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 of £85 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 Richard Goodwin
Livia Ltd
Buckingham Gate
London
SW1E 6PE

Agent (if used)

Mr Tom Goldthorpe
Hodder and Partners
SGI Studios
1 Kelso Place
Manchester
M15 4LE

Part 1 – Particulars of the application/development

Proposal: Erection of part 7 part 14 storey, 330 bed hotel (Use Class C1) over an existing basement with associated bar and breakfast facilities following the demolition of existing buildings

Location: Motel One Hotel Development, 34 London Road, Piccadilly, Manchester, M1 2PF

Date of application: 30 April 2012

Application number: 099250/FO/2012/C2

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).

Reason(s) for decision

On the basis that the proposals subject to compliance with the conditions below, generally accord with the policies contained within the National Planning Policy Framework, in particular section 7 (Requiring good design) and section 12 (Conserving and Enhancing the Historic Environment), CC1 (Primary Economic Development Focus) , CC6 (City Centre High Density Development), CC9 (Design and Heritage), EN3 (Hertitage), EC1 (Land for Employment and Economic Development), DM1(Development Management), SP1 (Spatial Principles) and T2 (Accessible areas of Opportunity) in that it would contribute to regeneration within the City Centre, contribute to the retention of jobs and maximisation of opportunities for the generation of new employment, ensure that economic development contributes to improving the quality of the City's overall environment, ensure that the people of Manchester benefit from the growth of the City's economy, would be fully accessible by all forms of transport, would promotes a good standard of design and appropriate suitable landscaping treatment, would reduce demand for parking by making other forms of public transport available

near to the development, considers the needs of pedestrians in the design of the development, would promotes cycling within the City, would improve the environment for shoppers and pedestrians, would achieve high standards of energy efficiency in new development, would improvement conditions for pedestrians, would result in a safer environments for people living in and using the city, would be compatible with the mix of uses within the City Centre would meet high standards of accessibility, would not have a detrimental impact on the amenity of neighbouring residents, would not have an adverse imapct on the settign of the adjacent conservation area or listed buildings, would not have an impact on any features of archaeological interest and there are no material considerations of sufficient weight to indicate otherwise.

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 unless otherwise agreed in writing by the City Council as Local Planning Authority:

Drawing nos;

L(--)B01, L(--)B02, L(90)001, L(--)000 Rev A, L(--)001 Rev A, L(--)005 Rev A, L(--)007 Rev A, L(--)008, L(--)013 Rev A, L(--)014, L(--)B01, L(--)B02, L(--)020 Rev A, L(--)021 Rev B, L(--)022 Rev A, L(--)023, L(--)024, L(--)025 Rev A, L(--)026, L(--)027, L(21)020, L(21)021, L(21)022, L(21)023, L(sk)010, L(--)100, L(--)101, L(--)102, L(--)103, L(--)104, L(--)105 stamped as received by the City Council as local planning authority on 30th April 2012.

Motel One Design and Access Statement, stamped as received by the City Council as local planning authority on 30th April 2012

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policies CC1, CC6, CC9, EN3, EC1, DM1, SP1 and T2 of the Manchester Core Strategy Development Plan Document and saved policy RC20 (Area 16)of the Manchester Unitary Development Plan

3) Unless otherwise agreed in writing the development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of `Excellent'. 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, unless otherwise agreed in writing with the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development pursuant to the principles contained within the Guide to Development in Manchester 2 SPD and pursuant to policies SP1, DM1 and EN8 of the Manchester Core Strategy Development Plan Document .

4) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) 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).

In the event of the Preliminary Risk Assessment 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) 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.

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 pursuant to paragraph 109 of the National Planning Policy Framework and policy EN18 of the Manchester Core Strategy Development Plan Document .

5) The window(s) at ground level on Whitworth Street and London Road shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way unless agreed in writing by the City Council as local planning authority.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and pursuant to policy DM1 of the Manchester Core Strategy Development Plan Document .

6) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building 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 pursuant to Policies CC9 , SP1 and DM1 of the Manchester Core Strategy Development Plan Document .

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, pursiant to policies DM1 and SP1 of the Manchester Core Strategy Development Plan Document .

8) Before the development commences, studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:

a) Measure the existing television signal reception within the potential impact area before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications, and shall include an assessment of the survey results obtained.

b) Assess the impact of the development on television signal reception within the potential impact area identified in
(a) above within one month of the practical completion of the development or before 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. The 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 in (a) 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, pursuant to policy DM1 of the Manchester Core Strategy Development Plan Document .

9) 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 policies DM1and SP1 of the Manchester Core Strategy Development Plan Document and to reflect the guidance contained in paragraph 58 of the National Planning Policy Framework.

10) Unless otherwise agreed in writing, the development hereby approved shall not commence unless and until full details of the proposed servicing of the building including details of the location of the loading bay for servicing and delivery vehicles are submitted and approved in writing by the City Council as local planning authority.

Reason

In the interests of amenity and highway safety pursuant to policies DM1 and SP1 of the Manchester Core Strategy Development Plan Document .

11) The development hereby approved shall not commence unless and until a Construction Management Plan, including a Site Waste Management Plan and a plan layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction , has been submitted to and approved in writing by the City Council as local planning authority. The strategy shall include details on the timing of construction of scaffolding, the lighting and operation of cranes during construction, and a Human Impact Management Plan.

Reason - To safeguard the amenities of nearby residents, pursuant to policies DM1 and SP1 of the Manchester Core Strategy Development Plan Document .

12) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of occupiers of nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy Development Plan Document .

13) The any externally mounted ancillary equipment, 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 site/property.

Externally mounted ancillary plant, equipment and servicing shall be acoustically treated in accordance with a scheme designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies SP1 and DM1 of the Manchester Core Strategy Development Plan Document .

14) The details of an emergency telephone contact number for 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 policies DM1and SP1 of the Manchester Core Strategy Development Plan Document .

15) The hotel accommodation shall include acoustic glazing and acoustically treated ventilation in accordance with an acoustic attenuation scheme to be submitted to and approved in writing by the City Council as local planning authority before the development commences. The acoustic attenuation scheme hereby approved shall be implemented in full before use of the hotel accommodation first commences.

The approved noise insulation scheme shall be completed before any part of the building is first occupied.

Noise survey data must include measurements taken during early morning rush-hour periods and night time to determine the appropriate sound insulation measures necessary. The internal noise criterion is as follows:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to policies SP1 and DM1 of the Manchester Core Strategy Development Plan Document .
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16) Before development commences detailed drawings for the scheme for lighting the building and for illuminating all facades of the building including how it will be designed and installed to avoid glare and overspill onto nearby residential properties, has been submitted to and approved in writing by the City Council as local planning authority, unless otherwise agreed in writing with the City Council as local planning authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development, pursuant to policies SP1 and DM1 of the Manchester Core Strategy Development Plan Document .
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17) Deliveries, servicing and collections including waste collections shall not take place outside of the following hours:

07.30 to 20.00, Monday to Saturday, and
10.00 to 18.00 Sundays and Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy Development Plan Document .

18) No development shall commence until the following have been submitted to and approved in writing by the City Council as local planning authority:

(a) A scheme for digging archaeological trial trenches on site (including timetables and particulars of the persons supervising the digging);
(b) A scheme for investigating, evaluating and archiving any finds and for publishing details thereof (including timetables and particulars of the persons who will carry out said tasks).

The schemes approved under (a) and (b) above shall be implemented in accordance with the timetables contained therein and no development shall take place on site until written confirmation of completion of the said schemes has been received by the City Council, unless otherwise agreed 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 guidance in section 12 of the National Planning Policy Framework and policy CC9 of the Manchester Core Strategy Development Plan Document .

19) No part of the development shall be occupied until details of a parking management strategy for hotel residents has been submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To ensure that suitable arrangements are in place to ensure that hotel guests who arrive by car have access to suitable parking near to the site pursuant to policies DM1, SP1 and T2 of the Manchester Core Strategy Development Plan Document .

20) Before the hotel use commences a detailed Traffic Management Plan for staff occupiers of the retail accommodation, vehicles dropping off and picking up at the development and deliveries shall be submitted to and agreed in writing by the City Council as local planning authority. Traffic Management shall thereafter take place in accordance with the approved strategy unless otherwise agreed in writing by the City Council as local planning authority.

Reason: In the interests of public and highway safety and the protection of residential amenity pursuant to policies DM1 and EN16, SP1 and T1 of the Manchester Core Strategy Development Plan Document .
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21) No development 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 secure by design accreditation.

Reason - To reduce the risk of crime pursuant policies DM1 and SP1 of the Manchester Core Strategy Development Plan Document and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

22) Before development commences, a full photographic record of the site and the building (internally and externally) including all areas where physical changes are proposed, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To provide a record of any archaeological remains and of the listed building's appearance and condition before works commence, in accordance with Policy CC9 of the Manchester Core Strategy Development Plan Document .

Informatives

This permission does not grant approval under Building Regulations.

The consent hereby granted is for a development that has full access into and throughout the building and access to the public realm for tenants and members of the public, including those whose mobility is impaired.

Date: 30 July 2012

Signed: 

Julie Roscoe
Head of Planning
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, 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