MANCHESTER
CITY COUNCIL

IMPORTANT

Planning Permission and 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 required to protect trees.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- 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.
- For advice on any of these matters, please contact the Planning Service, Manchester City Council, PO Box 463, Manchester M60 3NY or email planning@manchester.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant	Name and Address of Agent
GP Investments Ltd 62 Port Street Manchester M1 2EQ	Q2 Architects 11 Burton Place Manchester M15 4PT

Part I – Particulars of Application

Date of Application	Application ref. no.
23 June 2008	085775/FO/2008/C2

Particulars and location of development:

Construction of three storey building to house 11 office units

Vacant Land Bounded By Tariff Street, Hilton Street And Brewer Street City

Part II – Particulars of Decision

The Manchester City Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 of the following decision

Decision Approved
The application is approved on the basis that the proposal is in accordance with the City Council's Unitary Development Plan, in particular Employment policies I1.1, I1.3, I1.6, Environmental Protection and Improvement policies E1.4, E1.5, E2.7, E3.1, E3.3, E3.6, E3.7, E3.8, Housing policy H2.2 and Development Control Policies DC9.1 'Access for Disabled People', DC18.1 'Conservation Areas' and DC19.1 'Listed Buildings' and there are no material considerations of sufficient weight to indicate otherwise.
Date of Decision 31 July 2008

for the carrying out of development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

Part III – Conditions and Reasons

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) No development/demolition shall commence on site until the applicant has secured the implementation of a programme of building recording and archaeological work in accordance with a written scheme of investigation submitted to and approved in writing by the City Council as Local Planning Authority.'

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

3) No loading or unloading shall be carried out on the site outside the hours of:

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

Reason - In order to protect the amenity of local residents and in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester.

4) The arrangements for the storage and segregation of waste shall be implemented in accordance with the Waste Management Strategy stamped as received by the local planning authority on 7th February 2008. 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 protect the amenity of local residents and in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester.

5) The details of an emergency telephone contact number for a person responsible for the site shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

6) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment the Desk Study) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas 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).

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

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

The measures for investigating the site identified in the Site Investigation Proposal Scheme shall be carried out, by an Expert before development commences and the Expert shall prepare 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 Site Investigation Report.and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, an Expert has prepared a report outlining what measures, if any, are required to remediate the land (the Revised Remediation StrategySite Investigation Report) which shall be 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 StrategySite Investigation Report, which shall take precedence over any Remediation Strategy Site Investigation Report or earlier Revised Remediation Strategy Investigation Report.

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

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

8) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the section of footpath along Dale Street between China Lane and Mangle Street 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 and in accordance with E3.6, E3.8 and DC18; of the Unitary Development Plan for the City of Manchester.

9) 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. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policy DC18.1 of the Unitary Development Plan for the City of Manchester.

10) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'very good' or 'excellent' and at least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

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

11) The development shall only be carried out in accordance with the details specified within the submitted Crime Impact Statement. 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 Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

12) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with the details hereby approved. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies T3.1, T3.6 and T3.7 of the Unitary Development Plan for the City of Manchester.

13) 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:

The Planning Application Supporting Information (excluding reference to the demolition of 51 Hilton Street) prepared by Q2 Architects and stamped as received by the City Council as local planning authority on 7th February 2008.

The Options Appraisal and Financial Justification for Demolition of 51 Hilton Street prepared by Q2 Architects and stamped as received by the City Council as local planning authority on 23rd June 2008.

The Q2 Architects drawings referenced:

0001 B stamped as received by the City Council as local planning authority on 19th March 2008.
0202 A, 0203 A, 0401 A, 0402 A, 0403 A, 0404 A, 0406 stamped as received by the City Council as local planning authority on 6th March 2008.
0002 D, 0003 B, 0005 B, 0100 C, 0101 C, 0102 B, 0103 B, 0201 B, 0301 C, 0303 C, 9001 A stamped as received by the City Council as local planning authority on 23rd June 2008.
0302 B and 0405 B stamped as received by the City Council as local planning authority on 1st July 2008.

The letters from Q2 Architects dated 5th March 2008 and 19th March 2008 (excluding point 5).

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Employment policies I1.1, I1.3, I1.6, Environmental Protection and Improvement policies E1.4, E1.5, E2.7, E3.1, E3.3, E3.6, E3.7, E3.8, Housing policy H2.2 and Development Control policies DC9.1 'Access for Disabled People', DC18.1 'Conservation Areas' and DC19.1 'Listed Buildings'; of the Manchester Unitary Development Plan.

Signed……

Peter Babb, Head of Planning

on behalf of the Council
Town Hall,
Manchester M60 3NY

NOTES

1. Leaflets attached:

2. 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**.**

3. 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.

4. 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.

5. 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

6. 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.