



Planning

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Real Estate Investment (Thomas Street) Ltd
80 Mosley Street
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Date: 27 April 2021

Dear Sir/Madam,

Application under Section 96a of the Town & Country Planning Act 1990 (as amended) for a Non-Material change to a planning permission

Application No: 129859/NMC/2021

Description: S96 Application (non material amendment) to conditions 3(Details), 5 (Materials), 8 (Archaeology) and 12 (Acoustics) attached to application ref no 113475/FO/2016.

Location: 42-50 Thomas Street And 7 Kelvin Street, Manchester, M4 1ER

I refer to your application for a non-material amendment to planning permission reference 113475/FO/2016.

Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The proposed amendments are to conditions only. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and are necessary for the reasons set out below. The amendments to the conditions will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

Reason 2: In order to preserve the planning permission, which expires on 01-05-21 it will be necessary for lawful implementation to take place ahead of this date but this would involve not just a level of physical implementation but the discharge of all pre-commencement conditions. The amendment to the trigger is required due to ongoing uncertainty about the deliverability of the proposals due to the ongoing appeal resulting from the refusal of application ref no 125871/LL/2020 which has held up the progress of certain aspects of the design development, intrusive investigations and development of method statements and carrying out of necessary recording (WSI) which the applicant does not want to proceed with until it is clear if they can still fully implement the original consents.

The amendments would enable the implementation of the consent as all other pre-commencement requirements are discharged.

Therefore I can confirm that the proposed amendments are hereby **approved**.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 113475/FO/2016. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 113475/FO/2016 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended conditions also now apply:

3) Condition 3(Details)

Notwithstanding the details as set out in condition 2 above no development shall commence, except as set out in the 'Scope of Works for Implementation' (42-50 Thomas Street And 7 Kelvin Street Manchester) (application ref no 113475/FO/2016) by Real Estate Investment Partnerships, stamped as received on 29-03-21, 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) Condition 5 (Materials)

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.

5) Condition 8 (Archaeology)

A programme of archaeological works will be undertaken in accordance with the following Written Scheme of Investigation (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). The WSI covers the following:

1. A phased programme and methodology of investigation and recording to include: - historic building survey (Level 3) - a watching brief on the soft-strip (where necessary)
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.
5. Nomination of a competent person or persons/ organisation to undertake the works set out within the approved WSI

Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of the heritage interest impacted on by the development and to make information about the archaeological heritage interest publicly accessible. GMAAS will monitor the implementation of the archaeological works on behalf of Manchester Planning Authority

For the avoidance of doubt. Parts 1-4 will need to be complete prior to occupation of the residential accommodation.

6) Condition 12 (Acoustics)

Prior to commencement above ground, a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from surrounding roads and uses within the building shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme and mitigation measures shall be completed before any of the dwelling units are occupied.

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

The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation.

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.

Should you wish to discuss the matter further, please contact Angela Leckie using the details above.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', with a stylized, cursive script.

Julie Roscoe
Director of Planning, Building Control & Licensing