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

Trafalgar Leisure Ltd
373 - 375 Station Road
Harrow
Middlesex
HA1 2AW

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: .Change of Use from A2 Banking Activities to C1 Hotel Use from first to fifth floor and A1 (Shop) /A3 (Restaurant and Cafe)/A4 (Drinking Establishment) /D2 (Assembly and Leisure) uses at Basement, Ground Floor and Proposed Mezzanine Floor, and roof extensions to Fourth and fifth floor and extensions to existing light well from first floor to fifth floor.

Location: 33-35 Piccadilly, Manchester, M1 1LQ

Date of application: 20 December 2017

Application number: 118163/FO/2017

Part 2 – Particulars of decision

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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. Pre application discussions have taken place to develop the final design of the submitted scheme as well as further discussions to agree further refinements following submission.

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) Site location plan Dwgs 2077 SP 01 Rev 1;

(b) Dwgs 2077 GA 001 Rev 1, 01 Rev 1, 01 A Rev 1, 02 Rev 1, 03 Rev 2, 04 rev 2. 05 Rev 2, 06 Rev 2 and 07 Rev 1;

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(c) Dwgs 2077 SCT 001 Rev 1;

(d) Dwgs 2077 ELE 01 Rev 1, ELE 02 Rev 002 (as amended on 22.02.18) , ELE 03 Rev 1, ELE 04 Rev 1, ELE 05 Rev 1, ELE 06 Rev 1, ELE 07 Rev 1 and ELE 08 Rev 1;

(e) Details as shown in the 33-35 Piccadilly Gardens, Manchester, Bak Piccadilly Extension Facade Details Document Jan 2018;

(f) 33-35 Refuse Strategy Rev 1 November 2017 - in relation to Hotel use;

(g) Recommendations within the 33-35 Piccadilly Gardens Manchester Acoustic Planning Report 0323/APR1 Revision 18-12-17 in relation to Hotel use; and

(h) 33-35 Piccadilly Gardens Manchester Hotel Parking Strategy dated November 2017;

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP 1, EC1, CC1, CC4 , CC5 , CC6 , CC7, CC8, CC9 , CC10, T1, T2 , EN1, EN3 , EN6 , EN 8, EN14 EN 16 and DM 1 and saved Unitary Development Plan polices DC10.1, DC18.1 , DC19.1 , DC20 and DC26.1.

3) Notwithstanding the details submitted with the application the extension 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) Prior to the commencement of the part of the development that relates to the extended hotel a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority in consultation with the Canal and Rivers Trust, , which for the avoidance of doubt should include;

*Display of an emergency contact number;
*Details of Wheel Washing;
*Dust suppression measures;
*Compound locations where relevant;
*Location, removal and recycling of waste;
*Routing strategy and swept path analysis;

*Parking of construction vehicles and staff;
*Sheeting over of construction vehicles;

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

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

5) No development shall commence until details of the measures to be incorporated into the hotel development (floors 1 to 5) 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.

6) No use herby approved within the basement, ground floor and mezzanine level shall commence until details of the measures to be incorporated into the development 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.

7) Prior to occupation of the development a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with:

(a) the hotel development; and
(b) each basement, ground and mezzanine floor units;

to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location 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 secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

8) Before each / any Class A3,Class A4 or D2 use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that

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

The approved noise insulation scheme shall be completed before the unit is first occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed in the accommodation shall be submitted and agreed in writing by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation.

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

9) The basement, ground and mezzanine floor units shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse for each units ; has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

10) Final details of the method of extraction of any fumes, vapours and odours from the basement, ground and mezzanine floor units shall be submitted to and approved in writing by the City Council as local planning authority prior to occupation of each A3 / A4 unit. The details of the approved scheme shall be implemented prior to occupancy 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) 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.

12) Before any use hereby approved commences, within each of the basement, ground and mezzanine 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.

13) Before any use hereby approved commences, within each of the basement, ground and mezzanine floor units an Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers) and Details of a Dispersal Procedure shall be submitted to and approved on writing by the City Council as Local Planning Authority.

Reason - In the interests of residential amenity, 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.

14) Before the extended hotel 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 guests or employees of the development
ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

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

15) Notwithstanding the details as set out in condition 2 above before any works to the ground floor frontage commence, details of the following elements of work shall be submitted to and approved in writing by the City Council as Local Planning Authority:

(a) Final details of the glazing design and location of glazing within those openings;

(b) Details of the method of removal of the area of stonework below the windows,making good following window removal and method of fixing / finish to the interface of the windows with the openings; and

Reason - In the interests of visual amenity and careful attention to building work is required to protect the character and appearance of this building in accordance with policies DM1, CC9 and EN3 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

Informatives

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

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

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

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

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

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

Date: 22 February 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