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 |
|---|---|
| Nigel Allsop<br>Goodman UK Ltd<br>Arlington House<br>Arlington Business Park<br>Theale<br>Reading<br>Berkshire<br>RG7 4SA | Ian Wheaton<br>Scott Brownrigg<br>Tower House<br>10 Southampton Street<br>London<br>WC2E 7HA |

**Part I – Particulars of Application**

| Date of Application | Application ref. no. |
|---|---|
| 20 June 2008 | 087006/MO/2008/S2 |

**Particulars and location of development:**

RESERVED MATTERS Erection of a 3 storey (class B1) office building forming 4,582sqm of floor space with associated landscaping and car parking for 174 vehicles

Plot 3500
Manchester Business Park
Aviator Way
Woodhouse Park
Manchester
M22 5TG

**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 accordance with the Unitary Development Plan for the City of Manchester, in particular policies H2.2, EW4, EW8, E1.3, E1.5, E1.6, E2.6, E3.5, T2.6 and DC9 and there are no material considerations of sufficient weight to indicate otherwise.
**Date of Decision 28 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 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: 12783 SK11Q, 12L, 13J, 14H, 15C, 20G, 21H, 22H, 23E, 24F, 25C, 27C, 28, 29C and 30B

Reason - To ensure that the development is carried out in accordance with theapproved plans. Pursuant to policy H2.2 and EW8 of the Manchester Unitary Development Plan.

2) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of "very good" or "better". 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 offices hereby approved are first occupied.

Reason

In order to minimise the environmental impact of the development pursuant to policies E1.3, 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 (June 2005) and Planning Policy Statement 1.

3) 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".

4) 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.

5) A revised Landscape and Management Plan, in accordance with guidance provided with in CAP 772 - Bird Control, must be submitted and approved in writing by the Local Planning Authority prior to the commencement of

development. The revised Landscape and Management plan should include measures to design and manage the landscaping to minimise the attraction of birds. The approved scheme shall then 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, to ensure that the site's attractiveness to birds is not increased and to ensure the safety of aircraft operating in to and out of Manchester Airport, pursuant to the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 and Policy E2.6 in the Unitary Development Plan for the City of Manchester.

6) The building shall be insulated against aircraft noise in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences. The approved noise insulation scheme shall be completed before the building is occupied.

The internal noise criteria required are stated in British Standard 8233:1999 as being:

Reasonable conditions for study and work requiring concentration (cellular office):
- Good design: < 40 dB Laeq, T
- Reasonable design: < 50 dB Laeq, T

Reasonable acoustic privacy in shared spaces (open plan office):
- Design range: 45 - 50 dB Laeq, T

Reason: In view of the proximity of the development to Manchester International Airport, and in the interests of the amenity of future occupiers of the property in accordance with policy EW4 of the Manchester Unitary Development Plan.

7) Developments should have refuse storage space for segregated waste collection and recycling. Internal and external storage are required for all new developments should comply with the detailed guidance available from the Council. The requirement is given within Guidance to Development 2. Detail of the refuse collection/recycling strategy and proposals should be provided in writing to the Environmental Health Department, Public Protection Section.

Reason: In the interests of amenity and public health, pursuant to Policy H2.2 in the Unitary Development Plan for the City of Manchester.

8) Prior to the commencement of the development hereby approved, details of any external lighting scheme for the building shall be submitted to and approved in writing by the City Council as local planning authority before the development commences. The approved scheme shall then be implemented in full in

accordance with those approved details before the development is first occupied unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of residential amenity, pursuant to Policy H2.2 in the Unitary Development Plan for the City of Manchester.

9) It is anticipated that cranes may be required during construction. Cranes, whilst they are temporary, can be a hazard to air safety, due to their height. The developer or crane operator should notify Manchester Airport Airfield Operations at least 1 month in advance of requiring to erect or to use a crane or any other tall construction equipment. Provided there is no conflict with any aerodrome safeguarding criteria, a Manchester Airport Crane Permit will then be issued.

Reason: To ensure that Manchester Airport's obstacle limitation surfaces are protected and to ensure the safe operation aircraft, pursuant to the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002

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) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

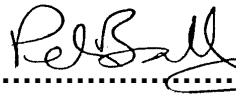
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies E2.4 and E2.6 of the Unitary Development Plan for the City of Manchester.

12) Prior to the commencement of the development hereby approved, details of a framework Travel Plan shall be submitted to and approved by the City Council as Local Planning Authority. Prior to the first occupation of the development hereby approved, a detailed Travel Plan, including particulars of its implementation and monitoring, shall be submitted to and approved by the City Council as Local Planning Authority. The Travel Plan shall then be implemented and reviewed in accordance with those approved details unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To encourage the use of transport other than single occupancy of a car in accordance with the principles of sustainable transport, pursuant to the provisions contained within Planning Policy Guidance 13.

**Part IV – Informatives**

**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. The First Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

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.