MANCHESTER CITY COUNCIL

Planning

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Date: 6 December 2024

Dear Sir/Madam,

Application under Section 96a of the Town & Country Planning Act 1990 (as amended) for a Non-Material change to a planning permission
Application No: 141579/NMC/2024
Description: Non material amendment to planning permission 137589/JO/2023 to amend of Condition 2 (approved plans) to replace approved ground floor retail space in tower 2 with a gym for use by residents of Swan House.
Location: Swan Street House, 70 Swan Street, Manchester, M4 5GS

I refer to your application for a non-material amendment to planning permission reference 137589/JO/2023.

The proposal seeks to amend to Condition 2 (approved plans) to replace approved ground floor retail space in tower 2 with a gym for use by residents of Swan House.

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

Therefore I can confirm that the proposed amendments are hereby **approved**.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 137589/JO/2023. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 137589/JO/2023 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended conditions also now apply:

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

- 2406-LHA-Z1-00-DR-A-PL-001 and 2406-LHA-Z1-M0-DR-A-PL-002 received by the City Council, as Local Planning Authority, on the 25 November 2024

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.

14) (a) Notwithstanding the noise and vibration report prepared by Hann Tucker stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018, (a) prior to the first use of each commercial unit and residents gym as indicated on drawings 2406-LHA-Z1-00-DR-A-PL-001 and 2406-LHA-Z1-M0-DR-A-PL-002 received by the City Council, as Local Planning Authority, on the 25 November 2024, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved scheme shall then be implemented and a post completion survey (including appropriate mitigation measures and timescales for implementation if necessary) shall be submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of each of the commercial units and residents gym. The measures implemented (including any additional measures agreed) shall be retained and maintained for as long as the development remains in use.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

17) Prior to the first use of each of commercial units, as indicated on drawing

PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units within each phase and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial units pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

18) Prior to the first use of each of the commercial units and residents gym as indicated on drawings 2406-LHA-Z1-00-DR-A-PL-001 and 2406-LHA-Z1-M0-DR-A-PL-002 received by the City Council, as Local Planning Authority, on the 25 November 2024, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each of the commercial units and residents gym and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

22) Prior to the first use of each commercial unit, as indicated on drawings 2406-LHA-Z1-00-DR-A-PL-001 and 2406-LHA-Z1-M0-DR-A-PL-002 received by the City Council, as Local Planning Authority, on the 25 November 2024, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for each respective unit and shall thereafter be retained and maintained.

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.

24) The commercial units and residents gym as shown on drawings 2406-LHA-Z1-00-DR-A-PL-001 and 2406-LHA-Z1-M0-DR-A-PL-002 received by the City Council, as Local Planning Authority, on the 25 November 2024, shall remain as separate units and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

25) The commercial units, as indicated on drawings 2406-LHA-Z1-00-DR-A-PL-001 and 2406-LHA-Z1-M0-DR-A-PL-002 received by the City Council, as Local Planning Authority, on the 25 November 2024, can be occupied as A1, A2 and A3. The first use of the each commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

The residents gym is ancillary accommodation to the residential element only and is not a gym open to the general public.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

Should you wish to discuss the matter further, please contact Jennifer Atkinson using the details above.

Yours faithfully,



Julie Roscoe
Director of Planning, Building Control & Licensing