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.
- A fee of £85 is payable for each request to discharge conditions.
- 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
Land And Development Ltd Abbeywood Abbey Lane Delamere Cheshire CW8 2HW	Johnstone Godfrey And Associates 2 Swinton Square Knutsford Cheshire WA16 6HH

Part I – Particulars of Application

Date of Application	Application ref. no.
6 May 2008	086062/FO/2008/N2

Particulars and location of development:

Erection of part 3, part 4 storey building to provide living accommodation for 45 students with associated car parking, landscaping and roof garden

Vacant Site Plymouth Grove/ Birch Lane
Longsight
Manchester
M13 0LX

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
on the basis that the proposal is in accord with the City Council's Unitary Development Plan in particular policies E3.3; E3.5; H1.2; H2.1; H2.2; T2.4; and DC26.5 and other material considerations of material weight including particular RPG policies: DP1; DP2; DP3: DP4; RSS policy DP1; PPS1; PPS3; PPG24; PPS25 and Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance policies 4.8; 4.10; 4.11; 6.2; 6.3; 6.4; 6.5; 6.6; 7.2; 7.4; 8 ; 10 in that the development would: positively contribute to the local environment through the quality of its design; secure an active use for the site to the benefit of the visual and residential amenities of the area; improve the diversity of housing tenure in the local area; provide a sustainable development which would be beneficial to the broader community thereby promoting the continuing regeneration of the locality.
Date of Decision 5 August 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 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 H2.2 of the Unitary Development Plan for the City of Manchester.

3) 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: 00-19 (inclusive and as amended by drawings 1666:10 and 1666A as received on 2 July 2008) landscaping drawing received 6 May 2008.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

4) 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 H2.1, H2.2, E3.1 and E3.2 of the Unitary Development Plan for the City of Manchester.

5) The development is to be undertaken in accordance with the waste management strategy as contained within the submitted document received on 6th March 2008, unless otherwise agreed in writing by the City Council as local planning authority.

Reason

In the interests of residential amenity pursuant to policy H2.2 of the Unitary Development Plan and policy 4.11 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

6) Before first occupation of the development the building, together with any externally mounted ancillary equipment (with regard to the plant room and lift as shown on drawing 1666/12), shall be acoustically insulated in accordance with a scheme 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.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

7) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Plymouth Grove, Stockport Road, Birch Lane shall be submitted to and approved in writing by the City

Council as local planning authority. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To secure a reduction in noise from Plymouth Grove, Stockport Road, Birch Lane in order to protect future residents from noise nuisance, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

8) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies H2.2 and T2.6 of the Unitary Development Plan for the City of Manchester.

9) The details of an emergency telephone contact number for the site manager 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.

10) 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.

11) Before the development commences a scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority relating to the management of the proposed car parking spaces for use by residents of the authorised development. The development shall be implemented in full accordance with the scheme unless otherwise approved in writing.

Reason
In order to ensure the provision of satisfactory car parking for the authorised development and in the interests of residential amenity and highway and pedestrian safety pursuant to policies H2.2 and T2.6 of the Unitary Development Plan for the City of Manchester.

12) The boundary treatment forming part of the authorised development shall be completed in full and in accordance with the approved drawings prior to the first occupation of the residential accommodation hereby approved unless otherwise agreed in writing.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of pedestrian safety, the visual amenity of the area within which the site is located pursuant to policy H2.2 and E3.5 of the Unitary Development Plan for the City of Manchester.

13) The development hereby approved shall be undertaken in accordance with the details and specifications of the submitted Design and Access Statements received on 6th May 2008 unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In order to secure satisfactory disabled access and in the interest of the occupiers of nearby properties in order to comply with Policies H2.2 and DC9 of the Unitary Development Plan for the City of Manchester and Policy 3.1 of The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

14) No development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority which secures the provision and maintenence if vehicular visibility splays to the site from Plymouth Grove. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agree in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy H2.2 of the Unitary Development Plan for the City of Manchester.

15) Before the development commences a scheme shall be submitted to and approved by the City Council as local planning authority relating the maintenance of communal garden areas, amenity spaces, associated trees and landscaping and car parking areas. The development shall be undertaken in accordance with the approved details whilst the authorised use is undertaken unless otherwise agreed in writing.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy H2.2 of the Unitary Development Plan for the City of Manchester.

16) Details of a Travel Plan with the objective of reducing journeys to the application premises by students, staff and visitors and encouraging the use of public transportation, walking and cycling, including particulars of its implementation and monitoring of effectiveness and how measures to improve effectiveness shall be implemented, shall be submitted to and approved in writing by the City Council as local planning authority within two months of the commencement of the uses hereby authorised. For so long as the use is in operation the local planning authority shall be provided with such information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority.

Reason - In the interests of residential amenity and to promote measures to promote alternatives to the use of private transport pursuant to Policy H2.2 of the Unitary Development Plan and Policy 2.30 of the Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance.

17) No development shall commence until 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 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".

18) The development hereby approved shall be solely used as accommodation for students unless othewise approved in writing by the City Coucncil as local planning authority.

Reason - In the interests of residential amenity pursuant to policy H2.2 of the Unitary Development Plan pursuant to poicy H2.2 of the Unitary Development Plan for the City of Manchester.

19) No development shall take place until details of the provision of satisfactory visibility splays to the Plymouth Grove vehicular access have been submitted to and approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details.

Reason - In the interests of pedestrian and highway safety, as specified in policies E3.5 and H2.2 of the Unitary Development Plan for the City of Manchester.

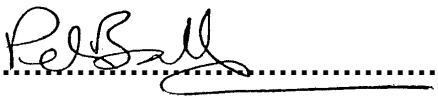
20) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'very good' rating under BREEAM MULTI-RESIDENTIAL PRE-ASSESSMENT ESTIMATOR for those elements of the development which are residential in nature. 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.

21) Notwithstanding the detail of he drawings hereby approved, the development shall not commence until detailed specifications and drawings

have been submitted to and approved in writing by the City Council as local planning authority, relating to the provision of screen barriers to the proposed roof terraces. The development shall be fully implemented in accordance with the approved details prior to the first occupation of the authorised residentail units unless otherwise agreed in writing..

Reason - In the interests of residential amenity and to avoid undue overlooking pursuant to policy policy H2.2 of the Unitary Development Plan for the City of Manchester.

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.