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	Agent (if used)
JY Kinsha LLP & UK Commerical Property Trust Ltd C/O Agent	Mrs Michele Steel Deloitte LLP 2 Hardman Street Manchester M3 3HF

Part 1 Particulars of the application/development

Proposal: Change of use to a medical centre (Use Class D1), internal demolition works and installation of roof mounted plant and signage

Location: Pall Mall Court, 61-67 King Street, Manchester, M2 4PD

Date of application: 24 July 2013

Application number: 102194/FO/2013/C1

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 31 Declaration

Discussions have taken place with the applicant in a positive and proactive manner to seek resolution of issues arising in relation to dealing with the planning application. Initial concerns have been addressed in a satisfactory manner.

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:

Site edged red ref 12.23/PL/OS, dated stamped 12th April 2013 by the City Council as local planning authority

Existing Basement Plan ref 12.23/PL/01 rev D, prepared by Makerfield Design Partnership.

Existing Lower Ground Floor Plan ref 12.23/PL/02 rev C, prepared by Makerfield Design Partnership.

Existing Ground Floor Plan ref 12.23/PL/03 rev C, prepared by Makerfield Design Partnership.

Existing Elevation Facing King Street ref 12.23/PL/054rev C, prepared by Makerfield Design Partnership.

Existing Elevation Facing Pall Mall Court ref 12.23/PL/05 rev C, prepared by Makerfield Design Partnership.

Existing Sections AA and BB ref 12.23/PL/06 rev C, prepared by Makerfield Design Partnership.

Existing Roof Plan Over 5th Floor Level ref 12.23/PL/07 rev c, prepared by Makerfield Design Partnership.

Proposed Demolitions and Clearance Works at Basement Floor Level ref 12.23/DM/01 rev A, prepared by Makerfield Design Partnership.

Proposed Demolitions and Clearance Works at Lower Ground Floor Level ref 12.23/DM/02 rev A, prepared by Makerfield Design Partnership.

Proposed Demolitions and Clearance Works at Ground Floor Level ref 12.23/DM/03 rev A, prepared by Makerfield Design Partnership.

Proposed Basement Floor Plan ref 12.23/PL/10 rev E, prepared by Makerfield Design Partnership.

Proposed Lower Ground Floor Plan ref 12.23/PL/11rev F, prepared by Makerfield Design Partnership.

Proposed Ground Floor Plan ref 12.23/PL/12 rev F, prepared by Makerfield Design Partnership.

Proposed Roof Plan over 5th Floor Level ref 12.23/PL/13 rev C, prepared by Makerfield Design Partnership.

Proposed Part Sections AA and BB and Part Rear Elevation 1-1 ref 12.23/PL/14, prepared by Makerfield Design Partnership.

Proposed Part Elevations Facing King Street and Pall Mall Court ref 12.23/PL/15 rev C, prepared by Makerfield Design Partnership, received by City Council as local planning authority by e-mail dated 24th July 2013

.

Air Conditioning and Ventilation Roof Plant Layout ref 13523-01 rev B, prepared by Airology Systems Ltd.

Air Conditioning and Ventilation Ground Floor Layout ref 13523-02 rev B, prepared by Airology Systems Ltd.

Air Conditioning and Ventilation Lower Ground Floor Layout ref 13523-03 rev B, prepared by Airology Systems Ltd.

Air Conditioning and Ventilation Basement Layout ref 13523-04 rev B, prepared by Airology Systems Ltd.

Stair / Lift Core and Floor Across Void in G Floor ref GA1-A, prepared by Foxx Limited.

Noise Statement prepared by RandTech Consulting dated 28th March 2013

Pall Mall Court. Alterations to Unit 1 : Heritage Appraisal dated March 2013, prepared by KM Heritage.

Design and Access Statement prepared by Makerfield Design Partnership, dated 8 April 2013

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy DM1 (Development Management) and policy SP 1 (Spatial Principles) within Manchester Core Strategy.

3) The premises shall be used for a medical centre only and for no other purposes, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 2010.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans, pursuant to policy DM1 (Development Management) and policy SP 1 (Spatial Principles) within Manchester Core Strategy, and to prevent disamenity issues in relation to problems that may occur if the business operation were to change, which have not been assessed on this application.
.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays. Where Sunday/Bank Holiday deliveries etc. are permitted the times shall be confined to 10:00 to 18:00.

Reason - To safeguard the amenities of the occupiers of nearby properties.

5) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday*: 7.30am - 6pm
Saturday*: 8.30am - 2pm

Sunday / Bank holidays: No work
*Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour.
Reason - To safeguard the amenities of the occupiers of nearby properties during the construction phase.

6) The premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

As applied for: Monday to Friday 0700hrs-2100hrs; Saturday 0700hrs-1900hrs and; Sundays and Bank Holidays 0900hrs-1800hrs.

Reason - To safeguard the amenities of the occupiers of nearby properties.

7) 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 noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.

The scheme should 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 minimise the impact of the development and to prevent a general increase in
pre-existing background noise levels around the site.

Informatives

This permission does not grant approval under Building Regulations.

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

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

Date: 2 August 2013

Signed: 

Julie Roscoe
Head of Planning

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, he may appeal to the First 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 Appeals area of the Planning Portal www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he 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 First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.
Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com