MANCHESTER CITY COUNCIL

IMPORTANT

Planning Permission and 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 required to protect trees.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- 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 the Planning Service, Manchester City Council, PO Box 463, Manchester M60 3NY or email planning@manchester.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant	Name and Address of Agent
Mr Saad Alazzawi Studio 3, 69 Hamilton Road, Longsight Business Park Manchester, M13 0PD Manchester M12 6AN	Mr Paul Butler Associates 31 Blackfriars Road Salford Manchester M3 7AQ

Part I – Particulars of Application

Date of Application	Application ref. no.
22 October 2008	087512/OO/2008/N2

Particulars and location of development:

OUTLINE APPLICATION for the erection of a 111 bed hotel, to a maximum height of 8 storeys, with associated facilities and a commercial unit Class A2/Class B1 (office), 51 car parking spaces on ground floor and basement, new vehicular access points to Polygon Street and taxi drop off point on Brunswick Street

2-10 Stockport Road
Ardwick
Manchester
M12 6AN

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
In that the development accords with policies: E1.1, E3.3, H2.2, S2.1, S2.4 , S2.5, T1.2, T2.6, T3.1, DC9.1, DC10.1, DC21.1, DC26.1 of the Unitary Development Plan for the City of Manchester: Policies: 2.7, 2.13, 2.14, 2.15, 2.18, 2.30, 2.31, 4.8, 4.9, 4.10, 4.11, 6.6, 8, 10 of the Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance; The Regional Spatial Strategy (RSS) for North West England Policies: DP 1, DP 2, DP 5, EM5: Planning Policy Statement Note 1 (PPS1): Delivering Sustainable Development, Planning Policy Statement Note 3 (PPS3): Housing, Planning Policy Statement 6: Planning for Town Centres (PPS 6), Planning Policy

Guidance 24, Planning Policy Statement 25: Development and Flood Risk and that the development provides an active and sustainable use for a derelict and prominent site, secures a quality of design, which complements the scale and appearance of the neighbouring listed Apollo Theatre, does not unduly affect residential amenity and any impact can be incorporate into the local environment and highway network and addressed by conditions thereby positively contributing to the social, economic and environmental regeneration of the local area and the City as a whole.

Date of Decision 15 January 2009

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) Approval of the details of the landscaping of the site (hereinafter called "the reserved matter") shall be obtained from the local planning authority in writing before any development is commenced.

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

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

2) Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

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

3) 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: 355/ H01, H02, H03, H04D, H05A, H06, H07, H08, H09, H10, H11, H12, H13, H14A, H15A, H16 and details of the stacking car lift system (Data Sheet Wohr Parklift 411).

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

4) 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. 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, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

5) The development is to be undertaken in accordance with the design and access statement referenced 08/566 and received on 21st August 2008, unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In order to secure satisfactory disabled access and in the interest of the occupiers of nearby properties in order to comply with Policies H2.2 and DC9 of the Unitary Development Plan for the City of Manchester and Policy 3.1 of The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

6) Before the development commences a scheme for acoustically insulating the residential accommodation against road traffic noise from Stockport Road, Polygon Street and Brunswick Street and music noise from the Apollo Theatre 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 hotel rooms are brought into use

Reason - To secure a reduction in noise from Stockport Road, Polygon Street and Brunswick Street and music noise from the Apollo Theatre in order to protect future guests of the residents from noise nuisance, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

7) Before first occupation of the development the building, together with any externally mounted ancillary equipment and mechanical equipment associated with the operation of the car park shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

8) The car and cycle parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the 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 parking for the development proposed when the building is occupied in order to comply with Policies H2.2 and T2.6 of the Unitary Development Plan for the City of Manchester.

9) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment Desk Study) 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).

The Desk Study shall be prepared by a suitably qualified person whose competence to carry out the Desk Study has been approved in writing by the City Council as local planning authority (an "Expert").

In the event of the Preliminary Risk Assessment Desk Study 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 Scheme) 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 Scheme shall be carried out, by an Expert before development commences and the Expert shall prepare 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. Site Investigation Report 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, an Expert has prepared a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy Site Investigation Report) which shall be 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 Site Investigation Report, which shall take precedence over any Remediation Strategy Site Investigation Report or earlier Revised Remediation Strategy Investigation Report.

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 H2.1, H2.2, E3.1 and E3,2 of the Unitary Development Plan for the City of Manchester.

10) Before development commences, 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 policies H2.2 and DC26.1 of the Unitary Development Plan for the City of Manchester.

11) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of "Very Good". A post construction review certificate 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 E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

12) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

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

13) Those part of the premises with permission for Class A2 and B1 (office) uses shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as Local Planning Authority:-

* Monday to Saturday 8:00am to 6:00pm
* Sunday and Bank Holidays 8:00am to 6:00pm.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the adopted UDP.

14) Before the development commences a schedule of proposed servicing arrangements relating to the Hotel (Class C1) and offices (Class A2/B1) to be undertaken within the site shall be submitted to and approved in writing by the City Council as local planning authority. This schedule shall ensure that no loading or unloading shall be carried out after 8.00p.m. Saturdays or before 7.30a.m. Sundays. Loading and unloading shall be restricted to the period between 11.00a.m. and 5.00p.m. daily. The schedule shall be implemented in full unless otherwise approved in writing.

Reason

In the interests of residential amenity pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

15) 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 secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

16) Details of a Travel Plan with the objective of reducing journeys by private vehicles and encourarging guests, customers and staff to walk or use public transport and including particulars of its implementation and monitoring of effectiveness and how measures to improve effectiveness shall be implemented shall be submitted to and approved in writing by the City Council as local planning authority within 12 months of the commencement of the use. For so long as the use is in operation the local planning authority shall be provided with such information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority.

Reason - In the interests of residential amenity and to promote measures to promote alternatives to the use of private transport pursuant to Policy H2.2 of the Unitary Development Plan and Policy 2.30 of the Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance.

17) The development is to be undertaken in accordance with the waste management strategy received on -2008, unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the interests of residential amenity pursuant to policy H2.2 of the Unitary Development Plan and policy 4.11 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

18) The details of an emergency telephone contact number for construction site manager shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

19) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

20) Before the development commences, studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:

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 Office of Communications (OFCOM), or by a body approved by OFCOM and shall include an assessment of when in the construction process an impact on television reception might occur.

b) Measure the existing television signal reception within the potential impact area identified in (a) above before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Office of Communications (OFCOM) 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 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.

21) No development shall take place until details of the formation lay-bys adjacent to the Polygon Street boundary to the site, associated highways works and the provision of pedestrian visibility splays at the proposed vehicular exit points to the residential car parking areas, 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 constructed in accordance with the approved details.

Reason - In the interests of pedestrian and highway safety pursuant to policies H2.2 of the Unitary Development Plan for the City of Manchester.

22) The development hereby permitted shall only be undertaken in accordance with the submitted Flood Risk Assessment referenced 5202/DM/001/01 and the implementation of the following mitigation measures before the first occupation of the authorised building:

i. The identification and provision of a safe route(s) into and out of the site to an appropriate safe haven;
ii. Flood proofing measures detailed on pages 15 to 18 inclusively in the Flood Risk Assessment referenced 5202/DM/001/01;

iii. Finished floor level to be st set no lower than 150mm above existing ground levels.

Reason - In order to ensure safe access and egress to and from the site and reduce the impact of flooding on the proposed development and its future occupants pursuant to policy DC21 of the Unitary Development Plan, Policy 4.8 of the Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance and PPS25.

23) Any dining or bar facilities associated with the hotel (Class C1) use hereby authorised shall only be used by guests and staff of the restaurant and shall not be made available for use by the general public or used for conferences or meetings unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the interests of residential amenity pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

24) Before the development commences a scheme shall be submitted to and approved by the City Council as local planning authority relating to the provision, monitoring and maintenance of CCTV cameras along Brunswick Street which shall be fully implemented prior to the commencement of the authorised use unless otherwise agreed in writing.

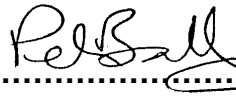
Reason - In the interest of pedestrian safety pursuant to policy E3.5 of the Unitary Development Plan for the City of Manchester.

25) No development shall take place until details of any off-site works associated with the authorised development have been approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details.

Reason - In the interests of pedestrian and highway safety pursuant to policy E3.5 of the Unitary Development Plan for the City of Manchester.

26) The proposed Class A1/B2 commercial office floorspace shall be limited to the area as identified on the approved drawing 355/H04D.

Reason - In the interests of residential amenity pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

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 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. 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.

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