

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 Howard Lord
GGC Polygon Manchester Ltd
C/o Agent

Agent (if used)

Mr Tom Flanagan
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Reconfiguration of ground floor to form residential amenity space and communal areas, creation of commercial unit (use class E) or additional residents communal area following removal of car parking with associated elevational alterations.

Location: Cameron House , Brunswick Street, Manchester, M13 9SG

Date of application: 23 December 2021

Application number: 132590/FO/2021

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 proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions about the density, siting and scale were discussed. The proposal is considered to be acceptable and in accordance with the development plan and therefore determined in a timely manner.

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:

Drawings 2066-ABWA-XX-00-DR-A-(10)-0001, 2066-2066-ABWA-Z1-GF-DR-A-(20)-0100, 2066-ABWA-Z1-01-DR-A-(20)-0100, 2066-ABWA-ZZ-ZZ-DR-A-(20)-0200, 2066-ABWA-ZZ-ZZ-DR-A-(20)-0201, 2066-ABWA-ZZ-ZZ-DR-A-(20)-0202, 2066-ABWA-ZZ-ZZ-DR-A-(38)-001 and 2066-ABWA-XX-XX-VS-A-(95)-1500 stamped as received by the City Council, as Local Planning Authority, on the 23 December 2021

Planning Statement prepared by Paul Butler Associates, Waste Management Strategy prepared by Paul Butler Associates, Waste Management Strategy prepared by Paul Butler Associates, Management Strategy prepared by CERT, Management Strategy prepared by CERT and Local Labour Strategy prepared by Recom stamped as received by the City Council, as Local Planning Authority, on the 23 December 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012).

3) The commercial unit, gym and residents amenity spaces, as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021, can be occupied as Class E (excluding convenience retail) or residents lounge and gym and for no other purposes of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification). The first operation of the commercial unit to be implemented shall thereafter be the permitted use of that unit

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester (2012).

4) The commercial unit, as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021, shall not be open outside the following hours:-

Monday to Friday 07:30 to 20:00

Saturday 08:30 to 20:00

Sunday 10:00 to 16:00

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.

5) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00

No deliveries/waste collections on Sundays and Bank Holidays

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.

6) (a) Prior to the first occupation of the ground floor commercial space, gym and residents lounge as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 dB (L_{aeq}) below the typical background (LA₉₀) level at the nearest noise sensitive location.

(b) Prior to the first occupation of the ground floor commercial space, gym and residents lounge, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

7) Prior to the first use of commercial unit, residents lounge, co working spaces and gymnasium as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021, a scheme of acoustic insulation for those spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the L_{aeq} (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 (L_{eq,5min}), respectively

(b) Prior to the first use of those spaces within phase D2, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

8) The bicycle store as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021 shall be made available for 104 cycle spaces use prior to the first use of the ground floor uses hereby approved. The bicycle store shall then be available at all times whilst the development is occupied.

Reason - To ensure that there is adequate car and cycle parking for the development proposed when the building is occupied in order to comply with policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

9)) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those living, visiting and working at the development
- ii) a commitment to surveying the travel patterns of occupants and their visitors 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 to the development, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

10) Prior to the first use of the commercial unit, as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021, details of any roller shutters to the ground floor uses shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each commercial units and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

11) The commercial unit or residents lounge as shown on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021,, shall remain as one unit and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

12) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, 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.

13) The development hereby approved shall include for full disabled access to be provided to the communal walkways and via the main entrances and to the floors above.

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

14) Prior to the first use of the residents lounge, co working spaces and gymnasium as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021, details of a scheme to extract fumes, vapours and odours from these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority (unless no kitchen extraction or cooking facilities are required). The approved scheme shall then be implemented prior to the first occupation of each of these spaces and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the non residential spaces pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

15) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021, details of the location and a waste management strategy for these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented for as long as the development is in use.

Reason - To ensure adequate refuse arrangement are put in place for the non residential elements of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

16) Prior to the first use of the commercial units, residents lounge, co working spaces and gymnasium as indicated on drawing 2066-ABWA-Z1-01-DR-A-(20)-0100 stamped as received by the City Council, as Local Planning Authority, on 23 December 2021, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority

This shall include the following:

- Creation of two disabled bay and loading bay to Polygon Street;
- Alteration, reinstatement and resurfacing of footways to Polygon Street, Stockport Road and Brunswick street;
- Installation dropped kerbs to Polygon Street/Stockport Road;
- Installation of railings at the crossing at Polygon Street/Stockport Road and at the crossing at Polygon Street and Brunswick Street;
- Creation of new crossing points to Polygon Street and Stockport Road including dropped kerbs and tactile paving;
- Installation of bollards along Polygon Street;
- Installation of Street trees, within tree pits, to Polygon Street; and
- Installation of double yellow lines to Polygon Street including associated Traffic Regulation Order (TROs).

The approved scheme shall be implemented and be in place prior to the first occupation of the commercial units, residents lounge, co working spaces and gymnasium hereby approved.

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).

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.

Date: 9 February 2022

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/planning-inspectorate. 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

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/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

This Standing Advice is valid from 1st January 2021 until 31st December 2022