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
Hill Property Development Ltd Derwent House Waterford Business Park Waterfold Bury Bl9 7BR	HOW Planning 40 Peter Street Manchester M2 5GP

Part I – Particulars of Application

Date of Application	Application ref. no.
16 April 2008	085723/FO/2008/C3

Particulars and location of development:

Proposed enclosure of the mezzanine floor of unit one to create two separate units plus the use of the associated external area for outdoor eating and drinking

Unit 1 Great Northern Tower
Watson 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
Reasons for approval

The application is approved on the basis that the proposal is in accordance with the City Council's Unitary Development Plan, in particular housing policy H2.2, 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 10 June 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) Before first occupation of the development the building, together with 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 equipment.

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

3) 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 the occupiers nearby properties in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

4) 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.

5) The proposed external seating area shall not be used outside the hours of 11:00 to 22:30 Monday to Sunday and the number of tables shall be restricted to no more than four tables seating a total of sixteen people. The tables and chairs will be stored internally when not in use in accordance with the letter from How Planning dated 19th March 2008. No amplified sound or any music shall be produced or played in any part of the site outside of the building.

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

6) The hereby approved lighting scheme shall be designed and installed so as to control glare and overspill onto nearby residential properties and shall be implemented in full before the development is first occupied unless otherwise agreed in writing by the local planning authority 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 government guidance in Planning Policy Statement 1 and Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

7) 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.

8) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'very good' or '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.

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.

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 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".

10) All glazing at ground and first floor level; shall be retained as a clear glazed openings 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 so as to be consistent with Policy DC14 of the Unitary Development Plan for the City of Manchester.

11) 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 drawings by:

Assael Architecture Limited referenced:

A2066 100 P2, 200 P1, 201 P1, 202 P1 and 202 P2 both stamped as received by the local planning authority on 4th February 2008
A2066 200 P2, 202 P2
A2066 101 P2, 300 P2 both stamped as received by the local planning authority on 31st March 2008
A2066 680 P1stamped as received by the local planning authority on 16th April 2008

Cobe Consulting referenced:

C1363-SK07, P06, P07 all stamped as received by the local planning authority on 25th February 2008

Margaret Twigg referenced:

275.01A stamped as received by the local planning authority on 16th April

The Design Statement by Assael 4th February 2008
The Centurian 265 and National Lighting.co.uk specifications 6th May 2008
The Waste Management Strategy stamped as received by the local planning authority on 25th February 2008
The Pickering Lifts Techincal Data Sheet stamped as received by the local planning authority on 25th February 2008
The report by Sol Acoustics stamped as received by the local planning authority on 4th February 2008

The letters from How Planning dated 1st February, 22nd February, 19th March, 2nd May, 27th May 2008 (excluding reference to a first floor smoking area)

The emails from How Planning dated 27th March and 29th May 2008

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to housing policy H2.2, 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.