

## **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](mailto:planning@manchester.gov.uk)

## **Town & Country Planning Act 1990 (as amended)**

### **Planning Permission**

#### **Applicant**

Cairn Group  
40 West Parade  
Newcastle Upon Tyne  
NE4 7LB

#### **Agent (if used)**

Darren Friston  
Street Design Partnership Ltd  
16 Brewery Yard  
Deva Centre  
Trinity Way  
Salford  
M3 7BB

### **Part 1 – Particulars of the application/development**

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**Proposal:** External alterations to existing hotel to facilitate refurbishment, including alterations to hotel entrance, rear elevation and lightwell.

**Location:** Land At 51 - 57 Piccadilly, Manchester, M1 2AQ

**Date of application:** 14 February 2022

**Application number:** 132937/FO/2022

### **Part 2 – Particulars of decision**

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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**

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Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be acceptable and has been determined in a timely manner.

### **Condition(s) attached to this decision**

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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:

- Proposed Section B-B ref. PS.17
- Proposed Entrance Details Option B ref. PS.30 REV E
- Framework Travel Plan dated August 2016
- HVAC Strategy Statement
- Gardens Hotel refurbishment Acoustic planning report ref. 16318-R01-A
- Site Waste Management Strategy

Received by the City Council as Local Planning Authority on 14 February 2022.

- Proposed Basement, Ground & Upper Ground Floor Plans SK.10 A
- Proposed First, Second & Third Floor Plans ref. SK.11 A
- Crime Impact Statement ref. 2016/0595/CIS/04

Received by the City Council as Local Planning Authority on 31 March 2022.

- Proposed Fourth & Fifth Floor Plans ref. PS.12 B
- Proposed Sixth & Roof Floor Plans ref. PS.13 B
- Proposed Front Piccadilly Elevation ref. PS.14 B
- Proposed Section A-A ref. PS.16
- Proposed Rooftop Deck Sections and Plan ref. PS.19
- Proposed Section DD ref. SK.18
- Bin Store Section

Received by the City Council as Local Planning Authority on 04 August 2022.

- Proposed Back Piccadilly Elevation ref. 7426 - PS.15 - Rev E

Received by the City Council as Local Planning Authority on 16 November 2022.

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

3) Above-ground construction (excluding demolition or internal strip out works) works shall not commence until samples and specifications of all materials to be used in the external elevations of the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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) The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement ref. 2016/0595/CIS/04 received by the City Council as Local Planning Authority on 31 March 2022 and shall not be occupied or used until the City 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 DM1 of the Adopted Core Strategy for the City of Manchester.

5) The development hereby approved shall be carried out in accordance with the Framework Travel Plan dated August 2016 prepared by Vectos dated December 2021. In this condition a travel plan means a document that includes the following:

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of occupants during the first three months of use of the development 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

Within six months of the first use of the development, 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.

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.

- 6) Prior to the commencement of any development a Construction Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Construction Management Plan and shall include:
- o The routing of construction traffic;
  - o Detail the quantification/classification of vehicular activity associated with the construction including commentary on types and frequency of vehicular demands together with evidence (appropriate swept-path assessment);
  - o Details of the location and arrangements for contractor parking;
  - o The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
  - o Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
  - o Specify the working hours for the site;
  - o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete
  - o Identify advisory routes to and from the site for staff and HGVs;
  - o A highway dilapidation survey including photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

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 - In the interest of pedestrian and highway safety, and to ensure that the proposed development is not prejudicial or a nuisance to adjacent dwellings pursuant to policy DM1 of the Core Strategy. Details are required prior to works commencing on site as the impacts of construction works to deliver the development require mitigation.

7) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy received by the City Council as Local Planning Authority on 14 February 2022 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

8) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

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

9) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority.

The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as Local Planning Authority. Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB 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 (Leq,5min), respectively.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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

10) The opening hours for the bar area to non-patrons shall be agreed in writing by the City Council as Local Planning Authority prior to occupation.

Reason - To secure a reduction in noise in order to protect future residents from noise disturbance, pursuant to saved UDP policy DC26 of the Unitary Development Plan and policies SP1 and DM1 of the Core Strategy

11) Prior to the first occupation of the development hereby approved further details of the cycle parking provision shall be submitted in writing to the local planning authority, the agreed level of cycle parking shall thereafter be installed and maintained.

Reason - To assist promoting the use of sustainable forms of travel to the development pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD.

12) Prior to the occupation of the development, details of footway improvements on Back Piccadilly, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented and be in place prior to the first occupation of the development hereby approved 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)

13) Prior to first occupation, a Servicing Management Strategy, detail the frequency and location of all deliveries and servicing to the development, shall be submitted to the City Council as Local Planning Authority.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

14) Prior to the installation of the glazed roller shutter and louvres as shown on the 'Proposed Back Piccadilly Elevation ref. 7426 - PS.15 - Rev E' received by the City Council as Local Planning Authority on 16 November 2022 final details including specifications and materials samples shall be submitted for approval in writing by the City Council as Local Planning Authority. The approved details shall be implemented as part of the proposal.

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.

## **Informatives**

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### **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](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.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Email -[highwaylicenses@manchester.gov.uk](mailto:highwaylicenses@manchester.gov.uk)

The proposed canopy should provide at least 2.3 metre headroom clearance from ground-level. If the canopy projects over the adopted highway by more than 350mm it will require a highway license pursuant to Section 177 of Highways Act 1980

It should be ensured that new doorways are provided in line with Design for Access 2 standards in order to provide adequate disabled access.

Date: 26 January 2023

Signed: 

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](http://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](mailto:planning@manchester.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](http://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](http://www.gov.uk/government/organisations/the-coal-authority)

*Standing Advice valid from 1<sup>st</sup> January 2023 until 31<sup>st</sup> December 2024*