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**

Daniel Lesser
Aedas
Parsonage Chambers
3 The Parsonage
Manchester
M3 2HW

**Agent (if used)**

## Part 1 – Particulars of the application/development

**Proposal**: Variation of conditions 2, 4, 10 and 19 on previously approved application 077806/F0/2005/N1 comprising an amendment to the design of the entrance lobby to Block B tower

**Location**: Green Quarter, Block 6, Land Bounded By Cheetham Hill Road Lord Street Redbank And Scotland , Cheetham Hill, Manchester

**Date of application**: 3 April 2012

**Application number**: 098940/JO/2012/N1

## 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 in the light of policies H2.2, H2.7, T2.4, E3.5 and DC9.1 of the Unitary Development Plan on the basis that the development would not adversely affect visual or residential amenity within the area, would be of a good design and layout, and would have adequate car parking

## Condition(s) attached to this decision

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:

Design Statement PL (00)08080, received 1 December 2005
Supplementary Design Analysis PL (00)08081 received 6 April 2006
Supporting Statement received 1 December 2005

Acoustic Report (P0762-REP01-MPF) received 1 December 2005
Transport Assessment Addendum received 1 December 2005
Flood Risk Assessment received 24 January 2006

PL (00) _01_001 Existing site plan
PL(00)_01_002B Site Boundary
PL (00) _01_005 Compound plan
AL _11_002M Car parking plan level 3
AL _11_003R Car parking plan level 2
AL _11_004O Car parking plan level 1
AL _11_005D Blocks A and B - level 1 (courtyard)
AL _11_006D Blocks A and B - level 2
AL _11_007C Blocks A and B - level 3
AL _11_008C Blocks A and B - level 4
AL _11_009C Blocks A and B - level 5
AL _11_010C Blocks A and B - level 6
AL _11_011D Blocks A and B - level 7
AL _11_012C Blocks A and B - level 8
AL _11_013C Blocks A and B - level 9
AL _11_014C Blocks A and B - level 10
AL _11_015C Blocks A and B - level 11
AL _11_016C Blocks A and B - level 12
AL _11_017C Blocks A and B - level 13
AL _11_018C Blocks A and B - level 14
AL _11_019C Blocks A and B - level 15
AL _11_020D Blocks A and B - level 16
AL _11_021C Blocks A and B - level 17
AL _11_022C Blocks A and B - level 18
AL _11_023A Blocks A and B - roof level
AL_12_001C Blocks A and B - short section
PL(00)_01_071C Block B - Courtyard (east facing)
PL(00)_01_072D Block B - New Century Park (west facing)
PL(00)_01_073D Blocks A and B - From River Irk elevation (south facing)
PL(00)_01_074E Blocks A and B - Access Road elevation (north facing)
PL(00)_01_075C Block A - Redbank (east facing)
PL(00)_01_076C Block A - Courtyard (west facing)
PL (00) _01_088A Block B - Detailed elevational extract
PL_ (00) _01_100 Blocks A and B - View from River Irk
PL521.B6.GA200rK Block 6 Hardworks
PL521.B6.GA201revI Block 6 Softworks
PL521.B6.GA202rI Block 6 lighting layout
PL521.B6.M100 rev ZA Block 6 Landscape general arrangement
P(00)_62_202 Car parking plan level -2

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to UDP policy H2.2 and policy DM1 of the emerging Manchester Core Strategy.

2) Construction of the works hereby approved by this permission shall be carried out in accordance with the following materials:

- Dark grey Moeding Alphaton terracotta tile cladding (including 'grooved' feature banding tile and perforated tile for WHV
- Dark grey (RAL 7016) aluminium Alucobond Cladding

- Texture K stippled Permatrock Track EPS render cladding (with Caparol Clean Concept Technology)
- Elegant Oak Trespa Meteon cladding
- Metal louvre gratings
- Ideal Combi Futura/Contura Composite aluminium/timber windows and doors (Dark grey (RAL 7016) externally and Scandinavian pine internally)

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, pursuant to policy H2.7 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

3) Within 28 days of the date of this approval, information and drawings showing the positions, design, materials and type of boundary treatment to be erected at the site shall be submitted to and approved in writing by the City Council as Local Planning Authority. The boundary treatment shall be completed before Block B of the development is first 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 and policy DM1 of the emerging Manchester Core Strategy.

4) Within 28 days of the date of this approval, a scheme for the storage (including segregated waste recycling) 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.

Reason - To ensure an acceptable development and to protect amenity, pursuant to policy H2.2 of the Unitary Development Plan and policy DM1 of the emerging Manchester Core Strategy.

5) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the Block B 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 car parking for the development proposed when the building is occupied, pursuant to policy H2.7 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

6) Prior to first occupation of the Block B building hereby approved, the internal car park area shall be ventilated in accordance with a scheme to 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 public health and to ensure satisfactory conditions within the car parking area, pursuant to policy H2.7 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

7) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on the following drawings shall be implemented in full not later than 3 months from the date of first occupation of Block B:

PL521.B6.M100 rev ZA
PL521.B6.GA200 rev K
PL521.B6.GA201 rev I
PL521.B6.GA203 rev E
PL521.B6.GA204 rev E
PL521.B6.GA205 rev C
PL521.B6.GA206 rev D
PL521.B6.GA207 rev B
PL521.B6.GA209 rev A
PL521.B6.GA300 rev G
PL521.B6.D301 rev H
PL521.B6.D302 rev J
PL521.B6.D303 rev F
PL521.B6.D304 rev F
PL521.B6.D305
PL521.B6.Mspec.004
AD_36_006 rev B

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 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 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 and policy DM1 of the emerging Manchester Core Strategy.

8) The development hereby approved shall incorporate measures 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 Greater Manchester Police. Written confirmation of those measures are to be provided to the City Council, as the Local Planning Authority within 28 days of the date of this consent.

Reason - To reduce the risk of crime pursuant to policy E3.5 of the Unitary Development Plan for the City of Manchester and policy DM1 of the emerging Manchester Core Strategy.

9) Before development commences for the new entrance lobby to Block B, full details of the security standards and specifications of the new lobby and entrance doors/windows etc 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. For the avoidance of doubt, the new entrance lobby and the fittings within it shall be certified to the standards of Secured by Design.

Reason - To reduce the risk of crime pursuant to policy E3.5 of the Unitary Development Plan for the City of Manchester and policy DM1 of the emerging Manchester Core Strategy.

10) Within 28 days of the date of this approval, full details of all roller shutters and security grilles to be installed as part of the development shall be submitted to and agreed in writing by the City Council as local planning authority. The roller shutters/security grilles shall be of an open grille construction, with the housing for the mechanism recessed behind the plane of the wall where the mechanism is to be located and be colour-coated in accordance with a scheme to be agreed in writing with the City Council as local planning authority before they are in place.

Reason - In the interests of visual amenity, pursuant to policies H2.2 and H2.7 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

11) Space and facilities for bicycle parking at the development shall be implemented in accordance with the information shown on drawings AL_11_003N and AL_11_004L (20 in total). These facilities shall 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, pursuant to policy T3.7 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

12) Within 28 days of the date of this approval, a scheme for the provision and implementation of a permanent flood defence structure shall be submitted to and approved in writing by the City Council as local planning authority. The scheme shall be completed in accordance with the approved plans. Submitted details must also include confirmation of the ownership of the structure, an agreement and programme for future inspection and maintenance of the structure over the lifetime of the development and details of any commuted agreements with statutory authorities or bodies affecting the structure.

Reason - To reduce the risk of flooding affecting the development, pursuant to policies E3.4 and DC21.1 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

13) 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, within 28 days of the date of this approval, 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 within 28 days of the date of this approval,. 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 Block B of 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, pursuant to UDP policy H2.2 and policy DM1 of the emerging Manchester Core Strategy.

14) All vehicles entering and leaving the site during the construction period are to pass through a wheel wash. This shall be in accordance with the location identified on the Traffic Management Plan (rev B) received on 4 December 2006. The wheel wash facility shall be retained on site for the duration of the construction period.

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, pursuant to policies H2.2 and E3.3 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

15) The development shall be the subject of a building lighting/illumination scheme that shall be implemented in accordance with the following drawings and documents:

PL521.B6.GA202 rI
iGuzzini Landscape Lighting Plots (17.12.2007)
1355(62) 202 rev F
1255(65) 501 rev E
1355(65) 202 rev F
AIS-OW-MSL-0007-B and associated Roadway reports

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development, pursuant to policies H2.2 and H2.7 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

16) Within 28 days of the date of this consent, full details of a scheme for the improvement of the pedestrian environment, including lighting, of the area underneath the railway bridge to the south-east of the development site along Red Bank shall be submitted to and approved in writing by the City Council as local planning authority. The approved improvement scheme shall be implemented prior to the first occupation of the development, unless otherwise agreed in writing with the City Council as local planning authority.

Reason - To improve pedestrian linkages between the development site and the surrounding area, pursuant to policy T3.1 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

17) Notwithstanding the approved plans, details of access proposals for mobility impaired persons including route widths, levels and gradients, (including full disabled access along the open space to the north of the site and its junction with Scotland), shall be submitted to and approved in writing by the City Council as local planning authority within 28 days of the date of this approval. The approved details shall be implemented before the development is first brought into use.

Reason - To ensure that satisfactory disabled access is provided within the application site, pursuant to policy DC9.1 'New Commercial and Industrial Development - Access for Disabled People' and policy DM1 of the emerging Manchester Core Strategy.

18) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'good', unless otherwise agreed in writing by the City Council as local planning authority. A post construction review certificate for Block A shall be submitted to and approved in writing by the City Council as local planning authority within 28 days of the date of this consent. A post construction review certificate for Block B shall be submitted to and approved in writing by the City Council as local planning authority before any part of Block B is first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester and policy DM1 of the emerging Manchester Core Strategy.

19) Before first occupation of Block B, the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme that shall be submitted to and approved in writing by the City Council as local planning authority within 28 days of the date of this approval, in order to secure a reduction in the level of noise emanating from the equipment. The scheme shall then be implemenetd in accordance with these details.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

20) Prior to first occupation of the proposed commercial unit, a scheme for the extraction of any fumes, vapours and odours from any kitchen areas within the commercial units hereby approved 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 the amenities of the occupiers nearby properties, pursuant to policy H2.2 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

21) Notwithstanding the approved highways layout, full details of the internal highways layout and off-site highways works shall be submitted to, and approved in writing by, the City Council as local planning authority within 28 days of the date of this consent. The development shall be implemented in accordance with the approved plans.

Reason - In the interests of pedestrian and highway safety, pursuant to policy T3.1 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

22) Details of a Green Travel Plan Strategy, implementation and monitoring of effectiveness shall be submitted to and approved in writing by the City Council as local planning authority within 28 days of the date of this consent. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Green Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remains effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Green Travel Plan Strategy shall be adopted and implemented.

Reason - In accordance with the provisions contained within Planning Policy Guidance and pursuant to policy T3.1 of the Unitary Development Plan for Manchester (adopted 1995) and policy DM1 of the emerging Manchester Core Strategy.

**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: 25 May 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