MANCHESTER CITY COUNCIL

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.
- 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

MANCHESTER CITY COUNCIL

Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Listed Building Consent

Applicant

Real Estate Development Partnership Ltd
80 Mosley Street
Manchester
M2 3FX

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Listed Building Consent for external and internal alterations and repair and change of use of Grade II listed 7 Kelvin Street to 3 no residential apartments (linked to an adjacent 4/5 storey building following the demolition of numbers 42 to 48 Thomas Street- approved under application ref no 113475/FO/2016) above ground floor and basement shop / restaurant (Class A1 or A3) use. (Resubmission of application ref no 113476/LO/2016 previously approved 29.08.2017)

Location: 7 Kelvin Street, Manchester, M4 1ER

Date of application: 19 May 2021

Application number: 130474/LO/2021

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **granted** 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 1 year beginning with the date of this permission.

Reason - To ensure a satisfactory development in line with the requirements of Section 16 of the NPPF and sections 16,66 and 72 of the Listed Building Act 1990 and 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) Site plans 05013 B1 00 0000, 05013 MP 00 0001 and 00 2200 Rev A;

(b) 05013 B1 12 3202 Floor Rev 0, 05013 B1 12 3201 Rev 0, 05013 B1 12 Rev 0, 05013 B1 04 2000 Rev 0 and 05013 B1 04 2001 Rev 0;

(c) 05013 B1 02 1999 Rev B, 05013 B1 02 2000 Rev B, 05013 B1 02 2001 Rev B, 05013 B1 02 2002 Rev B, 05013 B1 02 2003 Rev B and 05013 B1 05 2001 Existing GA Sections AA and BB Rev 0;

(d) 05013 B1 12 3207 Rev 0, 05013 B1 12 3208 Rev 0, 05013 B1 12 3209 Rev 0;

(e) 05013 B1 02 2199 Rev 0, 05013 B1 02 2200 Rev 0, 05013 B1 02 2201 Rev 0, 05013 B1 02 2202 Rev 0, 05013 B1 02 2203 Rev 0, 5013 B1 02 2204 Rev 0, 05013 B1 02 2205 Rev 0 and 05013 B1 02 2206 Proposed Roof Plan Rev 0;

(f) 05013 B1 05 2201, 05013 B1 05 2202, 05013 B1 05 2203 and 05013 B1 05 2204;

(g) 05013 B1 12 3205 Rev 0, 05013 B1 12 3204 Rev 0, 05013 B1 123206 Rev 0, 05013 B1 04 2100 Rev 0 and 05013 B1 042101 Rev 0;

(h) 05013 B1 02 2099 Rev A, 05013 B1 02 2100 Rev A, 05013 B1 02 2101 Rev A, 05013 B1 02 2102 Rev A, 05013 B1 02 2103 Rev A and 05013 B1 04 2100 Rev A

(i) Recommendations in Appendix 8 Indigo Planning's Statement Appendix 3 May 2017 - Response from Stephen Levrant Heritage Architecture;

(j)RED PARTNERSHIP Climate Emergency - Carbon Statement Residential Development, 42-50 Thomas Street, Manchester and WSP's e-mail dated 22-05-20 in relation to Embodied Carbon and the Sustainability Agenda; and

(k) Dwg 05013 B1 03 1200 Rev O, Survey Photographs by Renaissance stamped as received 15-06-20 and IMAGES SUBMITTED AND STAMPED AS RECEIVED 15-06-20 (application ref no CDN/20/0398);

Reason - To ensure that the development is carried out in accordance with the approved plans and pursuant to Core Strategy SP 1, CC3, H1, H8, CC5 , CC6 , CC7, CC9 , CC10, T1, T2 , EN1, EN2 , EN3 , EN6 , EN 8, EN9, EN11, EN14, EN15, EN 16 , EN17, EN18, EN19, DM 1 and PA1 saved Unitary Development Plan polices DC19.1 , DC20 and DC26.1.

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

(a) Method statements for implementing the approved development to ensure careful conservation led standards and to ensure that no further damage or collapse of the listed building occurs;

(b) Following the carrying out of further condition reports details of proposed structural works including any works to the facade to Back Turner Street (with the assumption that there will be minimal intervention, that as much fabric as possible is retained and that means of repair and stabilisation that do not require demolition are adopted (as far as possible);

All of the above shall be implemented in accordance with the approved details

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 DC19.1 of the Unitary Development Plan for the City of Manchester.

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

(a) Detailed schedule of repairs and specification for all of the repair works to the internal and external fabric (including repointing, works to brickwork and works to roof) to include and a method statement for those works;

(b) Following further survey work, details of repair works to timbers and damproofing (with the assumption that there will be minimal intervention and as much original timber as possible is retained);

(c) A detailed audit of all internal and external features of historic and industrial interest that and details of how these will be reused, refurbished or reinstated;

(d) Works to the existing windows (with the assumption that all existing timber windows are retained as far as possible);

(e) Details of works required to acoustically insulate the apartments to include retention of exposed timbers to underside of floors;

(f) Details of new rooflights;

(g) Detailed method statement for brick cleaning (internally and externally);

(h)Details of the proposed roof insulation;

(i) Detailed proposals of works to retain timber linings;

(j) Details of M&E including a Strategy setting out design parameters detailing locations for ducting within rooms and details of conduits on exposed walls;

(k)A Strategy for the location and detailing of all building services including electrics and plumbing, telecommunications, fire/security alarms, door intercom from the main entrance to each apartment, communal tv/satellite connections and aerials CCTV cameras (and associated cabling and equipment) and internal mail boxes; and

(l) A shadow gap detail which would provide a clear expression of new and original building fabric;

All of the above shall be implemented in accordance with the approved details before the development is first occupied

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 DC19.1 of the Unitary Development Plan for the City of Manchester.

5) Notwithstanding the following details submitted with the application within 1 month of signing the construction contract (dated evidence of which should be supplied to the City Council as Local Planning Authority following completion) the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all material to be used on all external elevations of the development and the adjacent pavement. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining and details of the glazing and a strategy for quality control management; and All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme 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.

6) Condition 8 (Archaeology): On the basis of a programme of archaeological works being undertaken in accordance with 42-50 Thomas St & 7 Kelvin Street, Manchester, Written Scheme of Investigation (WSI) Application no.s : 113476/LO/2016 & 113475/FO/2016. Condition 6. LBC Ref: 113476/LO/2016 & Condition 8. PA Ref: 113475/FO/2016

to comprise

1. A phased programme and methodology of investigation and recording to include:
- a Historic England Level 3 historic building survey in accordance with: '42-50 Thomas St. & 7 Kelvin Street, Manchester - Written Scheme of Investigation, final issue by Stephen Levrant Heritage Architecture, dated 22nd May 2020'
- a watching brief on the soft-strip (where necessary) in accordance with: '42-50 Thomas St. & 7 Kelvin Street, Manchester - Written Scheme of Investigation, final issue by Stephen Levrant Heritage Architecture, dated 22nd May 2020'

2. A programme for post investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the heritage interest represented.

3. Dissemination of the results commensurate with their significance.

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

the pre-commencement requirements of the condition are discharged. For the avoidance of doubt. Parts 1-4 will need to be complete prior to occupation of the residential accommodation.

7) Scaffolding shall be erected in accordance with the SCAFFOLDING TOWER SPECIFICATION, Scaffolding Tasks Sheets re no 13167A (RAMS) by Crest, Outline Temporary Works Strategy by Renaissance all stamped as received on 29-03-21 and REAL Estate e-mail in relation to Scaffolding (Condition 26- Scaffolding 7 Kelvin Street) dated 14-04-21.

For the avoidance of doubt if there are any more detailed temporary works (RAMS) and drawings or any fundamental changes to the proposals and any risks that arise on site before or during the works that will cause concerns about the stabiliity of the building structure or need to change the scope or approach to the works, then the City Council need to be informed as soon as possible for formal agreement to the changes and additional detail as local planning authority.

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 DC19.1 of the Unitary Development Plan for the City of Manchester

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: 3 August 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 Planning (Listed Buildings and Conservation Areas) 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, he may appeal to the Secretary of State in accordance with sections 20 and 21 of the Act 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.