

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

Hurstwood Properties Ltd
40 Peter Street
Manchester
M2 5GP

Agent (if used)

Miss Laura Hallam
Broadgrove Planning and Development
Limited
Regent House
Suite 4, 9th Floor
Heaton Lane
SK4 1BS

Part 1 – Particulars of the application/development

Proposal: Creation of roof terrace, including extension of plant room, glass protective balustrade and other associated works to facilitate the use.

Location: 40 - 42 Peter Street, Manchester, M2 5GP

Date of application: 24 April 2025

Application number: 142373/FO/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

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 pre-application advice about 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 have been carried out in accordance with the following drawings and documents:

The location plan received by the City Council as local planning authority on 18 May 2025

The drawings referenced:

11189-P-E02 Rev P3
11189-PL-P02 Rev P3
11189-P-E03 Rev P3
11189-S-S01

Received by the City Council as local planning authority on 11 June 2025

The Noise Impact Assessment prepared by AEC Acoustics and Engineering Consultants Ltd. referenced P5521/R01/LTH received by the City Council as local planning authority on 24 April 2025

The email from Broadgrove dated 6th June 2025

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, SP1 CC9 and DM1 of the Core Strategy, saved policies DC18.1 and DC19.1 of the Unitary Development Plan.

3) Notwithstanding the details submitted with the application, prior to the commencement of development excluding demolition works, the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

a) Hand sized samples and specifications of all materials to be used on all external elevations and any component panels on the new extension, details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames, and strategy for quality control management.

b) Scaled drawings with large scale jointing and fixing details and partial elevations.

The approved materials shall be implemented as part of the development and thereafter retained and maintained.

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) Prior to the commencement of development including demolition, a construction management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt shall include:

- Dust suppression measures.
- Compound locations where relevant.
- Details of an emergency contact telephone number.
- A community consultation plan.
- Sheeting of construction vehicles.

The development shall only be carried out in accordance with the approved management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) Notwithstanding the approved drawings and documents within Condition 2 of this decision, full and final details of the design of the rooftop plant screen including the materials, jointing, fixings and the pattern of perforation shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to install this feature within the site. The screen shall then be installed and maintained fully and only in accordance with the approved details.

Reason - Because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

6) Notwithstanding the approved drawings and documents within Condition 2 of this decision, full and final details of the design of the rooftop access gate including the materials and design shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to install this feature within the site. The gate shall then be installed prior to the first use of the roof terrace and maintained fully and only in accordance with the approved details.

Reason - Because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

7) a) Prior to the installation of any externally mounted ancillary equipment, this equipment shall be acoustically insulated in accordance with the Noise Impact Assessment prepared by AEC Acoustics and Engineering Consultants Ltd. referenced P5521/R01/LTH received by the City Council as local planning authority on 24 April 2025

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.

b) Prior to bringing the plan into first use, 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 report shall be submitted to and approved in writing by the City Council as local planning authority within 6 months of the equipment becoming operational along with a timescale that confirms when any necessary changes will be implemented.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

8) Prior to the commencement of any works to the existing roof excluding demolition works, details of the location and design of a bird box to be installed on the rooftop to create potential opportunities to enhance and create new biodiversity within the development shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The bird box shall be installed prior to the first use of the development hereby approved.

Reason - To ensure that a satisfactory measures to enhance biodiversity are incorporated within the development in accordance with policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

9) (a) The roof terrace shall only be used be used between the hours of 08:00 to 18:00 Monday to Friday and shall not be used on Saturdays or Sundays.

(b) Amplified sound or any music shall not be played in these external areas at any time.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building hereby approved shall only be used for offices (Use Class Egi).

Reason - In the interest of retaining the provision of office space within the development pursuant to policies EC1, EC4 of the Manchester Core Strategy (2012)

11) No externally mounted telecommunications equipment shall be mounted on any part of the roof of this building other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

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 Mining Remediation Authority.

Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council's Environmental Health Service:

- Monday - Friday: 7.30 - 18:00
- Saturday: 8.30 - 14:00
- Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

The applicant should refer to our noise from building sites webpage for further information/guidance and also IAQM/EPUK Construction Guidance on controlling emissions. [Currently January 2024, Version 2.2]

Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004) Email -highwaylicences@manchester.gov.uk.

Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. The applicant must seek ecological advice should they find or suspect that the proposals will impact on protected species.

- Work that will impact on habitats where nesting birds may be present (for example building works/vegetation clearance) and should not be undertaken in the main bird nesting season (March - August) unless suitable checks for active bird nests have been undertaken.

Date: 18 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 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.



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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk)

Standing Advice valid from 1st January 2025 until 31st December 2026