Our Ref: Application no's 100761/106792

12th August 2015

Dear Ms Dimond

Re: Planning application ref no 106792 - Gateway House, Piccadilly South, Manchester, Discharge of condition 9.

Further to your applications to discharge the above conditions I can confirm the following:

Condition 9 (Refuse) – That on the basis that this is implemented in accordance with the following:

Laura Dimond's e-mail dated 21st July 2015 (number and type of bins); and

Dwgs M2904-301 and M2860-101 Rev C

The condition is discharged

Regards

Julie Roscoe

Head of Planning, Building Control and Licensing

MANCHESTER CITY COUNCIL

Laura Dimond

Maddox Associates

Amadeus House
27b Floral Street
London
WC2E 9DP

Growth and Neighbourhoods

Planning Department

Julie Roscoe

Head of Planning, Building Control and Licensing

Telephone: +44 (0)161 234 4552
j.roscoe@manchester.gov.uk

PO Box 532 Town Hall
Manchester M60 2LA

Our Ref: Application no's 100761/106792

1st May 2015

Dear Ms Dimond

Re: Planning application ref no's 106792 - Gateway House, Piccadilly South, Manchester, Discharge of conditions 4, 8,10, 16 and 24. (Re- issue of 30th April 2015 letter)

Further to your applications to discharge the above conditions I can confirm the following:

Condition 4: Wheel washing : On the basis that the site is managed in accordance with the submitted Marshall's Response to Condition 4 – Wheelcleaning and Roadsweeping document the condition is discharged.

Condition 8 Acoustics (Plant) : Provided that the acoustic insulation measures are implemented in accordance with the Acoustic Report by RMP dated 5th August 2014 then the condition will be discharged.

Condition 10 Fume Extraction : On the basis that the fume extraction plant and equipment is installed and insulated in accordance with the gateway House Manchester, Ducie Street Strategy for extraction of Fumes, Vapours and Odours dated 10th October 2014 and Dwg 2014.036-M-001 then the condition is discharged in respect of the serviced apartments but will have to be discharged separately for each new tenant in the ground floor units in accordance with Laura Dimond's e-mail dated 15th April 2015.

Condition 16 Secure by Design : On the basis of the Secure by Design check list attached to your e-mail dated 15th January 2015 the pre-commencement requirements of the condition have been discharged.

Condition 22 External Lighting : On the basis that the external lighting is implemention of Dwg 5072-EX-EL-760 the condition is discharged.

Condition 24 Black Redstarts : It is confirmed that the method statement submitted in relation to this condition is acceptable.

Regards

Julie Roscoe

Head of Planning, Building Control and Licensing

MANCHESTER CITY COUNCIL

Laura Dimond

Maddox Associates

Amadeus House
27b Floral Street
London
WC2E 9DP

Growth and Neighbourhoods

Planning Department

Julie Roscoe

Head of Planning, Building Control and Licensing

Telephone: +44 (0)161 234 4552
j.roscoe@manchester.gov.uk

PO Box 532 Town Hall
Manchester M60 2LA

Our Ref: Application no's 100761/106792

3rd July 2015

Dear Ms Dimond

Re: Planning application ref no 106792 - Gateway House, Piccadilly South, Manchester, Discharge of condition 14

Further to your applications to discharge the above conditions I can confirm the following:

Condition 13 (Acoustics Building) – I can confirm that on the basis of the following:

On the basis that the acoustic insulation of the serviced apartments and offices is carried out in accordance with RMP letter dated 6 January 2015, Reference L-6827-2-MI in conjunction with RMP, Planning Noise Assessment, dated 16 October 2014, Reference R-6827A-TWF1, and Sandy Brown Residential Planning Noise Report, Dated 8 August 2012, Reference 12258-R01-A,

then parts a and be of the condition will be discharged.

In terms of (c) the condition will need to be discharge by individual tenants prior to occupation for any new Class A3, A4 or A5 use within the ground floor.

Regards

pp Julie Roscoe

Head of Planning, Building Control and Licensing

Conditions – Gateway House

Permission A 106792 (S73)			
Condition no.	**Council's view**	**Our view**	**Notes**
3 Materials	Part discharged	Fully discharged	Decision notice dated 15 June 2015 states that 'all above floor level materials are approved' and does not refer to the condition being part discharged.
10 Extraction scheme	Part discharged	Part discharged	Decision notice dated 1 May 2015 states that the condition is discharged in relation to the serviced apartments but will have to be discharged separately for each new tenant occupying the ground floor retail units. The extraction statement referred to in the decision notice includes the gym and office, demonstrating that the condition has been discharged in relation to these elements. This condition also includes the wording 'or within a timescale as otherwise agreed in writing by the City Council,' thus providing scope for the retail units to submit the details at a later date.
14 Acoustic insulation scheme	Part discharged	Part discharged	Decision notice dated 3 July 2015 confirms that the condition is discharged apart from in relation to the retail units. The report referred to on decision notice (Planning Noise Report October 2014) refers to the office and gym, demonstrating the condition was discharged in relation to these elements. The decision allows the details to be submitted in relation to the retail units prior to the occupation of each of the units by individual tenants. The condition wording includes the phrase 'or within a timescale as otherwise agreed in writing by the City Council,' thus providing scope for the retail units to submit the details at a later date. It is noted that the decision refers to condition 13 rather than 14 – however, this is because the same condition is number 13 on Permission B and the decision relates to both permissions.
17 Secure by Design	Not discharged	Pre-commencement element fully discharged	The decision notice dated 1 May 2015 confirms that the pre-commencement element of this condition is fully discharged. It is noted that the decision refers to condition number 16 rather than 17. However, this is because the same condition is referred to as condition 16 on Permission B and the decision relates to both permissions. The SBD checklist referred to on the decision notice also refers to the gym and office buildings, demonstrating that the condition was discharged in relation to these elements.
21 WSI (archaeology)	Not discharged	Fully discharged	The decision notice dated 11 March 2015 confirms that the condition is discharged on the basis of the Archaeological WSI by CGMS dated Nov 2014. This report refers to the full development, including the office and gym buildings.

22 Landscaping scheme	Not discharged	Fully discharged	The decision notice dated 11 March 2015 confirms that the condition is discharged on the basis that the landscaping scheme is implemented. The drawing M2904-330 is referred to – however, my view is that there is an error on the decision notice and the drawing reference should be M2904-**300**, which is the landscaping plan for the whole site.	

MANCHESTER CITY COUNCIL

Laura Dimond

Maddox Associates

Amadeus House
27b Floral Street
London
WC2E 9DP

Growth and Neighbourhoods

Planning Department

Julie Roscoe

Head of Planning, Building Control and Licensing

Telephone: +44 (0)161 234 4552
j.roscoe@manchester.gov.uk

PO Box 532 Town Hall
Manchester M60 2LA

Our Ref: Application no's 100761/106792 5th August 2015

Dear Ms Dimond

Re: Planning application ref no 106792 - Gateway House, Piccadilly South, Manchester, Discharge of condition s 20 and 24

Further to your applications to discharge the above conditions I can confirm the following:

Condition 20 (Shop front Design and Delivery) – That on the basis that this is implemented in accordance with the Shopfront Replacement Programme document dated 11th June 2015 by Marshall's, Dwgs M2960-101, 201, 202 and 204 and Laura Dimond's e-mail dated 24th July 2015 in relation to the jointing between the glazing panels that the condition is discharged.

Condition 24 (Black Red Starts) – That on the basis of the Solum Environmental Black Redstart Survey Report that provided that recommendations in the report are implemented prior to occupation and that the development is scheduled to allow the any black redstarts to complete the breeding and fledging of young, that the condition is discharged.

Regards

Julie Roscoe

Head of Planning, Building Control and Licensing