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.
- 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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Marc Silcock
Kamani Projects Limited
49-51 Dale Street
Manchester
M1 2HF

Agent (if used)

Tim Rogerson
Jenkins Design Services Ltd
2-4 Houghton Street
Bury
BL9 0TA

Part 1 – Particulars of the application/development

Proposal: Refurbishment of the existing five storey building and change of use to provide 10 number self contained residential units.

Location: 14 Chorlton Street, Manchester, M1 3HW

Date of application: 19 December 2017

Application number: 117371/FO/2017

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 officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information needed to be submitted and discussions regarding the acceptability of the proposals and the conditions needed to allow the application to be approved.

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:

The location plan referenced 21725 SI-00-DR-A-0800 received by the City Council as local planning authority on 25 August 2017

The drawings referenced:

21725 B1-ZZ-DR-A-2011
21725 B1-XX-SH-A-7001

both received by the City Council as local planning authority on 17 November 2017

21725 SI-00-DR-A-0802 Rev A
21725 B1-ZZ-DR-A-0811 Rev C
21725 B1-ZZ-DR-A-2002 Rev F
21725 B1-ZZ-DR-A-2003 Rev A
21725 B1-ZZ-DR-A-2004
21725 B1-ZZ-DR-A 2005
21725 B1-ZZ-DR-A-2010 Rev B
21725 B1-ZZ-DR-A-2050 Rev B
21725 B1-ZZ-DR-A-2100 Rev B

all received by the City Council as local planning authority on 19 December 2017

The following documents:

The completed Waste Management Proforma
The Design and Access Statement prepared by Jenkins Design Services

both received by the City Council as local planning authority on 25 August 2017

The Framework Travel Plan prepared by SCP (Transport Planning : Infrastructure Design)
The waste management quote prepared by Freshstart Waste
The letter from Penny Anderson Associates Ref: SRs/HD/170390 dated 29 September 2017
The Noise Impact Assessment prepared by KP Acoustics Ltd. referenced 16627.NIA.01
The letter from KP Acoustics Ltd. dated 23 March 2018 and referenced 16627.180323.L1 Rev A
The Environmental Standards Statement prepared by Watergrove Limited
The BREEAM Domestic Refurbishment Pre-Assessment Estimator Report prepared by Base Energy
The Air Quality Assessment prepared by Miller Goodall
The Local Labour Agreement
The Ventilation Statement prepared by Future Serv
The Apartment Schedule referenced 21725 B1-XX-SH-A-7001

all received by the City Council as local planning authority on 17 November 2017

The emails from Tim Rogerson dated 12th February 2018

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies S01, S02, S05, S06, SP1, CC1, CC4, CC5, CC8, CC9, CC10, T1, EN1, EN2, EN3, EN4, EN5, EN6, EN7, EN14, EN15, EN16, EN17, EN18, EN19 and DM1 of the Core Strategy, saved policies DC18.1, DC19.1, DC20 and

DC26 of the Unitary Development Plan and Sections 1, 2, 4, 7, 8, 10, 11 and 12 of the National Planning Policy Framework.

3) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

-A Community Consultation Strategy;
-Display of an emergency contact number;
-Details of Wheel Washing;
-Dust emission suppression measures that shall base the assessment on British Standard 5228 and any other relevant standards;
-Compound locations where relevant;
-Location, removal and recycling of waste;
-Routing strategy and swept path analysis;
-ongoing construction works and parking of construction vehicles, contractors and staff in the locality;
-Sheeting over of construction vehicles;
-The phasing and quantification/classification of vehicular activity associated with planned construction;
-Commentary on types and frequency of vehicular demands;
-A dilapidation survey which shall include photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

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

Reason: To ensure that the development is acceptable in the interests of the highway safety and the amenity of the locality, pursuant to policies SO1, SO5, SP1, DM1, CC5, CC10, T1, EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

4) Before the development commences an air quality impact assessment for the development shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - 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 policy EN16 of the Adopted Core Strategy.

5) Prior to development commencing a local labour agreement relating to the construction phase of development, shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to the commencement of the development, and shall be kept in place thereafter.

Reason - To safeguard local employment opportunities, pursuant to pursuant to policies EC1 of the Core Strategy for Manchester.

6) Notwithstanding the details shown in the approved drawings and documents detailed in condition 2 of this permission, full and final details of the following shall be submitted

to and approved in writing by the City Council as local planning authority prior to any works to those elements commencing on site:

(a) the final design and location of the proposed plant and equipment and if located externally the associated proposed plant deck and enclosure;
(b) the final design of the new rooflights, which shall be a conservation style rooflight system that does not dominate the roof and is set in line with the slate (nor proud of them);
(c) final details of the design solution for the basement windows that shall as closely as possible reinstate the original design based on thorough research.

The works shall be carried out only in accordance with the approved 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 EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan.

7) a) Notwithstanding the details submitted with the application, prior to the commencement of development 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 and roof of the development. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations and the roof 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

(b) 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 CC9, EN1, EN3, SP1 and DM1 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan.

8) Notwithstanding the details shown in the approved drawings and documents detailed in condition 2 of this permission, No works to the existing windows shall commence until details of the work has been submitted to and approved in writing by the City Council as local planning authority. Such works should not include for the removal or replacement of any existing windows unless otherwise approved in writing by the City Council as local planning authority and any such proposal shall be accompanied by a full justification for such works, including a structural survey, a comprehensive survey to identify the location of original and non-original windows and the condition of these windows, full details of why repair and refurbishment of original windows is not viable and details, including materials and cross sections, of any proposed replacement windows, which shall be 'like for like' versions of the original timber sliding sash windows.

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 in accordance with saved policy DC18.1; of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

9) The development hereby approved shall be carried out in accordance with the recommendations within the submitted letter from KP Acoustics Ltd. dated 23 March 2018 and referenced 16627.180323.L1 Rev A.

Upon completion of the development and before the new use becomes operational, 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 above criteria is 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 noise criteria. This shall include monitoring in the completed flats when the nightclub is trading to confirm the internal levels are being achieved (including the 63 and 125 Hz octave bands).

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

10) The externally mounted ancillary 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 5dB (LAeq) below the typical background noise level (LA90) level at the nearest noise sensitive location.

The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site before first occupation of the development.

Upon completion of the development and before the new use becomes operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements within the submitted Noise Impact Assessment. The report shall also undertake post completion testing to confirm that the criteria is 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 noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

11) The scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed within the completed Waste Management Proforma and shown on the drawing referenced 21725 B1-ZZ-DR-A-2005 shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

12) The development shall be carried out in accordance with the recommendations contained in the inspection for Bats and Nesting Birds by Penny Anderson Associates Ref. SRs/HD/170390 as submitted to and approved as part of this permission.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

13) 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 [attending or] employed in the development
ii) a commitment to surveying the travel patterns of staff 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 school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

14) The proposed development shall be designed and constructed in accordance with the recommendations contained within sections 3.3 and 4 of the submitted Crime Impact Statement dated 20/10/2017 and referenced URN: 2017/0846/CIS/01. These measures shall be fully implemented before the development hereby approved is first occupied and shall be maintained for the duration of the uses hereby approved.

The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

15) The access measures for disabled people to gain access into and throughout the premises and to occupy the apartments as shown on the drawings hereby approved and described within the Design and Access Statement hereby approved shall be fully implemented before the use hereby approved commences and shall be maintained for the duration of the use hereby approved.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policies SP1 and DM1 of the Adopted Core Strategy for the City of Manchester.

16) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'Very Good' rating for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policies ER13 and DP3 of Regional Spatial Strategy for the North West (RSS13) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

17) The footpaths and the areas between the pavement and the line of the proposed buildings shall be fully reinstated in materials that match the existing footpath treatment (including repair of existing damage and damage caused by the development) within a timescale to be agreed in writing by the City Council as local planning authority or with two months of any part of the development first being occupied.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes and the site's location with the George Street Conservation Area;, pursuant to City of Manchester Unitary Development Plan saved policy DC18 and policies SP1, EN3, DM1 CC5, CC8, CC9 and CC10 of the Core Strategy.

18) No part of the development shall be occupied until the space and facilities for the parking of 10no. bicycles have been provided in accordance with the approved plans. These facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to transport mode, pursuant to policies CC10, T1 and T2 of the City of Manchester Core Strategy.

19) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval pursuant to Core Strategy policies SP1, H1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

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.

Construction/demolition works shall be confined to the following hours:

- Monday - Friday: 07:30 - 18:00
- Saturday: 8.30 - 14:00
- Sunday / Bank holidays: No work

Noise to be kept to a minimum in the first hour. Any Night-time working/working outside of these hours will need to be discussed and agreed with Environmental Health via Contact Manchester (Tel. 0161 234 5004) prior to commencement of works of this nature.

The building is in need of some repair and this should be done to an appropriate conservation standard. For instance the buildijng should not be sand blasted if cleaning is propsoed and any fabric repairs should be of a high quality.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Date: 20 April 2018

Signed: 

Julie Roscoe
Head 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-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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.

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 of 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 2017 until 31st December 2018