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

Mr Ehsan Malik
Ehsan Malik & Co
35 Houldsworth Street
Manchester
M1 1EB

Agent (if used)

Mr Richard Drinkwater
Richard Drinkwater Architects
64 Jersey Street
Manchester
M4 6JW

Part 1 – Particulars of the application/development

Proposal: Change of use of existing four storey office building with basement to nine apartments.

Location: Ehsan Malik & Co , 35 Houldsworth Street, Manchester, M1 1EB

Date of application: 8 January 2015

Application number: 105378/FO/2014/C2

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

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 negotiation of amendments to the proposals and ongoing support regarding 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 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 drawings referenced:

07361_15 stamped as received by the City Council as local planning authority on 4th April 2014
07361_16 stamped as received by the City Council as local planning authority on 26th August 2014
07361_18 rev C, 20 rev B, 22 rev C, 25 rev A, 26 rev A and 27 stamped as received by the City Council as local planning authority on 14th November 2014

The information within points 5.2, 5.5, 7.1, 7.3, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 7.11, 7.12, 7.13, 7.15, 7.16, 7.17, 7.18, 7.19, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7 of the Design and Access Statement stamped as received by the City Council as local planning authority on 4th April 2014

The Environmental Standards Statement prepared by Complete Energy Consultancy stamped as received by the City Council as local planning authority on 22nd October 2014

The information within Sections 6, 7, 8 and 9 of the Crime Impact Statement (excluding the information within sections 6.2 and 6.3) stamped as received by the City Council as local planning authority on 4th April 2014

The Suntech specification sheet and Selectaglaze specification sheet stamped as received by the City Council as local planning authority on 14th November 2014

Point 3 of the letter dated 30th September 2014
Points 6 and 8 of the email dated 4th August 2014

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC3, CC9, CC10, H1, T2, EN1, EN3, EN4, EN15, EN19 and DM1 of the Core Strategy and Saved Polices DC18.1 and DC26 of the Unitary Development Plan.

3) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Great Ancoats Street, Lever Street and Newton Street; shall be submitted to and approved in writing by the City Council as local planning authority. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To secure a reduction in noise from surrounding streets; in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

4) The scheme for the storage and disposal of refuse as detailed in Section 8.0 of the Design and Access Statement stamped as received by the City Council as local planning authority on 4th April 2014 shall be fully implemented as part of the development and shall remain in operation whilst the use 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 policy DM1 and EN19 of the Core Strategy for the City of Manchester.

5) The details of an emergency telephone contact number for a person responsible for the site; shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy.

6) Before the development hereby approved commences an ecological assessment of the constraints of the development site shall be carried out and the findings and recommendations shall be submitted to and agreed in writing by the City Council as local planning authority.

Reason - In order to ensure the protection of existing ecology including roosting bats and nesting birds in accordance with The Wildlife and Countryside Act 1981 as amended, the Habitat Regulation and policies DM1 and EN15 of the Core Strategy.

7) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development 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 CC9, EN1, EN3, SP1 and DM1 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan.

8) No development shall commence unless and until a scheme that will provide for the needs of future residents whom may wish to have the use of a motorcar in respect of their domestic needs which shall include details of the arrangements to be put in place and shall also identify the parties who will be responsible for managing the scheme, has been submitted to and approved in writing by the City Council as local planning authority. Any scheme approved in discharge of this condition shall be operational at all times that any residential units are occupied.

Reason - The development does not provide sufficient car parking facilities and in order to provide alternative arrangements (e.g. parking leases with car parking companies; car sharing; or car pool arrangement) for the needs of future, pursuant to policies DM1 of the Core Strategy.

9) No part of the development shall be occupied until full details of the space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and 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 mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

10) No development shall commence until further details of the scheme for the collection of refuse and a scheme for the management of construction activity; to include confirmation of vehicle types, frequency and timing of collection, location of collection and manoeuvres of vehicles in relation to waste collection; and the duration, type of vehicles, frequency of activity, site compounding and the delivery and removal of the materials from site in relation to construction activity, has been submitted to and approved in writing by the City Council as local planning authority. The approved construction activity scheme shall be implemented prior to the commencement of

development and maintained for the duration of construction works and the approved waste collection scheme shall be implemented as part of the development and shall remain in situ for the duration of the use hereby approved.

Reason - To prevent a negative impact on the highway network in accordance with policies SP1, T1, T2 and DM1 of the Core Strategy.

11) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before the development hereby approved is 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 and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

12) The development hereby approved shall be carried out fully and only in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police (excluding the recommendations within Sections 6.2 and 6.3) and these approved measures shall have been implemented prior to the first use of the development and maintained and operational for as long as the building is in use.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

13) The measures proposed to provide full disabled access into and throughout the building including the provision of a fully accessible apartment as described in Section 7.0 of the Design and Access Statement stamped as received by the City Council as local planning authority on 4th April 2014 and shown on the drawings referenced 07361_18 rev C, 22 rev C and 27 shall be fully implemented and 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.

14) Details of the materials, including natural stone or other materials to be used for the reinstatement of the footpaths and any external areas shall be submitted to and approved in writing by the City Council as the local planning authority. Any works approved shall be implemented in full within six 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 in accordance with saved policy DC18.1; of the Unitary Development Plan for the City of Manchester and policies EN3, CC9, DM1 and SP1; of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

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.

Whilst the works to the building to be converted is 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.

Date: 5 March 2015

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, 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.