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.
- 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

Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Listed Building Consent

Applicant

Mr Dominic Pozzoni
Piccadilly 1216 Limited
Alliance House
Westpoint Enterprise Park
Clarence Avenue
Trafford Park
Manchester
M17 1QS

Agent (if used)

Mr Keith Hamilton
Stephenson: ISA Studio Limited
3 Riverside Mews
4 Commercial Street
Manchester
M15 4RQ

Part 1 – Particulars of the application/development

Proposal: LISTED BUILDING CONSENT for conversion of basement to 4th floor to hotel accommodation associated with proposed adjacent 20 storey building (land at no. 14-16) to create a 258 bedroom hotel above ground floor bar and ancillary accommodation (basement and ground floor)

Location: 12 & Land At 14-16 Piccadilly, Manchester, M1 3AN

Date of application: 1 October 2013

Application number: 103769/LO/2013/C2

Part 2 – Particulars of decision

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

Article 31 Declaration

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the application.

Condition(s) attached to this decision

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

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

(a) Site location plan al (02) 0001P01;

(b) Dwgs al(03)0010 P02, al(03)0011 P02, al(03)0012 P02, al(03)0013 P02, al(03)0014 P02, al(03)0015 P02, al(03)0016 P02, al(03)0020 P02, al(03)0021 P02, al(04)0002 P08, al(04)0003 P07, al(04)0004 P10, al(04)0005 P10, al(04)0006 P07, al(04)0007 P05, al(04)0008 P04, al(04)0009 P04, al(04)0010 P04, al(04)0011 P06, al(04)0012 P04, al(04)0013 P02, al(04)0020 P06, al(04)0021 P05, al(04)0022 P03, al(04)0023 P03, al(04)0024 P02, al(04)0025 P01, al(04)0030 P06, al(04)0031 P05, al(04)0032 P03, al(04)0033 P03, al(04)0034 P02, al(04)0035 P01, al(04)0040 P01, al(04)0041 P01, al(04)0042 P01, al(04)0043 P01, al(04)0044 P01, al(04)0045 P01, al(04)0200 P01, al(04)0201 P01, al(21)0001 P01al(21)0002 P01al(21) and al(21) 0050 P01

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, EN2 , EN3 , EN6 , EN 8, EN 16 , EN 18 , EN1, DM 1 and saved Unitary Development Plan polices DC10.1, DC18.1 , DC19.1 , DC20 and DC26.1.

3) Before development commences details of the replacement windows to the ground floor level including type, paint colour and position within window reveal shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

4) Before development commences details of the proposed relocation of the stain glassed windows shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

5) Before development commences the following items shall be submitted to and agreed in writing by the City Council as local planning authority:

(a) A detailed survey relating the the condition of the existing building fabric (not covered by other conditions of this consent) including the external elevations, chimneys, marble linings within hallway, floors, skirtings and cornices;

(b) Based on (a) a full schedule works including reinstatement works proposed to building fabric; and

(c) A full specification of the works identified in (b)

Reason - To improve the appearance of the building in the interests of visual amenity and because proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

6) No works, including repair, painting or replacement of any existing windows shall commence until details of the work has been submitted to and approved in writing by the City Council as local planning authority. Such works should not include for the removal or replacement of any original windows unless otherwise approved in writing by the City Council as local planning authority and any such proposal shall be accompanied by a full justification for such works, including as considered appropriate a structural survey, details of why repair and refurbishment of such windows is not viable and details, including materials and cross sections, of any proposed replacement windows.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

7) Before the development commences a detailed survey of the condition of the roof and associated structures and a schedule for the refurbishment/repair of these including details of any replacement roof covering, trusses and other associated timber work shall be submitted to and approved in writing by the City Council as local planning authority. The scheme shall provide for the retention of the existing roofing materials. Any replacement roof covering shall be agreed in writing by the City Council as Local Planning Authority

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy 19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

8) Before development commences details of the replacement doors to the external elevations including paint colour and position within door reveal shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of

the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

9) Before development commences final details of the proposed lighting scheme including details of the proposed units, associated cabling and transformers shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

10) Before development commences details of the proposed internal M& E fit out to the listed builing shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

11) If development commences after 2014 a precautionary survey that investigates whether the existing building is inhabited by bats shall be carried out and the survey results passed to the local planning authority. If the presence of bats is established, a scheme for the protection of the wildlife habitat shall be submitted to and agreed in writing by the City Council as local planning authority

Reason

In the interests of the protection of bat roosts and associated foraging and commuting areas pursuant Section 11 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1.

12) Before development commences details of the continuation of the rustication from the Piccadilly elevation of the Listed Building at ground floor including the extent and details to include a specification and method statement for this shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

Date: 25 November 2013

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 Planning (Listed Buildings and Conservation Areas) Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

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

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

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

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

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

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

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

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

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

Appendix A – Standing Advice Regarding Coalfield Area

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

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

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

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

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

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

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