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	Agent (if used)
Qbic Hotels (Manchester) Limited C/o Agent	Mr Ian Burnett 5Plus Architects The Hive 47 - 51 Lever Street Manchester M1 1FN

Part 1 – Particulars of the application/development

Proposal: Reconfiguration and refurbishment of John Dalton House, including new external facades, 2 storey roof top extension and associated change of use from office (Class B1) to form a 261 suite hotel (Class C1) with associated ground floor restaurant, basement gym (Class D2), partial retention of existing ground floor commercial uses in situ (Class A3), and provision of associated roof level plant, new lift cores, public realm works including the enhancement of Mulberry Square, new pedestrian entrances to the hotel at ground floor, other access and servicing arrangements and associated works.

Location: John Dalton House, 121 Deansgate, Manchester, M3 2AB

Date of application: 4 May 2018

Application number: 119979/FO/2018

Part 2 – Particulars of decision

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

Article 35 Declaration

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. Officers held extensive pre-application discussions with the applicant to establish the in-principle acceptability of the proposed development. Also, officers worked with the applicant during the planning application process to deal with comments raised by consultees.

Condition(s) attached to this decision

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

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

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

Drawings:

05441_B2_00_0000 Rev A Existing Site Plan, showing site edged red
05441_B2_00_0100 Rev A Existing Site Plan
05441_B2_00_1200 Rev A Proposed Site Plan
05441_B2_00_1201 Rev A Proposed Site Plan Roof Plan
05441_B2_01_1100 Rev A Site Ground Level - Demolition Site Plan
05441_B2_01_2099 Rev A Basement Level - Demolition GA Plan
05441_B2_01_2100 Rev A Ground Level - Demolition GA Plan
05441_B2_01_2101 Rev A Level 01 - Demolition Plan
05441_B2_01_2102 Rev A Level 02 - 07 - Demolition Plan
05441_B2_01_2108 Rev A Level 08 - Demolition Plan
05441_B2_02_1999 Rev A Existing Floor Plan -Basement
05441_B2_02_2000 Rev A Existing Floor Plan - Ground
05441_B2_02_2001 Rev A Existing Floor Plan - First
05441_B2_02_2002 Rev A Existing Floor Plan - Second Floor
05441_B2_02_2008 Rev A Existing Floor Plan - Roof Level
05441_B2_02_2199 Rev D Proposed Floor Plan -Basement
05441_B2_02_2200 Rev C Proposed Floor Plan - Ground
05441_B2_02_2201 Rev C Proposed Floor Plan - First
05441_B2_02_2202 Rev D Proposed Floor Plan - Second - Seventh Floor
05441_B2_02_2208 Rev A Proposed Floor Plan - Eighth - Ninth Floor
05441_B2_02_2210 Rev D Proposed Floor Plan - Tenth
05441_B2_02_2211 Rev A Proposed Floor Plan - Roof
05441_B2_04_2000 Rev A Existing Elevations - Elevations AA and BB
05441_B2_04_2001 Rev A Existing Elevations - Elevations CC and DD
05441_B2_04_2100 Rev A Demolition Elevations - Elevations AA and BB
05441_B2_04_2101 Rev A Demolition Elevations - Elevations CC and DD
05441_B2_04_2200 Rev A Proposed Elevations - Elevations AA and BB
05441_B2_04_2201 Rev A Proposed Elevations - Elevations CC and DD
05441_B2_05_2000 Rev A Existing Sections - Sections AA and BB
05441_B2_05_2100 Rev A Demolition Sections - Sections AA and BB
05441_B2_05_2200 Rev A Proposed Sections - Sections AA and BB
05441_B2_05_2201 Rev A Proposed Sections - Section CC
05441_B2_10_4200 Proposed Façade Detail 01 - North and West Elevations
05441_B2_10_4201 Proposed Façade Detail 02 - South Elevations

Documents:

Planning Application Forms, Notices and Certificated prepared by 5Plus;

Design and Access Statement including Waste and Servicing Strategy prepared by 5Plus;

Planning Statement prepared by 5Plus;

Statement of Community Consultation prepared by 5Plus;

Transport Statement and Travel Plan prepared by Travel Plan Services;

Noise Survey prepared by HannTucker;

Ventilation Strategy prepared by Cundall;

Construction Management and Logistics Plan prepared by BuroFour;

Heritage Assessment prepared by 5plus;

Environmental Standards Statement and Energy Strategy prepared by Cundall;

Tree Constraints Report prepared by Amenity Tree Care;

Phase 1 Ecological Assessment prepared by Penny Anderson Associates;

Manchester City Council Waste Management Proforma;

TV Reception Survey prepared by Gtech Surveys; and

Crime Impact Statement prepared by Greater Manchester Police Design for Security Team

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 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) No development shall take place unless and until a method statement detailing the control of workmanship in the manufacture, transportation to, and handling and erection on site of the external materials so as to maintain their appearance and quality, have been submitted to and approved in writing by the City Council as local planning authority, unless otherwise agreed in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials.

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 as specified the Guide to Development supplementary planning document and policies SP1 and DM1 of the Core Strategy.

5) No development shall commence unless and until samples and specifications of all hard landscape materials, together with a layout plan identifying the location of the materials have been submitted to and approved in writing by the City Council as local planning authority.

The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied

Reason: To ensure that a satisfactory landscaping scheme is carried out pursuant to policy DM1 of the Core Strategy and the Guide to Development.

6) Before the development hereby approved is completed, a paving and surfacing strategy for the public footpaths, vehicular crossings, and vehicular carriageways around the site shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before that relevant phase of the development hereby approved is first 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 Guide to Development and policy DM1 of the Core Strategy.

7) 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.

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

8) Use of the development shall not commence unless and until a servicing strategy, including a schedule of loading and unloading locations, 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 policy DM1 of the Core Strategy

9) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday. Where Sunday/Bank Holiday deliveries etc. are permitted the times shall be confined to 10:00 to 18:00.

Reason - To safeguard the amenities of the occupiers of nearby occupiers, pursuant to policy DM1 of the Core Strategy.

10) The wheels of contractor's 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.

11) The details of an emergency telephone contact number shall be displayed in a publicly accessible location on the site and shall remain so displayed for the duration of the construction and fitting out of the development.

Reason - In the interests of local amenity, pursuant policies SP1 and DM1 of the Core Strategy.

12) Before the development is completed a signage design strategy for all parts of the development 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 to policy DM1 of the Core Strategy and Guide to Development 2 (SPG).

13) 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 DC26.1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

14) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday*: 7.30am - 6pm
Saturday*: 8.30am - 2pm
Sunday / Bank holidays: No work

*Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour.

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

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

The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant policies SP1 and DM1 of the Core Strategy.

16) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

Reason - In the interests of amenity and public health

17) No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs, unless otherwise agreed in writing by the City Council as local planning authority.

Reason: In the interest of visual amenity and pursuant to policy DC18.1 of the Unitary Development Plan for the City of Manchester

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 prior to occupancy of each part of the development as described in condition 17 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) A Construction Management Plan shall be submitted to and approved by the Council. This will contain a Noise & Vibration section (in addition to a dust emission section) that shall base the assessment on British Standard 5228, with reference to other relevant standards. It shall also contain a community consultation strategy which includes how and when local businesses and residents will be consulted on matters such out of hours works. Any proposal for out of hours works (as below) will be submitted to and approved by this section, the details of which shall be submitted at least 4 weeks in advance of such works commencing.

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)

20) No development shall take place unless and a Maintenance Strategy for the external areas of the site, including planting arrangements, boundary treatments, furniture and lighting, has been submitted to, and approved in writing by, the City Council as local planning authority.

Reason: In the interests of visual amenity, and to ensure the details of the development are acceptable, pursuant to Core Strategy Policy DM1.

21) No development shall take place unless and until a full details of the design and location of all taxi areas and vehicle drop-off points, within the development, has been submitted to, and approved in writing by, the City Council as local planning authority. All pick up and drop off arrangements shall be taken from the street at Ridgefield.

Reason: In the interests of amenity and highway safety, and to ensure the details of the development are acceptable, pursuant to Core Strategy Policy DM1.

22) This consent does not give approval for the removal of any trees within the application site.

Reason: In the interests of amenities of the area, pursuant policies DM1 and SP1 of the Core Strategy.

23) All external doors shall open inwardly to avoid conflict with the footway.

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

24) Studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:

a) Measure the existing television signal reception within the potential impact area, as defined in the submitted Radio and TV Reception Impact Assessment, before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications, and shall include an assessment of the survey results obtained.

b) Assess the impact of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of the development and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (a) above unless otherwise agreed in writing with the City Council as local planning authority.

Reason: To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built will effect TV reception and to ensure that the development at least maintains the existing level and quality of TV signal reception, pursuant to Policy DM1 of Core Strategy.

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

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

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to Policy DM1 of Core Strategy.

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

The proposed gym area shall also be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the gym area, and a scheme of acoustic treatment. that shall be submitted to, and approved in writing by, the City Council as local planning authority. The scheme shall be implemented in full before the gym use commences.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

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

27) Before the development commences an air quality impact assessment for the development shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents and occupants of the hotel from air pollution Core Strategy Policy EN16.

Informatives

Building Regulations 2010
This permission does not grant approval under Building Regulations.

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

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

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

You can apply online at the following address:
http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

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

In relation to Condition 15, the plant noise levels have been provided based on the background noise study and the above criteria which we can accept. However, the plant is yet to be selected and the technical data has not yet been supplied to the acoustic consultant.

Once the detailed design of the plant has been developed and the technical specification provided to the consultant, an updated report will be required to demonstrate that the equipment will operate within the plant noise limits provided. Consideration to plant characteristics such as tonality, intermittency and impulsivity shall also be included in the report along with the penalties to be applied and any required mitigation

Should the noise from the plant exceed the noise limits provided, acoustic attenuation measures shall be recommended

In relation to Condition 16, the proforma submitted only provides details of waste containers for general waste and pulpable materials. The number and size of containers need to be identified for food waste and mixed recycling.

In relation to Condition 19, whilst other legislation exists to restrict the noise impact from construction / demolition activities, this is not adequate to control all construction noise, which may have a detrimental impact on general amenity in the area. Therefore it is considered appropriate to control this impact at the planning application stage.

In relation to dust and air quality, the submitted document only considers dust impact to construction workers. Consideration needs to be given and a statement provided to demonstrate how fugitive dust emissions will be controlled from the site to prevent dust escape to the wider environment and nearby receptors. Details of monitoring and all dust suppression / mitigation to be employed should be included in the plan

Regarding noise and vibration, the CMP includes a section about the control of noise and vibration. However, the document should include the maximum site noise level and vibration level at the boundary particularly during the nosier activities, details of monitoring, details of machinery and their expected noise, details of what action is taken where the maximum site noise levels are approached or breached.

A complaints procedure should also be included within the CMP document

In relation to Condition 25, Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. It describes a method of risk assessment for odour, guidance on minimum requirements for odour and

noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B). Details should also be provided in relation to replacement air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

The Cundall report reference RPT-0002 dated 2nd May has confirmed that the final system selection has not yet been identified. The above information will need to be submitted and agreed once the design has reached a more advanced stage.

In relation to Condition 26, an acoustic report has been submitted prepared by Hann Tucker reference HT25425/NIA/1 dated 3rd May which has addressed noise break in to the proposed hotel uses but not considered noise breakout from the premises. Consideration is required with regard to the above criteria in terms of entertainment noise from the bars and restaurant associated with the development.

Noise impact from the proposed gym, such as entertainment noise, free weights areas and impact machine areas should also be addressed, before the gym is brought into use.

Date: 24 August 2018

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, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

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

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

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

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

Appendix A

The Coal Authority

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119
Email: planningconsultation@coal.gov.uk
Website: www.gov.uk/government/organisations/the-coal-authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

This Standing Advice is valid from 1st January 2017 until 31st December 2018