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 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

Ms Suzanne Gallagher
Town Centre Securities
Town Centre House
The Merrion Centre
Leeds
LS2 8LY

Agent (if used)

Stan Broster
Stan Broster Design Ltd
Charlesbye Farm
Greetby Hill
Ormskirk
L39 2DT

Part 1 Particulars of the application/development

Proposal: Change of use of vacant building to Class (B1) Office use and associated elevational alterations including replacement of temporary boarding to windows , lowering of adjacent boundary wall, erection of a substation and associated hard landscaping.

Location: Brownsfield Mill, Great Ancoats Street, Piccadily Basin, Manchester, M4 5BP

Date of application: 25 January 2013

Application number: 101466/FO/2013/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).

Article 31 Declaration

Discussions have taken place with the applicant in a positive and proactive manner to seek resolution of issues arising in relation to dealing with the planning application. Initial concerns have been addressed in either a satisfactory manner, or can be resolved by the use of appropriate conditions..

Reason(s) for decision

The application is approved on the basis that the proposal is in accordance with approved policies RC4 Environment), and DC19.1 (Listed Buildings) contained with the Unitary Development Plan for the City of Manchester, Policies DM1 (Development Management) and SP 1 of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

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 refs

BM13/SK/02e stamped by the city council as local planning authority on 13th May 2013

BM13/SK/03f stamped by the city council as local planning authority on 13th May 2013

BM13/SK/04f stamped by the city council as local planning authority on 13th May 2013

BM13/SK/05f stamped by the city council as local planning authority on 13th May 2013

BM13/SK/06f stamped by the city council as local planning authority on 13th May 2013

BM13/SK/07f stamped by the city council as local planning authority on 13th May 2013

BM13/SK/08h stamped by the city council as local planning authority on 13th May 2013

BM13/SK/09h stamped by the city council as local planning authority on 13th May 2013

BM13/SK/10h stamped by the city council as local planning authority on 13th May 2013

BM13/SK/12a dated 25th January 2013

BM13/SK/13 dated 25th January 2013

BM13/SK/01c dated 21st January 2013

BM13/SK/14 Ground floor external works dated 26th March 2013

BM13/SK/15 External works details dated 26th March 2013

Port Street Wall : Structural Alterations (SK) 309 Rev A, dated 28th March 2013

105/16-(EX)020-PO4 dated july '06

105/16-(EX)021-PO1 dated july '06

105/16-(EX)022 dated july '06

105/16-(EX)023 dated july '06

Design and Access statement Rev A : 26th March 2013

Travel plan by Stockley, stamped by the city council as local planning authority on 25th January 2013

Outline Structural Specification by Stockley, stamped by the city council as local planning authority on 25th January 2013

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DM1 of the Manchester Core Strategy.

3) The development hereby approved shall not be carried out unless and until full details of the design, appearance, method of glazing, materials and construction details of the external stair tower have been submitted to, and approved by, the City Council, as local planning authority.

The stair tower shall provide a fully enclosed transparent glazed structure, containing a designed staircase.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy RC4 (Environment), and DC19.1 (Listed Buildings) contained with the Unitary Development Plan for the City of Manchester, Policy DM1 (Development Management) of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

4) The development hereby approved shall not be carried out unless and until full details of the design, appearance, materials and construction details of the new electricity sub-station have been submitted to, and approved by, the City Council, as local planning authority.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy RC4 (Environment), and DC19.1 (Listed Buildings) contained with the Unitary Development Plan for the City of Manchester, Policy DM1 (Development Management) of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

5) The development hereby approved shall not be carried out unless and until the following details have been submitted to, and approved by, the City Council, as local planning authority.

full details of the design and materials of all external windows

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy RC4 (Environment), and DC19.1 (Listed Buildings) contained with the Unitary Development Plan for the City of Manchester, Policy DM1 (Development Management) of the Manchester Core Strategy and section 12

(Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

6) The development hereby approved shall not be carried out unless and until the following details have been submitted to, and approved by, the City Council, as local planning authority.

full details of the layout, design and materials of all external areas, including surfaces and structures

cycle storage facilities, waste storage, bin storage and balustrading.

boundary treatments., including areas currently shown as timber fencing.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy RC4 (Environment), and DC19.1 (Listed Buildings) contained with the Unitary Development Plan for the City of Manchester, Policy DM1 (Development Management) of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

7) The development hereby approved shall not be carried out unless and until the following details have been submitted to, and approved by, the City Council, as local planning authority.

full details of the internal arrangement showing toilet provision, layout, design and internal finishes,

full details of fixings, finishings and materials of all internal partitions.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy RC4 (Environment), and DC19.1 (Listed Buildings) contained with the Unitary Development Plan for the City of Manchester, Policy DM1 (Development Management) of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

8) 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.

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 policies SP1 and DM1 of the Core Strategy.

9) Deliveries to commercial premises

Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

10) The premises shall not be open outside hours to be agreed in writing by the City Council as local planning authority:-

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

11) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties.

12) 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.
This should be 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.
Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

13) The premises shall be used for 'Office Use' only and for no other purposes, including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 2010.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

14) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

New developments should have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

Reason - In the interests of amenity and public health

15) The development shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building. Appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, pursuant to None of the Unitary Development Plan for the City of Manchester.

16) No development shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI), prepared by the appointed archaeological contractor. The WSI should be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the site investigation has been completed in accordance with the approved WSI. The WSI shall cover the following:

(a) A phased programme and methodology of site investigation and recording to include:

- targeted field evaluation trenching
- (depending upon the evaluation results) a strip map and record exercise
- targeted open area excavation

(b) A programme for post investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological and historical interest represented.

(c) Provision for publication and dissemination of the analysis and report on the site investigation.

(d) Provision for archive deposition of the report, finds and records of the site investigation.

(e) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

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.

Construction Works
If the development is to involve noisy construction works for a prolonged period the applicant is requested to contact Environmental Health (Public Protection Team) to discuss the nature of the construction phase. The reasoning behind this is to establish a site contact and discuss appropriate working times etc.
Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ Tel: 0161 234 5004, email: contact@ manchester.gov.uk

The applicant's attention is drawn to the need to contact Environmental Health (Public Protection Team) where any noise related conditions have been attached to this Planning Approval, in order to discuss specific and technical requirements.
Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ, Tel: 0161 234 5004, E-mail: contact@ manchester.gov.uk

Canal Code of Practice.

"It is essential that the applicant/developer contacts the Canal & River Trust's Third Party Works Team (01942 405727) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

Date: 15 May 2013

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