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

Mrs Michelle Rothwell
Watch This Space Property Limited
C/o Agent

Agent (if used)

Mrs Rebecca Fieldhouse
Iceni Projects Limited
That Space
31 Princess Street
Manchester
M2 4EW

Part 1 – Particulars of the application/development

Proposal: Installation of new shopfront, change of use of basement level and part of ground floor level from travel agency (Use Class A1) to cafe (Use Class A3) and creation of a roof level garden with alterations to stair over-run and installation of new kiosk (Use Class A3), in relation to the existing Bridge Street building; and comprehensive redevelopment of rear yard (accessed via Wood Street) to provide 2x 3bed townhouses with integral garages and associated works.

Location: 62 Bridge Street, Manchester, M3 3BW

Date of application: 13 June 2017

Application number: 115621/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

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. Officers held pre-application discussions with the applicant to establish the in principle acceptability of the proposed development. Also, officers worked with the applicant during the planning application process to deal with comments raised by consultees.

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:
011
012B
013
014A
015
016
017
018D.P
019
020A
201A
205AP
207A.P
209A.P
211A.P
213A.P
215A
216A
217A
217A
220A
221A
223A
224A
226A
303A
309A
315A.P
316C.P
317A
331A
332A
333A
SK001
SK002
SK003
Design and Access Statement Rev D by Snook Architects
Heritage Statement Sept 2017 by Donald Insall Associates
Planning Statement v8 by Iceni Projects
Daylight and Sunlight Letter from GIA dated 14/09/2017
Acoustic Planning Report 0232/APR1 by Lighthouse Associates
Supplementary Sound Assessment Report 0232/SSA1 by Lighthouse Associates

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.

3) No external materials proposed on the townhouses, the proposed roof top garden to office building and Bridge Street elevation shall be installed on-site until samples and specifications of these materials, along with repointing, jointing and fixing details, have been submitted to and approved in writing by the City Council as local planning authority.

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.

4) Before the development is occupied, full details of proposed signage for the development shall be submitted to and approved in writing by the City Council as local planning authority. The proposed signage shall be constructed in accordance with the approved details.

Reason: To protect the visual amenity of the area and to ensure the development is carried out in a satisfactory manner pursuant to policy DM1 of the Core Strategy.

5) Before the development is occupied, any scheme for externally mounted telecommunications equipment shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interest of visual amenity pursuant to policy DM1 of the Core Strategy.

6) Before development commences, 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 ommencement of the development, and shall be kept in place for the duration of the construction phase of the development.

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

7) Development shall not commence until the approved Construction Management Plan (CMP) has been updated to include the additional details and has been submitted to and approved in writing by the City Council as Local Planning Authority. The detailed CMP shall include details of the following:
o Phasing and quantification /classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept path assessment) of satisfactory routeing both within the site and on the adjacent highway;
o Contractor parking and ongoing construction works in the locality;
o Consultation strategy and ongoing engagement with neighbours, surrounding properties and other interested parties.
o The details of an emergency telephone contact number displayed in a publicly accessible location on the site from the commencement of development until construction works are complete;
o The wheels of contractors' vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to works commencing on site; and

o A Noise & Vibration section (in addition to a dust emission section) that shall base the assessment on British Standard 5228, with reference to other relevant standards. It shall also contain a community consultation strategy which includes how and when local businesses and residents would be consulted on matters such out of hours works. The approved CMP shall be adhered to throughout the construction period.

Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development in Manchester (SPG).

8) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences. Any works approved shall be implemented before the use commences. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least one metre above the eaves level and/or any openable windows/ventilation intake.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policy DM1 of the Core Strategy.

9) Deliveries, servicing and collections, including waste collections shall not take place outside 07:30 to 20:00 on Monday to Saturday and 10:00 to 18:00 on Sundays and Bank Holidays.

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

10) The opening hours for the proposed café and café kiosk (Use Class A3) are 06:30 to 23:00 seven days a week. Any changes to this should be submitted for approval in writing by the City Council, as Local Planning Authority.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy DM1 of the Manchester Core Strategy.

11) Before the development commences, a scheme for acoustically insulating the proposed residential accommodation against noise surrounding main roads shall be submitted to, and approved in writing, by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The internal noise criteria are as follows:
Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not normally exceed 45 dB LAmax,F by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq
Gardens and terraces (daytime) 55 dB LAeq

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policy DM1 of the Core Strategy.

12) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed, the LAeq (entertainment noise) shall be controlled to 10dB 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, respectively.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policy DM1 of the Core Strategy.

13) 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 (LA90) level at the nearest noise sensitive location.

The external plant 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.

Reason - To minimize the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policy DM1 of the Core Strategy.

14) Before the first occupation of the buildings, a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted for approval in writing by the City Council, as Local Planning Authority. The details of the approved scheme shall be implemented and shall remain in situ whilst the use or development is in operation.

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

15) Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, pursuant to policy DM1 of the Core Strategy for the City of Manchester

16) Prior to the commencement of the development, a surface water drainage scheme, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policy DM1 of the Core

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 Works
Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:
o Monday - Friday: 7.30am - 6pm
o Saturday: 8.30am - 2pm
o Sunday / Bank holidays: No work
If the development is to involve noisy construction works for a prolonged period the applicant is requested to contact Environmental Health to discuss the nature of the construction phase. The reasoning behind this is to establish a site contact and discuss appropriate working times etc. Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ, Tel:
0161 234 5004, email: contact@manchester.gov.uk

Licensing

The applicant should be aware that under the Licensing Act 2003 the carrying on of a licensable activity (this includes the provision of late night refreshment between 23.00 - 05.00, supply of alcohol, music, dancing, plays, films and indoor sporting events) on or from premises requires a premises licence from Manchester City Council as Licensing Authority.

Information regarding premises licence can be obtained from The Licensing Unit, Manchester City Council, PO Box 271, Manchester M18 8YU. Tel: 0161 234 5004 or e-mail premises.licensing@manchester.gov.uk

Fumes

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B). Details should also be provided in relation to replacement air. The applicant would therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69280/pb10527-kitchen-exhaust-0105.pdf

Waste & Recycling

Further information is available at:
http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy

Bats and Birds

Whilst the building to be demolished/refurbished has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
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 October 2017

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