

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Prudential Nominee UK Limited
C/o Agent

Agent (if used)

Mr Michael Percival
Deloitte LLP
100 Embankment
Cathedral Approach
Salford
M3 7FB

Part 1 – Particulars of the application/development

Proposal: Variation of condition application to vary condition 3 (Materials) attached to listed building consent 131860/LO/2021.

Location: 50 Fountain Street, Manchester, M2 2AS

Date of application: 9 April 2025

Application number: 142655/JO/2025

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application. Appropriate conditions have been attached to the approval.

Condition(s) attached to this decision

- 1) The development hereby approved shall commence no later than 05/07/2025.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Location Plan - Existing Site (142-JMA-MP-XX-P-A-000000 Revision A); Existing Block Plan (142-JMA-MP-XX-P-A-001000 Revision A); Proposed Block Plan (142-JMA-MP-RF-P-A-001200 Revision B); Existing Ground Floor - GA Plan (142-JMA-B1-00-P-A-022000 Revision A); Existing 1st Floor - GA Plan (142-JMA-B1-01-P-A-022001

Revision A); Existing 2nd Floor - GA Plan (142-JMA-B1-02-P-A-022002 Revision A); Existing 3rd Floor - GA Plan (142-JMA-B1-03-P-A-022003 Revision A); Existing 4th Floor - GA Plan (142-JMA-B1-04-P-A-022004 Revision A); Existing Roof - GA Plan (142-JMA-B1-RF-P-A-022005 Revision A); Existing Basement - GA Plan (142-JMA-B1-B1-P-A-022099 Revision A); Existing Ground Floor - Demolition GA Plan (142-JMA-B1-00-P-A-022100 Revision A); Existing 1st Floor - Demolition GA Plan (142-JMA-B1-01-P-A-022101 Revision A); Existing 2nd Floor - Demolition GA Plan (142-JMA-B1-02-P-A-022102 Revision A); Existing 3rd Floor - Demolition GA Plan (142-JMA-B1-03-P-A-022103 Revision A); Existing 4th Floor - Demolition GA Plan (142-JMA-B1-04-P-A-022104 Revision A); Existing Roof - Demolition GA (142-JMA-B1-RF-P-A-022105 Revision A); Existing Basement - Demolition GA Plan (142-JMA-B1-B1-P-A-022199 Revision A); Ground Floor - GA Plan (142-JMA-B1-00-P-A-022200 Revision B); Mezzanine - GA Plan (142-JMA-B1-M-P-A-022200M Revision B); 1st Floor - 2nd Floor - GA Plan (142-JMA-B1-01-P-A-022201 Revision B); 3rd Floor - GA Plan (142-JMA-B1-03-P-A-022203 Revision B); 4th Floor - GA Plan (142-JMA-B1-04-P-A-022204 Revision B); 5th Floor - GA Plan (142-JMA-B1-05-P-A-022205 Revision B); 6th Floor - GA Plan (142-JMA-B1-06-P-A-022206 Revision B); 7th Floor - GA Plan (142-JMA-B1-07-P-A-022207 Revision B); Roof - GA Plan (142-JMA-B1-RF-P-A-022208 Revision B); Basement - GA Plan (142-JMA-B1-B1-P-A-022299 Revision B); Elevation AA, Fountain Street - Existing GA Elevation (142-JMA-B1-SE-E-A-042000 Revision A); Elevation BB, Spring Gardens - Existing GA Elevation (142-JMA-B1-SW-E-A-042001 Revision A); Elevation CC - Existing GA Elevation (142-JMA-B1-NE-E-A-042002 Revision A); Elevation DD, Concert Lane - Existing GA Elevation (142-JMA-B1-NW-E-A-042003 Revision A); Elevation AA, Fountain Street - Demolition GA Elevation (142-JMA-B1-SE-E-A-042100 Revision A); Elevation BB, Spring Gardens - Demolition GA Elevation (142-JMA-B1-SW-E-A-042101 Revision A); Elevation CC - Demolition GA Elevation (142-JMA-B1-NE-E-A-042102 Revision A); Elevation DD, Concert Lane - Demolition GA Elevation (142-JMA-B1-NW-E-A-042103 Revision A); Elevation AA, Fountain Street - GA Elevation (142-JMA-B1-SE-E-A-042200 Revision C); Elevation BB, Spring Gardens - GA Elevation (142-JMA-B1-SW-E-A-042201 Revision C); Elevation CC - GA Elevation (142-JMA-B1-NE-E-A-042202 Revision C); Elevation DD, Concert Lane - GA Elevation (142-JMA-B1-NW-E-A-042203 Revision C); Heritage Asset Strategy (142-JMA-B1-XX-X-A-042299 Revision A); Section AA' - Existing GA Section (142-JMA-B1-AA-S-A-052000 Revision A); Section AA' - Demolition GA Section (142-JMA-B1-AA-S-A-052100 Revision A); Section AA' - GA Section (142-JMA-B1-AA-S-A-052200 Revision C); Study Bay 01 - Fountain Street: Stepped terraces (142-JMA-B1-SE-D-A-104200) Study Bay 02 - Fountain Street: Ground Floor (142-JMA-B1-SE-D-A-104201); Study Bay 03 - Fountain Street: Step back (142-JMA-B1-SE-D-A-104202).

Design and Access Statement - Jon Matthews Architects; Statement of Consultation - Deloitte; Planning and Public Benefits Statement - Deloitte; Heritage Appraisal - Stephen Levrant Heritage Architecture; Desk based Archaeology Report - Pre-Construct Archaeology Limited; Crime Impact Statement - Design for Security; Transport Statement - Vectos; Travel Plan Framework - Vectos; Waste Management and Servicing Strategy - Vectos; Ecology Survey including Bat Survey - Penny Anderson Associates; Arboricultural Impact Assessment - Urban Green; Environmental Standards Statement - Ridge; BREEAM Pre-assessment - Ridge; Energy Statement - Ridge; Flood Risk Assessment - Renaissance; Drainage Strategy - Renaissance; M&E Statement, including Ventilation and Extraction - Ridge; Local Labour Agreement - M&G; Noise and Vibration Assessment - Cundall; Air Quality Assessment - Cundall; TV Reception Survey - G-tech Surveys; Wind Microclimate Assessment - ArcAero; Phase 1 Geo-environmental Desktop Survey - Renaissance; Construction Management Plan - BAM Construction; Viability Appraisal - CBRE; Daylight and Sunlight Assessment - GreyScanlanHill;

Schedule of Works (Prepared by Bullen Conservation; Dated 03/04/2025; Received 01/05/2025)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development, excluding works to the entrance door located at 49 Spring Gardens identified on 142-JMA-B1-SW-E-A-042101 Revision A, 142-JMA-B1-SW-E-A-042201 Revision C and 142-JMA-B1-XX-X-A-042299 which shall be carried out in accordance with the submitted Schedule of Works (Prepared by Bullen Conservation; Dated 03/04/2025; Received 01/05/2025), 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 materials to be used on all external elevations of the development, including the roof terraces, and drawings to illustrate details of the full-sized sample panels that will be produced. 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, details of the glazing and a strategy for quality control management.

(b) All samples and specifications shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition.

(c) Prior to installation of any new materials on the entrance to 49 Spring Gardens, details set out on Plan Reference 142-JMA-B1-XX-X-A-042299 shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved materials.

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) No development, other than the step removal works to the entrance door located at 49 Spring Gardens identified on 142-JMA-B1-SW-E-A-042101 Revision A, 142-JMA-B1-SW-E-A-042201 Revision C and 142-JMA-B1-XX-X-A-042299, shall commence until a contract for the construction and completion of the remaining development has been let and appropriate evidence has been submitted for approval in writing by the City Council, as Local Planning Authority. The contract for construction and completion of the remaining development outside of the aforementioned step removal works must be let no later than the 05 July 2026.

Reason - To allow sufficient time to let the contract for the remainder of the development pursuant to policy SP1 of the Manchester Core Strategy (2012).

5) Should the contract for construction and completion of the development not be let by 05 July 2026, then all development activities on the site, outside of the step removal works to the entrance door located at 49 Spring Gardens identified on 142-JMA-B1-SW-E-A-042101 Revision A, 142-JMA-B1-SW-E-A-042201 Revision C and 142-JMA-B1-

XX-X-A-042299, shall cease and no further development shall be permitted by this planning permission.

Reason - To require the development activities to cease should the contract for the remainder of the development not be let pursuant to policy SP1 of the Manchester Core Strategy (2012).

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:

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 Mining Remediation Authority.

Date: 2 June 2025

Signed: 

Julie Roscoe
Director 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-decision . The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 or 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 their 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.