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

Royal London Assett Management
C/o Agent

Agent (if used)

Helen Binns
Walsingham Planning
Brandon House
King Street
Knutsford
WA16 6DX

Part 1 Particulars of the application/development

Proposal: Removal of condition 29 attached to planning approval 091441/OO/2009/N2 to allow occupation of buildings prior to completion of off-site highway works

Location: Land At The Junction Of Pollard Street / , Great Ancoats Street, Ancoats, Manchester,

Date of application: 24 October 2012

Application number: 100795/JO/2012/N2

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

Approve on the basis that the removal of condition 29 from planning approval 091441/OO/2009/N2 does not give rise to unacceptable impacts on highway safety to warrant refusal of the application and therefore accords with policy DM1 of the Manchester Core Strategy.

Condition(s) attached to this decision

1) The conditions set out below and numbered 2 - 18 inclusive shall apply to phase 1 (as defined in condition 6) of the hereby approved development.

Reason - For the avoidance of doubt as the application is in Hybrid form.

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:

Drawings:
1381_(MP)_00_01 Rev B site edge red plan
1381_05_BA_01
1381_02_02_MP
1381_02_03_MP
1381_02_04_MP
1381_02_05_MP
1381_02_06_MP
1381_02_07_MP
1381_02_08_MP
1381_04_BA_03
1381_04_BB_02
1381_05_BA_01
1381_
1381_05_BB_02
Date stamped as received by the local planning authority 9th October 2009
1381_02_00_MP - date stamped as received by the local planning authority 15/12/2009.

05015 BA_05_003 Rev E
05015 BA_05_004 Rev D
05015 BA_04_001 Rev F
05015 BA_04_003
05015 BA_04_002 Rev E
05015 BA_02_000 Rev H
05015 BB_02_000 Rev E
05015 BB_04_011 Rev E
05015 BB_02_001 Rev D
05015 BB_04_014 Rev D
05015 BB_04_013 Rev E
05015 BB_04_012 Rev D
All date stamped as received by the local planning authority on the 11th May 2012.
Documents:
Design and Access Statement October 2009 prepared by HKR Architects
Crime Impact Statement prepared by GMP Design for Security
Air Quality Assessment September 2009 prepared by RPS
Impact of Wind Assessment September 2009 prepared by WPS
An Archaeological Desk based Assessment prepared by the University of Manchester
Management Strategy Report October 2009 prepared by Cre8 Management
Transport Assessment October 2009 prepared by RPS
Energy Strategy Report prepared by Cundall
Environmental Standards Statement prepared by Cundall
Heritage Statement prepared by KM Heritage
Environmental Noise Assessment September 2009 prepared by RPS
Daylight/Sunlight Report prepared by Drivers Jonas November 2009-12-14
Waste Minimisation and Management Strategy September 2009 prepared by WSP
Geo-Environmental Desk Study Preliminary Risk Assessment prepared by Shepherd Gilmour - September 2009
Regeneration Statement September 2009 prepared by Drivers Jonas
Letter from Shepherd Gilmour to Cundall dated 25th September 2009
All date stamped as received by the local planning authority 9th October 2009
Addendum to the Design and Access Statement 'schedule of accommodation - Phase 1 office' date stamped as received by the local planning authority 9th December 2009.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies H2.2 of the Unitary Development Plan for the City of Manchester.

3) 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.

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 (or part phase) 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 E3.2; of the Unitary Development Plan
for the City of Manchester.

4) Within 6 months of this decision a post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority confirming that each building has obtained a BREEAM rating of at least 'Very Good'.

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, and the principles contained within The Guide to Development in Manchester 2 SPD and national Planning Policy Statement 1.

5) The hard and soft landscaping treatment scheme set out on drawings reference PL1051.M300 revision A, PL1051_M303 revision A, PL1051.M301 revision A and within the Pollard Street Landscape Management Plan and Maintenance Regime (Revision A)

January 2012 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.

Reason - To ensure that a satisfactory landscaping scheme for 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.

6) In this condition:
Phase 1 means building A and building B and associated external areas; as identified on drawing reference 1381_00_PHS_01 date stamped as received by the local planning authority on the 9th October 2009.

The development hereby approved within Phase 1 shall not exceed 3,835 sqm (gross internal area) of Class C1 (Hotel) use together with 552 sqm (gross internal area) of one or more of the following uses A1/A2/A3/A4/A5.

Reason - To ensure the development does not exceed the parameters disclosed in the planning application and does not therefore have an adverse effect on the vitality of the city centre.

7) No unit within the development hereby approved and to be used for A1,A2,A3,A4,A5 uses, shall be occupied until the permitted hours of operation for that unit have been submitted to and agreed in writing by the City Council as Local Planning Authority. The uses approved pursuant to this application shall only operate within the hours as agreed under this condition.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

8) No loading or unloading shall be carried out on the site outside the hours of 0730 to 2000, Monday to Saturday; and 1000 and 1800 on Sundays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

9) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development being occupied, unless otherwise agreed in writing by the local planning authority. 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 policy T2.6 of the Unitary Development Plan for the City of Manchester.

10) The development hereby approved shall implement the agreed scheme for waste management as contained within the 'Waste Minimisation and Management Strategy' prepared by WSP and date stamped as received by the local planning authority on the 9th October 2009. The scheme shall be implemented as part of the development and

shall remain in situ whilst the use or development is in operation, unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of the amenity and public health of the occupiers of nearby properties in order to comply with Policy H2.2; of the Unitary Development Plan for the City of Manchester.

11) No ground floor unit within the development hereby approved and to be used for A1,A2,A3,A4,A5 and B1 uses, shall be occupied until a scheme for the extraction of any fumes, vapours and odours from each ground floor unit has been 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

12) No ground floor retail unit within the development hereby approved and to be used for A1,A2,A3,A4,A5 and B1 uses, shall be occupied until a scheme for the acoustic insulation of each ground floor unit together with any externally mounted ancillary equipment, has been submitted to and approved in writing by the City Council as local planning authority.

Reason - In order to secure a reduction in the level of noise emanating from the equipment, to safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

13) Within 3 months of the occupation of each building or part hereof within the development hereby approved, a detailed Full Travel Plan consistent with the principles set out in the Framework Travel Plan prepared RPS and submitted to the local planning authority on 15th December 2009, shall be submitted to and approved in writing by the City Council as local planning authority. The Travel Plan(s) shall include particulars of its implementation and monitoring for each occupier or occupiers and shall be implemented and reviewed in accordance with those approved details.

Reason; In accordance with the provisions contained in Planning Policy Guidance Note 13.

14) The first use of each of the ground floor and mezzanine commercial units to be implemented shall thereafter be the permitted use of that unit.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester

15) The development hereby approved shall be operated in accordance with the scheme for the maintenance and management of the application site, outlined in the submitted Management Strategy Report October 2009 prepared by CRE8 Management, date stamped as received by the local planning authority on the 9th October 2009. The approved scheme shall be fully implemented and shall remain operational thereafter.

Reason - In the interests of the visual amenity of the area and of the occupiers of nearby properties in order to comply with policies EM1, EM2, I3.1, and H2.2 of the Unitary Development Plan for the City of Manchester.

16) Within three months of this decision the development shall incorporate in full the details for installation and locations for permanent nest boxes as set out within Tyrer Partnership `Ecological Scoping Survey July 2011. The agreed nest box scheme shall be retained as part of the development thereafter.

Reason - To enhance the biodiversity of the site, pursuant to policy E2.4 and E3.1 in the Unitary Development Plan for the City of Manchester.

17) Within three months of this decision the details for enhancing Biodiversity on the site as set out within the Tyrer Partnership `Ecological Scoping Survey July 2011' shall be installed in full within the development and shall be retained as part of the development thereafter.

Reason - To enhance the biodiversity of the site, pursuant to policy E2.4 and E3.1 in the Unitary Development Plan for the City of Manchester.

18) Prior to the occupation of the hereby approved development, a scheme detailing the hours and extent of use of any external areas of the development shall be submitted to and agreed in writing by the City Council as the Local Planning Authority. The agreed hours of use shall remain operational thereafter.

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.

19) The conditions set out below and numbered 20 - 48 inclusive shall apply to phase 2 (as defined in condition 22) of the hereby approved development.

Reason - For the avoidance of doubt as the application is in Hybrid form.

20) Applications for approval of reserved matters for Phase 2 of the development (as identified on drawing reference 1381_02_00_MP) must be made not later than the expiration of three years beginning with the date of planning permission reference 091441/OO/2009/N2. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

21) Approval of the details of the layout, scale, and appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

22) In this condition:
Phase 2 means building C and associated external areas as identified on drawing reference 1381_00_PHS_01 date stamped as received by the local planning authority on the 9th October 2009. The development hereby approved within Phase 2 shall not exceed 5145 sqm (gross internal area) of B1 (office) use together with 727 sqm (gross internal area) of one or more of the following uses A1/A2/A3/A4/A5.

Reason - To ensure the development does not exceed the parameters disclosed in the planning application and does not therefore have an adverse effect on the vitality of the city centre.

23) Prior to the commencement of development, details of access to the development for mobility impaired persons, including route widths, levels and gradients, shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented before the building is first brought into use, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester and the Disability Discrimination Act 1995. However, in approving the relevant drawings the City Council as local planning authority does not hereby give any warranty that the provisions of the Disability Discrimination Act 1995 have been complied with.

24) The development of phase 2 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:
Drawings:
1381_(MP)_00_01 Rev B site edge red plan
1381_00_PHS_01
1381_00_PHS_02
1381_02_0M_MP
1381_02_08_MP
1381_02_07_MP
1381_02_06_MP
1381_02_05_MP
1381_02_04_MP
1381_02_03_MP
1381_02_02_MP
1381_02_01_MP
1381_02_08_MP
Date stamped as received by the local planning authority 9th October 2009
1381_02_00_MP - date stamped as received by the local planning authority 15/12/2009.
Documents:
Design and Access Statement October 2009 prepared by HKR Architects
Crime Impact Statement prepared by GMP Design for Security
Air Quality Assessment September 2009 prepared by RPS
Impact of Wind Assessment September 2009 prepared by WPS
An Archaeological Desk based Assessment prepared by the University of Manchester
Management Strategy Report October 2009 prepared by Cre8 Management
Transport Assessment October 2009 prepared by RPS
Environmental Noise Assessment September 2009 prepared by RPS
Daylight/Sunlight Report prepared by Drivers Jonas November 2009-12-14
Waste Minimisation and Management Strategy September 2009 prepared by WSP

Geo-Environmental Desk Study Preliminary Risk Assessment prepared by Shepherd Gilmour - September 2009
Regeneration Statement September 2009 prepared by Drivers Jonas
Letter from Shepherd Gilmour to Cundall dated 25th September 2009
Date stamped as received by the local planning authority 9th October 2009
Addendum to the Design and Access Statement 'schedule of accommodation - Phase 1 office' date stamped as received by the local planning authority 9th December 2009.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies H2.2 of the Unitary Development Plan for the City of Manchester.

25) 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.

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 (or part phase) 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 E3.2; of the Unitary Development Plan
for the City of Manchester.

26) Prior to the commencement of construction of Phase 2 of the development hereby approved, details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved shall be

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".

27) The building within Phase 2 of the development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM 2008) rating of at least 'very good'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before each building phase hereby approved are first occupied, unless otherwise agreed in writing by the local planning authority.

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, and the principles contained within The Guide to Development in Manchester 2 SPD and national Planning Policy Statement 1.

28) No construction of the hereby approved development shall commence until a programme of archaeological work has been implemented in accordance with a written scheme of investigation previously approved 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 to Policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in PPG16.

29) Prior to the completion of development of phase 2 of the hereby approved development full details, including scaled elevation, plan and cross section drawings of temporary infill panels to the ground floor units shall be submitted to, and approved by the City Council as Local Planning Authority. The details submitted shall include an explanation, in drawings or text, of how the proposed infill panels will resist fly posting and graffiti, and how they will be maintained in good condition. Any works approved in discharge of this condition, shall be implemented in full before any phase or part phase of the development under this planning consent is first used or occupied, or by such time as may be agreed in writing with the Local Planning Authority. The strategy for maintaining the infill's shall be operational at all times until the temporary infill's are removed from the site.

Reason - In the interests of visual amenity and to ensure that the frontage treatments of the units before occupation has a good appearance within the streetscene, and that this good appearance is maintained, pursuant to policy DC14 of the Unitary Development Plan for the City of Manchester.

30) Prior to the completion of development of Phase 2, a shop front and signage design strategy for the commercial units shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with the approved details.

Reason - In the interests of visual amenity and to ensure that the frontage treatments of the units before occupation has a good appearance within the street scene, and that this good appearance is maintained, pursuant to policy E3.3 and DC14 of the Unitary Development Plan for the City of Manchester.

31) Prior to the commencement of construction of phase 2 of the development hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and agreed in writing by the local planning authority. The boundary treatment shall be completed before the development is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

32) No unit within Phase 2 of the development hereby approved and to be used for A1,A2,A3,A4,A5 uses, shall be occupied until the permitted hours of operation for that unit have been submitted to and agreed in writing by the City Council as Local Planning Authority. The uses approved pursuant to this application shall only operate within the hours as agreed under this condition.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

33) No loading or unloading shall be carried out on the site outside the hours of 0730 to 2000, Monday to Saturday; and 1000 and 1800 on Sundays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

34) Before construction of Phase 2 of the development hereby approved commences, 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.

35) Before construction of Phase 2 of the development hereby approved commences, a scheme for the extraction of any fumes, vapours and odours from the building 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.

36) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development being occupied, unless otherwise agreed in writing by the local planning authority. 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 policy T2.6 of the Unitary Development Plan for the City of Manchester.

37) The footpaths and the areas between the pavement and the line of the proposed buildings shall be fully reinstated within a timescale, and, using materials to be agreed in writing by the City Council as local planning authority, prior to any phase or part phase 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 the site's location, in accordance with policy E3.3; of the Unitary Development Plan for the City of Manchester.

38) The hereby approved development shall not be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies T3.1, T3.6 and T3.7 of the Unitary Development Plan for the City of Manchester.

39) The details of an emergency telephone contact number 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.

40) Prior to the commencement of construction of phase 2 of the development hereby approved details of the scheme for all external lighting, including lighting on the buildings, within a building's curtilage, and lighting units within the public realm works shall be submitted to, and approved in writing by, the City Council as local planning authority. The development shall be implemented in accordance with the approved details.

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.

41) Phase 2 of the development hereby approved shall implement the agreed scheme for waste management as contained within the 'Waste Minimisation and Management Strategy' prepared by WSP and date stamped as received by the local planning authority on the 9th October 2009. The scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of the amenity and public health of the occupiers of nearby properties in order to comply with Policy H2.2; of the Unitary Development Plan for the City of Manchester

42) All vehicles leaving the site during the construction period are to pass through a wheel wash. Details of the wheel wash shall be submitted to and approved in writing by the City Council as local planning authority prior to the development commencing. The wheelwash shall be retained on site during the construction period, and shall be positioned to allow use throughout construction; the location(s) of the wheelwash shall be submitted to and approved by the City Council prior to being implemented.

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.

43) All contractors' vehicles entering and leaving the site during the construction period shall be sheeted.

Reason - To ensure that the proposed development is not prejudicial or a nuisance to the adjacent premises in the interests of public health and amenity, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

44) Within 3 months of the occupation of each building or part hereof within the development hereby approved, a detailed Full Travel Plan consistent with the principles set out in the Framework Travel Plan prepared RPS and submitted to the local planning authority on 15th December 2009, shall be submitted to and approved in writing by the City Council as local planning authority. The Travel Plan(s) shall include particulars of its implementation and monitoring for each occupier or occupiers and shall be implemented and reviewed in accordance with those approved details, unless otherwise agreed in writing by the City Council as the local planning authority.

Reason; In accordance with the provisions contained in Planning Policy Guidance Note 13.

45) The applicant shall, with regard to television reception in the area containing the application site, provide the City Council as local planning authority with studies that:
a) Identify, before construction of phase 2 of the development commences, the potential impact area in which television reception is likely to be adversely affected by the development. The study shall be carried out either by the Office of Communications (Ofcom), or by a body approved by Ofcom and shall include an assessment of when in the construction process an impact on television reception might occur.
b) Measure the existing television signal reception within the potential impact area identified in (a) above before the 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.
c) 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. If the development is found to have a detrimental impact upon existing television signal reception, 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 (b) 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 each Phase of the development at least maintains the existing level and quality of television signal reception, as advised in Planning Policy Guidance Note 8: Telecommunications, pursuant to Manchester Unitary Development Plan policy H2.2.

46) Phase 2 of the development hereby approved shall be operated in accordance with the scheme for the maintenance and management of the application site, outlined in the submitted Management Strategy Report October 2009 prepared by CRE8 Management, date stamped as received by the local planning authority on the 9th October 2009. The approved scheme shall be fully implemented and shall remain operational thereafter, unless otherwise agreed in writing by the City Council as the local planning authority.

Reason - In the interests of the visual amenity of the area and of the occupiers of nearby properties in order to comply with policies EM1, EM2, I3.1, and H2.2 of the Unitary Development Plan for the City of Manchester.

47) Prior to the occupation of the hereby approved development, a scheme detailing the hours and extent of use of any external areas of the development shall be submitted to and agreed in writing by the City Council as the Local Planning Authority. The agreed hours of use shall remain operational thereafter.

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.

48) Before any demolition works take place full details, including scaled siting, elevation, plan and cross section drawings of temporary site hoardings around the phase 2 site shall be submitted to, and approved by the City Council as Local Planning Authority. The details submitted shall include an explanation, in drawings or text, of how the proposed hoardings will resist fly posting and graffiti, and how they will be maintained in good condition. Any works approved in discharge of this condition, shall be implemented in full before demolition works take place, or by such time as may be agreed in writing with the Local
Planning Authority. The strategy for maintaining the hoardings shall be operational at all times until they are removed from the site.

Reason - In the interests of visual amenity and to ensure that the frontage treatments of the units before occupation has a good appearance within the streetscene, and that this good appearance is maintained, and to reduce the risk of crime
pursuant to Policies E3.5 and DC15 of the Unitary Development Plan for the City of Manchester.

Informatives

This permission does not grant approval under Building Regulations.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 19 November 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