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 £97 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

Mr Damian Smith
Manchester Metropolitan University
All Saints Building
Oxford Road
Manchester
M15 6BH

Agent (if used)

Mr Ben Grisdale
Fielden Clegg Bradley Studios
Bath Brewery
Bath& North East Somerset
BA1 7DE

Part 1 Particulars of the application/development

Proposal: Erection of new four storey Students Union building on existing car park. Part of car park to be retained with existing vehicular access points unchanged. Students' Union to contain shop, hall, cafe/bar, studios, meeting rooms and office spaces.

Location: Salutation Car Park Site, 12 Higher Chatham Street, Hulme, Manchester, M15 6ED

Date of application: 24 January 2013

Application number: 101104/FO/2012/C1

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

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. Officers held extensive pre-application discussions with the applicant to establish the "in-principle acceptability" of the proposed development. Officers also advised the applicants about the level of information that would need to be submitted with the application to overcome any concerns in relation to potential impacts on amenity, the environment and highway safety, and issues relating to these aspects of the scheme are detailed in this report. Officers also worked with the applicant during the planning application process to deal with comments raised by consultees.

Reason(s) for decision

On the basis that the proposals subject to compliance with the conditions below, generally accord with the policies contained within the National Planning Policy

Framework, in particular Section 1 (Building a strong and competitive economy), Section 4 (Promoting Sustainable Transport), Section 7 (Requiring Good Design), Section 8 (Promoting healthy communities),Section 10 (Meeting the challenge of climate change, flooding and Coastal change, Section 11 (Conserving and enhancing the natural environment), the Development Plan specifically Core Strategy Policies SP1 (Spatial Principles), EC1 (Economy), C1 (Centres), CC5 (Transport), EN1 (Environment), CC9 (Design and Heritage), CC10 (A Place of Everyone), T1 (Sustainable Transport), T2 (Accessible areas of opportunity and need), EN9 (Green Infrastructure), EN16 (Air Quality), EN17 (Water Quality), EN18 (Contaminated Land and Ground Stability), DM1 (Development Management), and saved UDP DC20 (Archaeology) in that subject to conditions the development would be highly sustainable and be consistent with the aim of bringing forward economic and commercial development which would be consistent with the regeneration objectives within the City, would improve pedestrian safety, improve the adjacent public realm and due to its, location contribute to improving air quality by being accessible by a variety of modes of transport, would have a high standard of design appropriate to its context and character of the area, would not adversely affect a site of archaeological interest would be accessible by a range of sustainable transport options which would help to connect residents to jobs, would not have an adverse impact on water quality, would minimise surface water run-off and minimise ground water contamination, would improve the environment, would achieve high standards of energy efficiency and would not have an adverse impact on the amenity or quality of life of the occupiers of adjacent buildings and there are no material considerations of sufficient weight to indicate otherwise.

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) 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. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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 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 pursuant to paragraph 109 of the National Planning Policy Framework.

3) No development ground works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been i) prepared by an appointed archaeological contractor and ii) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:
1. A phased programme and methodology of site investigation and recording to include:
- archaeological evaluation trenching
- (depending upon the evaluation results) targeted open area archaeological excavation
2. 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, architectural and historical interest represented.
3. Deposition of bound hard copies and digital copies with the Greater Manchester Historic Environment Record.
5. A scheme of dissemination and interpretation for the heritage interest that has been recorded
4. Provision for archive deposition of the reports, finds and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 12, Paragraph 141: "to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part)" and "to make this evidence (and any archive generated) publicly accessible".

4) 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 - - In the interests of the amenities of occupiers of nearby properties pursuant to policy DC26.1 and DC26.5 of the Unitary Development Plan for the City of Manchester and emerging Core Strategy Policy DM1 (Development Management).

5) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City

Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.

Reason - In the interests of the amenities of occupiers of nearby properties pursuant to policy DC26.1 and DC26.5 of the Unitary Development Plan for the City of Manchester and emerging Core Strategy Policy DM1 (Development Management).

6) 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 the amenities of occupiers of nearby properties pursuant to policy H2.2, DC26.1 and DC26.5 of the Unitary Development Plan for the City of Manchester and emerging Core Strategy Policy DM1 (Development Management).

7) 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 and in the interests of the amenities of occupiers of nearby properties pursuant to policy DC26.1 and DC26.5 of the Unitary Development Plan for the City of Manchester and emerging Core Strategy Policy DM1 (Development Management).

8) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

9) 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.

10) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the

proposed building shall be submitted to and approved in writing by the City Council as the local planning authority. Any works approved shall be implemented in full within six months of any part 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 in accordance with policy DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester and Core Strategy Policies CC9 (Design and Heritage) and DM1 (Development Management).

11) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policy DP3 of Regional Spatial Strategy for the North West (RSS), and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

12) Before any use hereby approved commences, 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.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

13) Before first occupation of the development 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 policies SP1 and DM1 of the Core Strategy.

14) The development hereby approved shall be carried out in accordance with the following drawings and documents:
Drawings:
1654/P/001 Rev C
1654/P/003 Rev C
1654/P/005 Rev D
1654/P/010 Rev C
1654/P/011 Rev C
1654/P/012 Rev C
1654/P/013 Rev C
1654/P/014 Rev C
1654/P/015 Rev C
1654/P/016 Rev C
1654/P/020 Rev C
1654/P/021 Rev C

1654/P/022 Rev C
1654/P/023 Rev C
1654/P/030 Rev C
1654/P/031 Rev C
1654/P/032 Rev C
1654/P/033 Rev C
1654/P/034 Rev C
1654/P/035 Rev D

Documents:

Design and Access Statement (prepared by Feilden Clegg Bradley Studios)
1654/P/DAS Rev
Birley Field and All Saints Travel Plan Revision D 26 February 2013
Student Union Event Management Strategy (Turner and Townsend)

Supplementary Information:

Acoustics Planning Report prepared by Waterman Group
Archaeological Assessment prepared by Dr Peter Arrowsmith
Crime Impact Statement Produced by Greater Manchester Police
Ecological Appraisal prepared by Waterman Group
Site Investigation Report and desktop report prepared by Ian Farmer Associates
Table of opening hours Prepared by FCBS submitted 23/11/2012 as part of the planning application form

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the 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: 10 April 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