S91

Town and Country Planning Act 1990
PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant

Dandara Ltd
Invicta House
2-4 Atkinson Street
Manchester
M3 3HH

Name and Address of Agent

John McAslan And Partners
St Johns House
2-10 Queen Street
Manchester M2 5JB

Part I – Particulars of Application

Date of Application	Application ref. no.
19 January 2004	069455/FO/2003/C3

Particulars and location of development:

Development of 5 no. residential blocks with a total of 434 apartments (Use Class C3) with commercial uses at ground floor level of Block 1 only comprising A1 (shop), A2 (financial and professional services), A3 (food and drink excluding pub, restaurant and hot food take-away), B1 (office) and/or D1 (non-residential institution), and landscaping scheme

St Georges Island
Off Hulme Hall Road
Hulme

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**
The application is approved on the basis that the proposal is in accordance with the City Council's Unitary Development Plan, in particular policies RC1, H2.1, H2.2, E3.5, E3.6, T2.6, T3.1, T3.7, DC7.1, DC26, E3.8, RC4, DC18.1, I1.6, RC3, RC20 - Area 28.

Date of Decision **18 March 2004**

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 five 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:

P1910 Rev A
P2000 Rev B
P2001 Rev B
P2002 Rev B
P2005 Rev B
P2006 Rev B
P2007 Rev B
P2008 Rev B
P2009 Rev B
P2010 Rev B
P2011 Rev B
P2012 Rev B
P2013 Rev B
P2014 Rev B
P2015 Rev B
P2016 Rev B
P2100 Rev C
P2101 Rev B
P2102 Rev C
P2103 Rev B
P2104 Rev B
P2105 Rev B
P2106 Rev B
P2107 Rev B
P2108 Rev B
P2109 Rev B
P2110 Rev B
P2111 Rev B
P2113 Rev B
P2114 Rev B
P2115 Rev B
P2116 Rev B

P2117 Rev B
P2118 Rev B
P2119 Rev B
P2120 Rev B
P2121 Rev B
P2122 Rev B
P2123 Rev B
P2124 Rev B
P2125 Rev B
P2126 Rev B
P2127 Rev B
P2128 Rev B
P2130 Rev B
P2201 Rev C
P2203 Rev B

all stamped as received by the Local Planning Authority on 26 February 2004.

The John McAslan and Partners letter of 13 November 2003 in relation to the fact that the development will not be marketed as having the benefit of on street car parking and that preferential rates on car hire and taxi companies for occupiers will be made available.

The John McAslan and Partners letter of 3 March 2004 in relation to the provision of 8 no. pool cars at the development.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans.

3) Construction of the building hereby approved by this permission shall not take place unless and until samples of the materials to be used on all external elevations, including the roof, 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.

4) The development hereby approved shall include a building lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the

development is first occupied unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development.

5) The landscaping scheme approved by the City Council as local planning authority shown on the approved drawings shall be implemented not later than 12 months from the date of commencement of works. Any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within 3 years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out.

6) The development hereby approved shall incorporate measures, including a building lighting scheme, to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to achieve the 'Secure by Design' accreditation awarded by the Greater Manchester Police.

Reason - In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well-being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, and to reflect the guidance contained in Circular 5/94 'Planning Out Crime'.

7) Development shall not commence until detailed specifications for repaving works to unadopted roads on the east and south sides of the site have been submitted to and approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been completed in accordance with the approved details.

Reason - To ensure that satisfactory access is provided from the public highway to the proposed development in the interests of the safety and convenience both of those using the development and those using the highway.

8) All vehicles entering and 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.

Reason - To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud.

9) The car parking indicated on the approved plans shall be demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available and accessible at all times whilst the apartments hereby approved are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied.

10) 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 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 Independent Television Commission (ITC), or by a body approved by the ITC 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 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 Independent Television Commission, 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. 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 the development at least maintains the existing level and quality of television signal reception, as advised in Planning Policy Guidance Note 8: Telecommunications.

11) No development shall take place within the proposed area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing with the City Council as the Local Planning Authority.

Reason - to investigate and record remains of archaeological interest.

12) Before development commences, the applicant will provide proposals for the presentation and interpretation of the canal related industrial heritage of the site. The scheme shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The boards must be erected at the site before the development is first occupied.

Reason - To commemorate the industrial heritage of the site by means of suitable presentations and interpretation boards.

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

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied.

14) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from external noise sources, including the adjacent viaduct that serves the railway and Metrolink, and vehicular traffic from nearby roads, including Hulme Hall Road, shall be submitted to and approved in writing by the City Council as local planning authority. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To secure a reduction in noise from external noise sources in order to protect future residents from noise nuisance.

15) The storage and disposal of refuse shall be implemented as stated within the submitted Refuse Storage, Compaction and Collection strategy received by the City Council 14.11.03 and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health.

16) No deliveries, loading, unloading or other servicing activities shall take place at the site other than between the hours of 07.30 - 20.00 Monday to Friday, 09.00 - 18.00 Saturday, and no similar activity on Sundays or Public holidays.

Reason - To protect neighbouring residents from noise and nuisance.

17) In terms of bicycle parking, the development must be implemented in accordance with the space and facilities shown on the approved plans. These 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.

18) In terms of fully accessible car parking spaces, the development must be implemented in accordance with the provision shown on the approved plans. These facilities shall then be retained and permanently reserved for use as such.

Reason - To ensure that adequate provision is made for fully accessible parking spaces for all persons occupying or visiting the development.

19) Before development commences a scheme for the extraction of any fumes, vapours and odours from any A3 kitchen areas within the development hereby approved shall be submitted to, and approved in writing by, the City Council as Local Planning Authority.

Reason - In the interests of the amenities of the occupiers nearby properties.

20) The A3 unit shall be used solely as a restaurant or café and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood and of residents within the building by ensuring that other uses which could cause a loss of amenity do not commence without prior approval.

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 three months of the date of the notice of the decision.

(Appeals must 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 6PN) or download from the Planning Inspectorate website www.planninginspectorate.gov.uk or 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.

M047

DG/1045/3.2
25 February 2004

Direct Dial 0161 817 2947
Email d.gibson@mcaslan.co.uk

BY FAX AND POST

Carolyn Parry
Planning Officer
Environment and Development
(Planning Division)
Manchester City Council
PO Box 463
Manchester
M60 3NY

John McAslan + Partners

John McAslan
Adam Brown
Andrew Pryke
Murray Smith

Hiro Aso
Natasha Martin
Tony Skipper
Roger Wu

Richard Ellis
Umberto Emoli
Quintin Hinxman

Dear Carolyn

ST GEORGE'S ISLAND, off Hulme Hall Road, Hulme, Manchester.
Application Ref: 069455/FO/2003

Further to recent discussions and our letters dated 16.02.04 and 23.02.04 outlining the amendments to our proposals, please find enclosed 2no. sets of our revised planning drawings as outlined below:

P1910RevA,

P2000RevB, P2001RevB, P2002RevB, P2005RevB, P2006RevB, P2007RevB, P2008RevB, P2009RevB, P2010RevB, P2011RevB, P2012RevB, P2013RevB, P2014RevB, P2015RevB, P2016Rev3,

P2100RevC, P2101RevB, P2102RevC, P2103RevB, P2104RevB, P2105RevB, P2106RevB, P2107RevB, P2108RevB, P2109RevB, P2110RevB, P2111RevB, P2113RevB, P2114RevB, P2115RevB, P2116RevB, P2117RevB, P2118RevB, P2119RevB, P2120RevB, P2121RevB, P2122RevB, P2123RevB, P2124RevB P2125RevB, P2126RevB, P2127RevB, P2128RevB, P2130RevB,

P2201RevC, P2203RevB.

We trust this to be satisfactory, however if you have any queries or require any further information, please do not hesitate to contact us.

Kind Regards

Yours sincerely

DAN GIBSON
for John McAslan + Partners
cc. Mike Hitchmough - dandara

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DRAWING ISSUE SHEET

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PROJECT ST. GEORGE'S ISLAND

JOB Nº 1045

ISSUE DATE 25 February 2004
ISSUE PLANNING
SHEET Nº 1/2

DAY	15	06	13	24	16	25			
MONTH	09	11	11	11	01	02			
YEAR	03	03	03	03	04	04			

DRAWING Nº	DRAWING STATUS	DRAWING TITLE	SIZE	SCALE	REVISIONS								
P1501	PLANNING	SITE LOCATION PLAN	A1	1:500	-	-		-					
P1900	PLANNING	LANDSCAPE PLAN - LEVEL 0	A1	1:500	-	-		-					
P1902	PLANNING	LANDSCAPE DET. -SECTION 1			-	-	-	-					
P1903	PLANNING	LANDSCAPE DET. -SECTION 2	A2	1:50	-	-	-	-					
P1904	PLANNING	LANDSCAPE DET. -SECTION 3	A2	1:50	-	-	-	-					
P1905	PLANNING	LANDSCAPE DET. -ACCESS TO BLDG	A2	1:50			-	-					
P1910	PLANNING	LANDSCAPE	A1+	1:250			-	-					
P1920	PLANNING	ACCESS DIAGRAM	A1	1:500				-					
P1950	PLANNING	REFUSE STRATEGY DIAGRAM	A1	1:500			-	-					
P2000	PLANNING	SITE PLAN - LEVEL 0	A1	1:500	-	-		-	A	B			
P2001	PLANNING	SITE PLAN - LEVEL 1	A1	1:500	-	-		-	A	B			
P2002	PLANNING	SITE PLAN - ROOF LEVEL	A1	1:500	-	-		-	A	B			
P2003	PLANNING	LOWER BASEMENT PLAN	A1	1:500	-	-		-					
P2004	PLANNING	UPPER BASEMENT PLAN	A1	1:500	-	-		-					
P2005	PLANNING	BLOCK 1 LEVEL 0 GA	A1	1:100	-	-		-	A	B			
P2006	PLANNING	BLOCK 1 LEVEL 1 (TYPICAL) GA	A1	1:100	-	-		-	A	B			
P2007	PLANNING	BLOCK 1 LEVEL 15 GA	A1	1:100	-	-		-	A	B			
P2008	PLANNING	BLOCK 1 ROOF LEVEL GA	A1	1:100	-	-		-	A	B			
P2009	PLANNING	BLOCK 2,3,4 LEVEL 0 GA	A1	1:100	-	-		-	A	B			
P2010	PLANNING	BLOCK 2,3,4 (TYPICAL)	A1	1:100	-	-		-	A	B			
P2011	PLANNING	BLOCK 2,3,4 ROOF LEVEL GA	A1	1:100	-	-		-	A	B			
P2012	PLANNING	BLOCK 5 LEVEL 0 GA	A1	1:100	-	-		-	A	B			
P2013	PLANNING	BLOCK 5 TYPICAL	A1	1:100	-	-		-	A	B			
P2014	PLANNING	BLOCK 5 ROOF LEVEL GA	A1	1:100	-	-		-	A	B			
P2015	PLANNING	BASEMENT PLAN GA	A1	1:200			-	-	A	B			
P2016	PLANNING	LOWER BASEMENT PLAN GA	A1	1:200			-	-	A	B			
P2100	PLANNING	SITE ELEVATION AA	A1	1:500	-	-	A	A	B	C			
P2101	PLANNING	SITE SECTION BB	A1	1:200	-	-		-	A	B			
P2102	PLANNING	SITE SECTION CC	A1	1:200	-	-	A	A	B	C			
P2103	PLANNING	BLOCK 2 CROSS SECTION DD	A1	1:100	-	-		-	A	B			
P2104	PLANNING	BLOCK 3 EAST ELEVATION	A1	1:100	-	-		-	A	B			
P2105	PLANNING	SITE SECTION EE	A1	1:200	-	-		-	A	B			
P2106	PLANNING	BLOCK 1 EAST ELEVATION	A1	1:100	-	-		-	A	B			
P2107	PLANNING	BLOCK 3 WEST ELEVATION	A1	1:100	-	-		-	A	B			
P2108	PLANNING	BLOCK 3 SOUTH ELEVATION	A1	1:100	-	-		-	A	B			
P2109	PLANNING	SITE SECTION FF	A1	1:200	-	-		-	A	B			
P2110	PLANNING	CROSS SECTION GG	A1	1:100	-	-		-	A	B			
P2111	PLANNING	BLOCK 5 WEST ELEVATION	A1	1:100	-	-		-	A	B			
P2113	PLANNING	BLOCK 1 - NORTH ELEVATION	A1	1:100			-	-	A	B			
P2114	PLANNING	BLOCK 1 - SOUTH ELEVATION	A1	1:100			-	-	A	B			
P2115	PLANNING	BLOCK 1 - WEST ELEVATION	A1	1:100			-	-	A	B			
P2116	PLANNING	BLOCK 2 - NORTH ELEVATION	A1	1:100			-	-	A	B			
P2117	PLANNING	BLOCK 2 - EAST ELEVATION	A1	1:100			-	-	A	B			
P2118	PLANNING	BLOCK 2 - SOUTH ELEVATION	A1	1:100			-	-	A	B			

	DANDARA	Client	1		1	1	3	3	
	PLANNING DEPARTMENT	Planning Officer	4	14	16		16	2	
	ARUP	Fire and acoustics	3		3		2	2	
	HULLEY KIRKWOOD	M&E					1	1	
	ENGLISH HERITAGE								
	CABE							1	
	FILE						1	1	

DRAWING ISSUE SHEET

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PROJECT ST. GEORGE'S ISLAND

JOB Nº 1045

ISSUE DATE 25 February 2004
ISSUE PLANNING
SHEET Nº 2/2

DAY	15	06	13	24	16	25			
MONTH	09	11	11	11	01	02			
YEAR	03	03	03	03	04	04			

DRAWING Nº	DRAWING STATUS	DRAWING TITLE	SIZE	SCALE	REVISIONS								
P2119	PLANNING	BLOCK 2 - WEST ELEVATION	A1	1:100			-	-	A	B			
P2120	PLANNING	BLOCK 3 - NORTH ELEVATION	A1	1:100			-	-	A	B			
P2121	PLANNING	BLOCK 4 - NORTH ELEVATION	A1	1:100			-	-	A	B			
P2122	PLANNING	BLOCK 4 - EAST ELEVATION	A1	1:100			-	-	A	B			
P2123	PLANNING	BLOCK 4 - SOUTH ELEVATION	A1	1:100			-	-	A	B			
P2124	PLANNING	BLOCK 4 - WEST ELEVATION	A1	1:100			-	-	A	B			
P2125	PLANNING	BLOCK 5 - NORTH ELEVATION	A1	1:100			-	-	A	B			
P2126	PLANNING	BLOCK 5 - EAST ELEVATION	A1	1:100			-	-	A	B			
P2127	PLANNING	BLOCK 5 - SOUTH ELEVATION	A1	1:100			-	-	A	B			
P2128	PLANNING	SITE SECTION HH	A1	1:500			-	-	A	B			
P2130	PLANNING	SITE ELEVATION JJ	A1				-	-	A	B			
P2200	PLANNING	DETAILED SECTION	A1	1:20	-		-	-					
P2201	PLANNING	DETAILED SEC, ELEV AND PLAN	A1	1:20	-		A	A	B	C			
P2202	PLANNING	CAR-PARK RAMP - PLAN & SECTION	A1	1:50			-	-					
P2203	PLANNING	SEC, ELEV & PLAN - GABLE END	A1	1:20			-	-	A	B			

DANDARA	Client	1		1	1	3	3		
PLANNING DEPARTMENT	Planning Officer	4	14	16		16	2		
ARUP	Fire and acoustics	3		3		2	2		
HULLEY KIRKWOOD	M&E					1	1		
ENGLISH HERITAGE									
CABE							1		
FILE						1	1		