

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

Kate Magill
Moho Management Company Ltd
Whittington Hall
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Agent (if used)

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Tempest Building
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L2 2DT

Part 1 – Particulars of the application/development

Proposal: Variation of conditions 2 (approved plans) and 5 (acoustics) of planning permission 128569/FO/2020 due to amended acoustic report

Location: Moho Building , 42 Ellesmere Street, Castlefield, Manchester, M15 4JY

Date of application: 31 August 2021

Application number: 131530/JO/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

In assessing the merits of an application for planning permission officers shall work with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. No problems arose in the processing of this application.

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three years beginning on 24 May 2021.

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 Drawings

MOHO SKM (00) 001a Location Plan
MOHO SKM (00) 002a Site Plan
MOHO SKM (00) 210b Proposed Ellesmere Street Elevation;
MOHO SKM (00) 211b Proposed Burton Place Elevation;
MOHO SKM (00) 212b Proposed Arundel Street Elevation;
MOHO SKM (00) 213b Proposed Courtyard Elevation;
MOHO SKM (00) 310b Proposed Section A
MOHO SKM (00) 311b Proposed Section B
MOHO SKM (00) 312a Proposed Section C
MOHO SKM (20) 500b Burton Place Detail Elevation
MOHO SKM (20) 501b Burton Place Detail Elevation

Documents

Design & Access Statement by ShedKM received by the City Council as local planning authority on 5 May 2021; and
External Cladding Assessment memo M001-B dated 4 June 2021 by Sandy Brown.

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) Prior to the commencement of development, a detailed demolition and construction management plan outlining working practices during development (including demolition works) shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt the demolition and construction management plan shall include:

- *Display of an emergency contact number;
- *Details of Wheel Washing (where relevant);
- *Dust suppression measures;
- *Compound locations;
- *Location, removal and recycling of waste;
- *Routing strategy and swept path analysis for construction vehicles;
- *Parking of construction vehicles and staff;
- *Sheeting over of construction vehicles;
- *Communication strategy with residents that shall include details of how engagement with, consultation with and notification of residents during the works shall take place;

Development shall be carried out in accordance with the approved demolition and construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

4) a) Notwithstanding the submitted plans and documents specified in condition 2, prior to the commencement of development, the following shall be submitted to and approved in writing by the City Council, as local planning authority:

A programme for the issue of samples and specifications of all materials to be used on all external elevations of the development and drawings to illustrate the details of a full sized sample panel to be produced either on or off site. For the avoidance of doubt the programme and drawings shall include; timings for the submission of samples and specifications of all materials on the external elevations of the development; full and final jointing and fixing details; drip details to prevent staining; and a strategy for quality control management.

b) All samples and specifications shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the approved programme, as agreed above in part (a).

The development shall be implemented thereafter in accordance with the agreed samples, specifications and details, as relevant to part a and b of this condition.

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.

5) a) The development shall be acoustically insulated in accordance with the External Cladding Assessment memo M001-B dated 4 June 2021 by Sandy Brown in order to secure a reduction in noise within the residential accommodation from the nearby road network and other additional noise sources (including any local commercial/industrial premises). The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times);

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq.

b) When the development reaches practical completion a verification report shall be submitted to and approved in writing by the City Council as local planning authority, which is required to validate that the work undertaken conforms to the recommendations and requirements set out in part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. The verification report shall be submitted to the City Council as local planning authority no later than one calendar month following the practical completion of the development.

If there are instances of non-conformity during the verification stage, these shall be detailed along with mitigation measures required to ensure compliance with the relevant noise criteria. Any subsequent further mitigation measures shall be fully implemented in accordance with a timescale to be agreed with the City Council as Local Planning Authority and thereafter fully implemented, retained and maintained in situ.

Reason - To protect residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the 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.

Date: 25 October 2021

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 their 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.