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 Stephen Cliff
Vision Developments / East Lancashire Masonic Trust
C/o Vision Developments ONE Ltd
Manchester Hall
36 Bridge Street
Manchester
M3 3BT

Agent (if used)

Mr Richard Moffat
Lambert Smith Hampton
3 Hardman Street
Spinningfields
Manchester
M3 3HF

Part 1 – Particulars of the application/development

Proposal: Erection of an 8 storey building to form ground floor commercial (619 sqm) (Use Classes A1, A2, A3, A4 or A5) and upper offices (4055 sqm) (Use Class B1) with associated car parking, plant and other associated work

Location: Land Adjacent Manchester Hall , 44 - 48 Bridge Street, Manchester, M3 3BW

Date of application: 10 April 2017

Application number: 115200/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 based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion shave taken place with the applicant through the course of the application, particularly in respect of the appearance of the building, particularly to overcome matters of privacy, impacts from the construction and servicing of the development. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

PL(00)005, PL(00)010 and PL(00)011 stamped as received by the City Council, as Local Planning Authority, on the 3 February 2017

PL(00)012, PL(00)013, PL(00)015 and PL(00)100 stamped as received by the City Council, as Local Planning Authority, on the 7 February 2017

PL(00)003 Rev A, PL(00)04 Rev A, PL(00)006 Rev A, PL(00)007 Rev A, PL(00)008 Rev A, PL(00)009 Rev A, PL(00)014 Rev A and PL(00)050 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017

Supporting Information

Crime Impact Statement (Version A), Environmental Standards Statement, Desk top study, TV reception study, Flood risk and drainage assessment, noise assessment, Ecology report, Heritage statement and Transport statement stamped as received by the City Council, as Local Planning Authority, on the 3 February 2017

Air Quality statement (ref. 101473) and prelimary risk assessment statement stamped as received by the City Council, as Local Planning Authority, on the 8 March 2017

Daylight and Sunlight report and updated transport information statement stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017

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) (a) Prior to the commencement of the development, details of a local labour agreement in order to demonstrate commitment to recruit local labour for both the construction and operations element of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction and occupation phases of the development. (b) Within six months of the first occupation of the development details of the results of the scheme shall be submitted for consideration.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1 of the Manchester Core Strategy (2012).

4) No development shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI), prepared by the appointed archaeological contractor. The WSI should be submitted to and approved in writing by the local planning authority.

The WSI shall cover the following:

(a) A phased programme and methodology of site investigation and recording to include:
- Evaluation through trail trenching;
- informed by the above, more detailed targeted excavation and historic research (subject to a new WSI).
(b) 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 and historical interest represented.
(c) A scheme to commemorate the site's heritage' commensurate with their significance
(d) Dissemination of the results commensurate with their significance;
(e) Provision for archive deposition of the report and records of the site investigation
(f)Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

The development shall be undertaken in line with the approved WSI.
Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

5) Notwithstanding the preliminary risk assessment, LKC, ref LKC-16-1392 (dated 30 January 2017) stamped as received by the City Council, as Local Planning Authority, on the 8 March 2017, a) 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.

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 before the first use of the development.

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 policies DM1 and EN18 of the Core Strategy.

6) Notwithstanding the construction management plan prepared by Marshall Construction Group stamped as received by the City Council, as Local Planning

Authority on the 24 April 2017, (a) prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- 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; and
- 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, highway safety and air quality, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) Prior to any above ground works, a) a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, the programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management.

b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part a). The approved materials shall then be implemented as part of the development.

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.

8) The development hereby approved shall be carried out in accordance with the Environmental Standards statement and energy statement (including BREEAM assessment) prepared by QED stamped as received by the City Council, as Local Planning Authority, on the 3 February 2017. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

9) Notwithstanding the noise impact assessment prepared by Sandy Brown (ref. 16472-R01-A) stamped as received by the City Council, as Local Planning Authority, on the 3 February 2017, prior to the first use of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted

for approval. The approved scheme shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development and the surrounding area pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

10) Notwithstanding the noise assessment prepared by prepared by Sandy Brown (ref. 16472-R01-A) stamped as received by the City Council, as Local Planning Authority, on the 3 February 2017, prior to the first use of the development, a scheme of acoustic insulation of the building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented and remain in pace for as long as the development is in use.

Reason - In order to limit the outbreak of noise from the development pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

11) Notwithstanding waste management strategy and drawing PL(00)004 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017, prior to the first use of the development hereby approved, details of an appropriate waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first use of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

12) Prior to the first use of each of commercial unit, as indicated on drawing PL(00)004 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial unit pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

13) Prior to the first use the commercial unit as indicated on drawing PL(00)004 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the commercial units and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

14) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

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

15) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

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

Monday to Saturday 07:30 to 20:00
Sundays (and Bank Holidays): No deliveries/waste collections

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

17) The commercial unit hereby approved, as indicated on drawing PL(00)004 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017, shall not be open outside the following hours:-

Monday to Saturday	08.00hrs - 23.00hrs
Sundays	09.00hrs - 23.00hrs

There shall be no amplified sound or any amplified music at any time within the units.

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.

18) The commercial unit as shown on drawing PL(00)004 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017 shall remain as one unit and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of amenity and to ensure the future viability and vitality of the commercial unit pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

19) The commercial unit, as indicated on drawing PL(00)004 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017, can be occupied as A1 (excluding convenience retail), A2, A3 and A4. The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester .

20) In the event that any of the commercial unit, as indicated on drawing PL(00)004 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017, is occupied as a A3 or A4 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. For the avoidance of doubt this shall include:
  - o Dispersal policy;
  - o Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

21) The development shall be carried out in accordance with the Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 3 February 2017. 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.

22) The development hereby approved shall be carried out in accordance with the Transport Statement stamped as received by the City Council, as Local Planning Authority, on the 27 September 2016.

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 living at the development;
ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building 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 building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval 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 for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

23) Prior to the first use of the building, the provision of 22 cycle spaces and shower facilities, as indicated on drawings PL(00)003 Rev A and PL(00)004 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017 shall be implemented prior to the first use of the B1 office element of the development hereby approved and retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

24) Prior to the first use of the B1 office element of the development hereby approved, the car parking layout, as indicated on drawing PL(00)003 Rev A stamped as received by the City Council, as Local Planning Authority, on the 28 April 2017, shall be laid out, demarcated and made available. The car parking layout shall be retain and maintained for as long as the development remains in use.

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

25) Notwithstanding the TV reception survey prepared by Astbury, stamped as received by the City Council, as Local Planning Authority, on the 3 February 2017, within one month of the practical completion of the development or before the residential element of the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a 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 above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

26) Notwithstanding the Air Quality Assessment (ref. 101473) prepared by Miller Goodhall stamped as received by the City Council, as Local Planning Authority, 8 March 2017 prior to the first use of the office element details of the electric charging points within the basement car park, as indicated on drawing PL(00)003 Rev A shall be submitted for approval. The approved details shall then be implemented and be in place prior to the first use of the office element of the development and thereafter retained and maintained in situ.

Reason - in the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development pursuant to polices SP1, EN16 and DM1 of the Manchester Core Strategy (2012).

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.

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 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 existing background (LA90) at the nearest noise sensitive location.

- 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.

Date: 2 June 2017

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