

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Mike Bathurst
Jadebricks Manchester Limited
38 Berkeley Square
London
W1J 5AE

Agent (if used)

Miss Rebecca Boston
Turley
1 New York Street
Manchester
M1 4HD

Part 1 – Particulars of the application/development

Proposal: Partial demolition of existing buildings (68-70 Oldham Street) (retention of facades to both 68 & 70 Oldham Street and internal floors of 68 Oldham Street), and erection of new 10 storey building (plus plant room) to incorporate retained elements, removal of roof and conversion of existing warehouse building (61 Spear Street) with 3 storey rooftop extension to create aparthotel (sui generis) and ground floor commercial uses (use class E)(a), (b), (c), (e) and (g) only.

Location: 68-70 Oldham Street, Manchester, M4 1LF

Date of application: 15 September 2022

Application number: 134953/FO/2022

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 35 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. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the application.

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

(a) Dwgs 10338-SHP-A-B5D8-G100-XP-XX-001 P01 Existing Site Location Plan, 10338-SHP-A-B5D8-G100-XP-XX-002 P01 Existing Red Line Boundary

(b) Dwgs 10338-SHP-A-B5D8-G200-XP-B1-001 P01 Existing Plan - Level B1 - Basement, 10338-SHP-A-B5D8-G200-XP-00-001 P01 Existing Plan - Level 00 - Ground Floor, 10338-SHP-A-B5D8-G200-XP-01-001 P01 Existing Plan - Level 01, 10338-SHP-A-B5D8-G200-XP-02-001 P01 Existing Plan - Level 02 10338-SHP-A-B5D8-G200-XP-03-001 P01 Existing Plan - Level 03, 10338-SHP-A-B5D8-G200-XP-RF-001 P01 Existing Plan - Level RF - Roof, 10338-SHP-A-B5D8-G200-XE-NE-001 P01 Existing Elevation - North East - Warwick Street, 10338-SHP-A-B5D8-G200-XE-NW-001 P01 Existing Elevation - North West - Oldham Street, 10338-SHP-A-B5D8-G200-XE-SE-001 P01 Existing Elevation - South East - Spear Street and 10338-SHP-A-B5D8-G200-XE-SW-001 P01 Existing Elevation - South West - Back Spear Street

(c) Dwgs 10338-SHP-A-B5D8-G200-PL-B1-001 P01 General Arrangements Plan - Level B1 - Basement, 10338-SHP-A-B5D8-G200-PL-00-001 P03 General Arrangements Plan - Level 00 - Ground Floor, 10338-SHP-A-B5D8-G200-PL-01-001 P01 General Arrangements Plan - Level 01-02, 10338-SHP-A-B5D8-G200-PL-03-001 P01 General Arrangements Plan - Level 03, 10338-SHP-A-B5D8-G200-PL-04-001 P02 General Arrangements Plan - Level 04-05, 10338-SHP-A-B5D8-G200-PL-06-001 P02 General Arrangements Plan - Level 06 and 10338-SHP-A-B5D8-G200-PL-07-001 P02 General Arrangements Plan - Level 07-09;

(d) Dwgs 10338-SHP-A-B5D8-G200-EL-NE-001 P02 General Arrangements Elevation - North East - Warwick Street, 10338-SHP-A-B5D8-G200-EL-NW-001 P05 General Arrangements Elevation - North West - Oldham Street, 10338-SHP-A-B5D8-G200-EL-NW-002 P03 General Arrangements Elevation - North West - Back Spear Street, 10338-SHP-A-B5D8-G200-EL-SE-001 P04 General Arrangements Elevation - South East - Spear Street, 10338-SHP-A-B5D8-G200-EL-SW-001 P04 General Arrangements Elevation - South West - Back Spear Street, 10338-SHP-A-B5D8-G200-SE-AA-001 P01 General Arrangements - Section AA and 10338-SHP-A-B5D8-G200-SE-BB-001 P01 General Arrangements - Section BB,

(e) Dwgs 10338-SHP-A-B5D8-G200-PL-RF-001 P02 General Arrangements Plan - Parapet Level, 10338-SHP-A-B5D8-G200-PL-RF-002 P02 General Arrangements Plan - Roof Level, 10338-SHP-A-B5D8-G251-DE-XX-001 P03 External Wall Façade Detail - Lower Level Brickwork, 10338-SHP-A-B5D8-G251-DE-XX-002 P03 External Wall Façade Detail - Level 02 Brickwork, 10338-SHP-A-B5D8-G251-DE-XX-003 P03 External Wall Façade Detail - Level 05 Brickwork, 10338-SHP-A-B5D8-G251-DE-XX-004 P03 External Wall Façade Detail - Upper Level Zinc Shingles, 10338-SHP-A-B5D8-G251-DE-XX-005 P04 External Wall Façade Detail - Upper Level Red Brickwork, 10338-SHP-A-B5D8-G251-DE-XX-006 P04 External Wall Façade Detail - Lower Level Brickwork - Oldham Street, 10338-SHP-A-B5D8-G251-DE-XX-007 P01 External Wall Façade Detail - Lower Level Brickwork - Oldham Street, 10338-SHP-A-B5D8-G400-EL-SW-001 P01 External Signage Elevation - South West - Back Spear Street, 10338-SHP-A-B5D8-JC20-PL-TY-001 P01 Demolition Plan - Level TY -Typical Level, 10338-SHP-A-B5D8-JC20-EL-NE-001 P01 Demolition Elevation - North East - Warwick Street and 10338-SHP-A-B5D8-JC20-EL-SE-001 P01 Demolition Elevation - South East - Spear Street;

- (f) Crime Impact Statement Version A 15-09-22 stamped as received on 14-09-22 as amended by Turley's e-mail dated 08-11-22;
- (g) Accommodation Schedule in section 4.1 of Simpson Haugh's Design and Access Statement Sept 2022 Ref 10338-SHP-RP-B5D8-DAS01 stamped as received on 14-09-22;
- (h) Section 5.0 of Simpson Haugh's Design and Access Statement Sept 2022 Ref 10338-SHP-RP-B5D8-DAS01 stamped as received on 14-09-22;
- (i) Turley's e-mail response to consultations 19-10-22 in relation to TRO's and S278 works.
- (j) Inclusions of measures and targets set out in the Oldham Street Hotel Manchester Energy and Sustainability Statement, Version: V2 09/09/2022 by Calwell bpp.energy stamped as received on 14-09-22
- (k) Inclusion of measures and targets within Caldwell bpp.energy Embodied Carbon Statement Version: V1.0: 24/11/2022;
- (l) Air Quality Assessment Oldham Street, Manchester Client: Jadebricks Manchester Limited Reference: 5898r1 Dated: 9th August 2022 stamped as received on 14-09-22
- (m) Oldham street hotel, Manchester, Flood Risk Assessment, 1812-OSH-DP2-A180-RP-XX-9041 Rev P02 and Drainage strategy 1812-OS-DP2-A180-RP-XX-9040 by (dp)2 stamped as received on 14 -09-22;
- (n) Television and Radio Reception Impact Assessment 68 - 70 Oldham Street and 61 Spear Street, Manchester by GTech stamped as received on 14-09-22;
- (n) DESKTOP WIND MICROCLIMATE STUDY 68-70 Oldham Street, Manchester by GVA stamped as received on 14-09-22;
- (o) GTech Surveys Limited Broadband Connectivity Assessment 68 - 70 Oldham Street and 61 Spear Street, Manchester stamped as received on 14-09-22;
- (p) Oldham Street, Manchester Preliminary Ecological Appraisal Interim Report by rps dated 15-08-22 and Bat Survey also by rps dated 06-11-22 both stamped as received on 14-09-22;
- (q) 68 - 70 Oldham Street; 61 Spear Street, Manchester, Ventilation Strategy Statement stamped as received on 14-09-22;
- (r) Phase 1 Desk Study by Solmek, 1 August 2022, S220723, 68-70 Oldham Street & 61 Spear Street, Manchester stamped as received on 14-09-22;
- (s) Oldham Street, Manchester Transport Statement Curtins Ref: 79424-CUR-00-XX-RP-TP-001 Revision: V04 : 08 September 2022 stamped as received on 14-09-22;
- (t) Oldham Street, Manchester, Interim Travel Plan Curtins Ref: 79424-CUR-00-XX-RP-TP-002 Revision: V04, : 08 September 2022 stamped as received on 14-09-22;
- (u) Waste Management and Servicing Strategy Curtins Ref: 79424-CUR-00-XX-RP-TP-003 Revision: V05: 08 September 2022 stamped as received on 14-09-22;

(v) Desktop Wind Microclimate Study, 68-70 Manchester stamped as received on 14-09-22; and

(x) 68-70 Oldham Street, 61 Spear Street, Manchester Noise Impact Assessment dated 01-09-09 stamped as received on 14-09-22 and Project Technical Memorandum by Hann Tucker Associates dated 19-12-22.

(y) Archaeological Desk-Based Assessment Oldham Street and Spear Street, Manchester by Salford Archaeology stamped as received on 14-09-22

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan policies DC19.1, DC20 and DC26.1.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development other than demolition the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- *hand sized samples and specifications of all materials to be used on all external elevations;

- *drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme: and

- *a programme for the production of the full sized sample panels and strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels , details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

(b) Prior to above ground development submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle in line with the Caldwell bpp.energy Embodied Carbon Statement Version: V1.0: 24/11/2022;

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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.

4) a) Notwithstanding the Phase 1 Desk Study by Solmek, 1 August 2022, S220723, 68-70 Oldham Street & 61 Spear Street, Manchester stamped as received on 14-09-22 prior to the commencement of the development other than demolition the following information should be submitted for approval in writing by the City Council, as Local Planning Authority:

- Updated final risk assessment/ ground investigation; and
- Remediation Strategy.

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 other than demolition shall not commence in the identified areas 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 other than demolition 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 prior to the first occupation of the scheme.

5) Prior to the commencement of development, a detailed construction management plan outlining working practices during development shall be submitted for approval in writing by the local planning authority, which should include;

- o Display of an emergency contact number;
- o Arrangements that no noisy work shall commence before 08:30
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

6) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works for the redevelopment of the site has been made, and evidence of that contract has been supplied to the City Council as local planning authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

7) Prior to use of the external roof terrace on the 7th floor commencing, a management strategy for the operation of the area, to include hours of operation, details of how noise outbreak from the internal areas would be managed how the noise from patrons using the terrace will be managed and how the area will be cleared and closed by 23.00 and which precludes the playing of any amplified music shall be submitted to an approved in writing by the City Council as Local Planning Authority.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

8) No development works shall take place until a Written Scheme of Investigation (WSI), including a programme of works, has been submitted to

and approved in writing by the local planning authority. The WSI, which shall be implemented in accordance with the approved details and programme, shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

- historic building investigation;
- informed by the above, where required, archaeological evaluation trenching;
- pending the results of the above, where required, a targeted open-area excavation.

2. A programme for post-investigation assessment to include:

- production of a final report on the results of the investigations and their significance.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results of the archaeological investigations commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.

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

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policies EN3 of the Manchester Core Strategy (2012) and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995).

9) Notwithstanding the details as set out within condition 2 no development shall take place until details of the surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority. This shall include:

- *Finalised drainage layout showing all components, levels and connectivity.

- *Finished floor levels and flood resistance/resilience measures shall be set in accordance with No 3 Circle Square, Manchester Flood Risk Assessment and Drainage Strategy (Curtins Ref: CS3-CUR-03-XX-RP-D-92000 Revision: V02 Issue Date: 01 July 2022). Evidence shall be presented of retention through to final design.

- *A Flood Emergency Plan covering the points recommended in No 3 Circle Square, Manchester Flood Risk Assessment and Drainage Strategy (Curtins Ref: CS3-CUR-03-XX-RP-D-92000 Revision: V02 Issue Date: 01 July 2022).

- *Evidence that the drainage system has been designed to the restricted flow rates previously approved, which shall present evidence of previous approvals.

- *Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;

- *Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

- *For sites where proposed development would cause pollution risk to surface water, evidence of pollution control measures (preferably through SuDS) is required.

- *Where an application is part of a larger site which already has planning permission it is essential that the new proposal does not compromise the drainage scheme already approved.

- *Hydraulic calculation of the proposed drainage system;

- *Construction details of flow control and SuDS elements.

The approved details shall be implemented as part of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

10) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- (a) Verification report providing photographic evidence of construction as per design drawings;
- (b) As built construction drawings if different from design construction drawings;
- (c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

11) The development hereby approved shall be carried out in accordance with the targets set out within the Oldham Street Hotel Manchester Energy and Sustainability Statement, Version: V2 09/09/2022 by Calwell bpp.energy stamped as received on 14-09-22

A post construction statement shall be submitted within 12 months of occupation of the development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

12) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'Excellent' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, within three months of the buildings hereby approved being 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, and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

13) Notwithstanding the recommendation within the 68-70 Oldham Street, 61 Spear Street, Manchester Noise Impact Assessment dated 01-09-09 stamped as received on 14-09-22 before the operation of each ground floor commercial units commences , details of how the spaces will be acoustically insulated and treated to limit the break out of noise shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include a noise study of the premises and a scheme of acoustic treatment.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency

bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively. The scheme proposed may need to include different measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels.

The approved noise insulation scheme shall be completed before any of the approved uses commence.

Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation arising directly from the proposed development shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

14) Before any use of each ground floor commercial uses hereby approved commences details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

15) Prior to occupation of

(a) The aparthotel accommodation and communal areas (including terraces); and

(b) Each of the ground floor commercial units

a scheme for the acoustic insulation of any plant including any MVHR system externally mounted ancillary equipment, lift equipment, substation and any emergency plant associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location shall be 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. The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

16) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within each ground floor commercial unit shall be submitted to and approved in writing by the City Council as local planning authority prior to commencement of those uses. The details of the approved scheme shall be implemented prior to occupancy of each unit and shall remain in situ whilst the use or development is in operation.

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (withdrawn but still available via an internet search). It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B) or other relevant guidance or documents which supersede this guidance. Details should also be provided in relation to replacement air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

17) The development hereby approved shall be carried out in accordance with the Waste Management and Servicing Strategy
Curtins Ref: 79424-CUR-00-XX-RP-TP-003 Revision: V05: 08 September 2022
stamped as received on 14-09-22

The details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

The approved details shall be implemented and remain in place for as long as the aparthotel and commercial units are in use (and any subsequent permitted changes of use under Class E)

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

18) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal

iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

19) (a) Three months prior to the first occupation of the development, a Local Benefit Proposal Framework that outlines the approach to local recruitment for the end use(s), shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the occupation of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships;
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal; and
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives;

(b) Within 6 months of the first occupation of the development, a Local Benefit Proposal which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council, as Local Planning Authority. Any Local Benefit Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is operation.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

20) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

21) Notwithstanding the Television and Radio Reception Impact Assessment 68 - 70 Oldham Street and 61 Spear Street, Manchester by GTech stamped as received on 14-09-22 if following commencement of construction of the hereby approved development, any interference complaint received by the Local Planning Authority shall be investigated to identify whether the reported television interference is caused by the Development hereby permitted. The Local Planning Authority will inform the developer of the television interference complaint received. Once notified, the developer shall instruct a suitably qualified person to investigate the interference complaint within 6 weeks and notify the Local Planning Authority of the results and the proposed mitigation solution. If the interference is deemed to have been caused by the Development,

hereby permitted mitigation will be installed as soon as reasonably practicable but no later than 3 months from submission of the initial investigation to the Local Planning Authority. No action shall be required in relation to television interference complaints after the date 12 months from the completion of development.

Reason - To ensure terrestrial television services are maintained In the interest of residential amenity, as specified in Core Strategy Policies DM1 and SP1

22) Prior to implementation of any proposed lighting scheme (including on the 7th floor roof terrace) details of the scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

23) The development hereby approved shall be carried out in accordance with the Oldham Street, Manchester, Interim Travel Plan
Curtins Ref: 79424-CUR-00-XX-RP-TP-002 Revision: V04, : 08 September 2022
stamped as received on 14-09-22

Within 3 months of the completion of the travel survey, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

In this condition a revised travel plan means a document that includes the following:

- i) the measures proposed to be taken to reduce dependency on the private car by building occupiers;
- ii) a commitment to surveying the travel patterns of residents within the first six months of use of the development or when two thirds of the units are occupied (whichever is sooner) and thereafter from time to time;
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car;
- iv) measures for the delivery of specified travel plan services;
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car;
- vi) details of cycle parking within the public realm

Reason - To assist promoting the use of sustainable forms of travel and to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution. , pursuant to policies SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

24) Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) the premises shall only be used as an apart hotel (Sui Generis) with ancillary restaurant/bar and Class E ((a), (b), (c), (e) and (g) only within the ground floor

commercial units as shown in dwgs 10338-SHP-A-B5D8-G200-XP-00-001 and 10338-SHP-A-B5D8-G200-PL-B1-001 and for no other purposes.

There shall be no live music or live entertainment in this areas at any time with background music only.

Reason - To ensure that the building is used solely for the intended purpose to safeguard the character of the area pursuant to policies SP1, EC7 and DM1 of the Manchester Core Strategy (2012).

25) Deliveries, servicing and collections associated with the management of the building and ancillary uses within it including waste collections shall not take place outside the following hours:

07:30 to 20:00 Monday to Saturday

10:00 to 18:00 Sundays and Bank Holidays

The approved details shall be implemented and remain in place for as long as the development is in use (and any subsequent permitted changes of use under Class E)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

26) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason - To prevent pollution of controlled waters from potential contamination on site. Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

27) The window(s) at ground level, fronting onto Oldham Street, Warwick Street (with the exception of those to the back of house areas (dark pink areas within dwg 10338-SHP-A-B5D8-G200-PL-00-001) and Spear Street shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

28) If any external lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter

be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

29) Prior to occupation of the aparthotel use a strategy for the management and provision of suitable certified mobile hoists within the rooms for disabled people shall be submitted to and approved in writing by the City Council as Local Planning Authority on the basis of an initial provision of one hoist. Final details of the number and types of hoists shall be submitted to and agreed in writing not more than 12 months following the use of the hotel commencing. The details shall include an evidence based assessment/evaluation of the demand for this facility by guests. The approved details shall be fully implemented and retained thereafter.

Reason - To ensure that adequate provision of hoist facilities for guests is provided, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy (2012).

30) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas of public realm during the hours that it is open to the general public and via the main entrances.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1

31) The development shall be carried out in accordance with sections 4,5 and 6 of the Crime Impact Statement Version A 15-09-22 stamped as received on 14-09-22 as amended by Turley's e-mail dated 08-11-22. The development shall only be carried out in accordance with these approved details and within 3 months of completion, the applicant will confirm in writing to the Council as local planning authority that the development has achieved Secure 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

32) Notwithstanding the details contained within condition 2 above prior to the first occupation of the aparthotel a scheme of highway works and footpaths reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

(a) Detailed designs in relation to the above to including materials, kerb heights, installation of any dropped kerbs with tactile pavers across any vehicle access / layby adjacent to the site;

(b) Amendments to the existing TROs; and

(c) Details of a disabled parking bay on Houldsworth Street (adjacent to Oldham Street)

The approved scheme shall be implemented and be in place prior to the first occupation of the aparthotel accommodation and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

33) In the event that any of the commercial units, as indicated on drawings 10338-SHP-A-B5D8-G200-PL-00-001 P03 and 10338-SHP-A-B5D8-G200-PL-B1-001 Rev PO1 are occupied as an restaurant (Class E) prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority.

A Management Strategy for patrons and control of any external areas. For the avoidance of doubt this shall include:

- *An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers)

- *Details of a Dispersal Procedure

- * Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

34) No doors (other than those designated as access to the substation, fire exits and ground floor bin store shown on plan 10338-SHP-A-B5D8-G200-PL-00-001 Rev PO3) shall open outwards onto adjacent public highway.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

35) Prior to the first occupation of the aparthotel accommodation the 15 cycle parking spaces shall be fully implemented as shown in dwg 10338-SHP-A-B5D8-G200-PL-00-001 Rev PO3

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

36) Prior to the first use of the development hereby approved a external signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

37) The 7th floor amenity space and roof terrace hereby approved shall be used as ancillary facilities for aparthotel users or visitors only and shall not be accessible or useable by the general public.

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for office purposes.

38) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps to the buildings hereby approved. The air source heat pumps must also comply with the noise criteria as specified in condition 15. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the air source heat pumps are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

39)) Notwithstanding the documents detailed in condition 2, prior to the commencement of development a programme for submission of final details of the following shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted.

(a) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the back of pavement and the line of the proposed building on all site boundaries;

(b) Details of measures to create potential opportunities to enhance and create new biodiversity within the site to include bat boxes and bird boxes;

(c) Details of the blue roof at level 6 facing Oldham Street and green/blue roof at level 7 on the extended warehouse; and

(d) Details of wind mitigation measures on the 6th floor roof terrace.

The details shall then be submitted and / or carried out in accordance with the approved programme and approved details.

Reason - To ensure a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, 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 policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

40) The demolition of the existing buildings on the site shall not commence unless and until a Demolition Method Statement including a structural method statement for the

retained elements and boundary treatment to the site during and following demolition has been submitted to and approved in writing by the City Council as Local Planning Authority.

The approved Method Statements shall be adhered to throughout the Demolition period
Reason - In the interest of visual amenity of the conservation area pursuant to policies SP1, EN3, EN15, EN16, EN17 and EN18 and DM1 of the Manchester Core Strategy (2012)

41) Before any works necessary to implement the approval commence a methodology and specification for any associated scaffolding and support structure for the facade including its location, means of affixing to the building, location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following removal shall be submitted to and approved in writing by the City Council as local planning authority. No development shall commence unless and until the above details have been agreed.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

42) Notwithstanding the details as set out in condition 2 above and no development other than demolition shall commence unless and until final details (including where appropriate specification and method statement) of the following has been submitted to and approved in writing by the City Council as Local Planning Authority:

- (a) Full survey / investigation /reinstatement and repair strategy and details / methodology for façade reinstatement;
- (b) Details of how windows would be repaired and reinstated;
- (c) Details of the proposed method of external cleaning;
- (d) Interface details between new and retained elements.
- (e) Specification and methodology for paint removal, pointing and any replacement brickwork;
- (f) removal of the non original concrete finish reinstatement of former entrances on Spear Street; and
- (g) Full decoration / finishes of all retained external facades.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

43) Notwithstanding the details as set out in condition 2 above and no development shall commence unless and until final details (including where appropriate specification and method statement) of the following has been submitted to and approved in writing by the City Council as Local Planning Authority:

(a) Interface details between new and retained elements.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

44) (a) Notwithstanding the details submitted (particularly the "68-70 Oldham Street, 61 Spear Street, Manchester Noise Impact Assessment" dated 01-09-09, stamped as received by the Council on 14-09-22, and the "Project Technical Memorandum" by Hann Tucker Associates, dated 19-12-22), before the development commences, other than demolition, a final scheme for acoustically insulating the development hereby permitted against any actual or potential sources of noise from:

*any commercial/industrial premises in the vicinity of the development (including in particular entertainment noise from the lawful operation of The Castle Hotel and Gulliver's)

* the local traffic network;

* any mechanical ventilation system installed as part of the development; and

*noise transfer from the bar area to rooms;

shall be submitted to the City Council as local planning authority in writing for its written approval ("the final scheme"). The final scheme shall:

(i) be informed by and follow the general principles contained in the "68-70 Oldham Street, 61 Spear Street, Manchester Noise Impact Assessment" dated 01-09-09, stamped as received by the Council on 14-09-22, and the "Project Technical Memorandum" by Hann Tucker Associates dated 19-12-22, and mitigation may therefore comprise:

Independent wall linings to structurally connected adjacencies.

Raised acoustic flooring and "box-in-box" construction to the worst affected Level 01-02 adjacencies.

Raised acoustic floor finish or appropriate structural isolation to rooms within new structure.

(ii) be informed by noise survey data (which shall be submitted to the Council with the final scheme), which shall include measurements taken during a rush-hour period and night time, as well as during entertainment events hosted in the Castle Hotel, in order to determine the appropriate sound insulation measures necessary.

(iii) Demonstrate how the acoustic insulation proposed in the final scheme will achieve the following noise criteria in all aparthotel units hereby permitted:

1. Bedrooms/rooms for overnight accommodation (night time - 23.00 - 07.00): 30 dB LAeq,8hour and individual noise events shall not exceed 45 dB LAm_{ax,F} by more than 15 times.

2. Living rooms (daytime - 07.00 - 23.00) 35 dB LAeq,16hour

3. Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in bedrooms/rooms for overnight accommodation) 47dB and 41dB (Leq,5min), respectively. The limit for the other frequencies should be based on achieving (in bedrooms/rooms for overnight accommodation) NR15 Leq,5min (both daytime and night-time).

(iv) include details of a method for inspection and/or monitoring by the Council of the installation of the proposed acoustic insulation, to ensure it is installed in accordance with the approved final scheme.

(v) include details of the sound testing and any other steps which will be taken to ascertain whether the acoustic insulation installed/implemented in accordance with the final scheme have achieved compliance with the criteria set out in this part (a) of this condition, and which will form part of the verification report referred to below. It is expected that 10% of the rooms between Levels 1-5 will be tested post completion to demonstrate that the above criteria will be met. This would include select bedrooms with structural adjacencies, and other bedrooms at different heights and on different facades up to Level 5.

The development shall thereafter proceed in accordance with the approved final scheme and shall be completed before any of the aparthotel accommodation units hereby permitted are occupied.

(b) Prior to first occupation of the aparthotel accommodation units, a verification report shall be submitted to the Council as local planning authority for approval. The verification report must demonstrate:

(i) that the final scheme has been installed/implemented fully in accordance with the details approved under part (a) above

(ii) that the installed acoustic insulation has been tested in accordance with the details approved under part (a) above

(iii) that the testing demonstrates that the installed acoustic insulation achieves the compliance with the noise criteria set out in part (a) above

(iv) if the verification report does not demonstrate that the noise criteria specified above can be met, the report shall include details of the further works or measures to be taken ("the remedial works") to achieve compliance with the noise criteria specified above, together with a timetable for their carrying out. The remedial works shall be carried out in accordance with the approved timetable and the requirements of this part (b) of this condition shall apply to the remedial works and any subsequent requirement for further remedial works. Any aparthotel accommodation units in which it has not been demonstrated that the noise criteria specified above can be met shall not be occupied until a verification report demonstrates that the noise criteria can be met.

(c) The acoustic insulation and any other measures forming part of the final scheme or schemes and any verification report remedial measures shall be retained in situ for as long as the use hereby permitted continues.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance from traffic or other noise sources, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

45) Prior to first occupation of the development hereby approved, a strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority, for the pick up and drop off arrangements to support disabled guests, and their luggage, enter and exit the aparthotel from the surrounding highway (including loading bay to Warwick Street) when dropped off/ picked up by a taxi or other vehicle from outside of the hotel.

The approved strategy shall be implemented upon first use of the development and thereafter retained for as long as the development remains in use.

Reason - To ensure that adequate arrangements are put in place to assist disabled guest enter and exit the aparthotel from the surrounding highway pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

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.

It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and

Network Resilience Teams post planning approval and prior to construction taking place.

Commuted sums are required for any non-standard materials (and street trees) used on the adopted highway.

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation during the construction phase.

Any materials approved for planning purposes should be discussed in full with Building Control. This is to ensure they meet the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with the Building Regulations you should discuss these with the Planning Service as soon as possible as this could materially effect your permission.

As the proposal involves development over 11m in height (or alterations to increase the height of a building above 11m), developers are required to notify the Greater Manchester Fire & Rescue Service of the commencement of development via email to construction-started@manchesterfire.gov.uk

For this development proposals for good practice principles for both the design and operational phases are recommended. Reference should be made to IAQM/EPUK guidance: <http://iaqm.co.uk/guidance>

Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works must be submitted for checking (for a fee) to MCC Bridges/Structures Section. The applicant is advised to contact highways.structures@manchester.gov.uk.

All of the works required to achieve the new accesses / egresses and associated TROs should be included as part of a S278 agreement to be funded by the applicant

If during works to demolish / convert the building to the use hereby permitted any sign of the presence of bats is found, then all such works shall cease until a survey of the site has been undertaken by a suitably qualified ecologist and the results have been submitted to and approved by the Council in writing as local planning authority. Any recommendations for the protection of bats in the submitted document shall be implemented in full and maintained at all time when the building is in use as hereby permitted.

Date: 6 February 2023

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe
Director of Planning, Building Control & Licensing

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, they may appeal to the 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 gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they 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 Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024