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)
Watches of Switzerland Company Ltd C/o Agent	Miss Katie Parfett Savills Belvedere 12 Booth Street Manchester M2 4AW

Part 1 – Particulars of the application/development

Proposal: Application to vary condition 2 (Approved Drawings and Documents) imposed upon Planning Permission referenced 139242/FO/2024 under section 73 of the Town And Country Planning Act 1990 to amend the wording of the condition to allow changes to the approved drawings for the roof terrace and rear elevation.

Location: 35 King Street, Manchester, M2 7AT

Date of application: 13 September 2024

Application number: 140895/JO/2024

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 advice about the information required to be submitted to support the application and to address issues. This has led to an acceptable proposal.

Condition(s) attached to this decision

1) The development shall have commenced not later than 1 July 2027.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The site location referenced 1368 P.00.050 received by the City Council as local planning authority on 22 May 2024

The drawings referenced:

1368.04.700 Rev A

received by the City Council as local planning authority on 21 May 2024

1368 P.01.099 Rev B
1368 P.01.200 Rev A
1368 P.01.201 Rev A
1368 P.01.301 Rev A
1368 P.01.401 Rev B
1368 P.01.402 Rev B
1368 P.01.403 Rev A
1368 P.01.499 Rev A
1368 P.02.101 Rev B
1368 P.02.102 Rev A
1368 P.02.103 Rev A
1368 P.04.104 Rev A
1368 P.04.106 Rev B
1368 P.04.107 Rev A

received by the City Council as local planning authority on 22 May 2024

1368 P.01.100 Rev D
1368 P.01.101 Rev D
1368 P.01.500 Rev B
1368 P.01.501 Rev B
1368 P.02.100 Rev C

received by the City Council as local planning authority on 13 June 2024

1368 P.00.502 Rev D
1368 P.00.512 Rev C
1368 P.01.102 Rev E
1368 P.01.103 Rev C
1368 P.01.202 Rev C
1368 P.01.302 Rev C
1368 P.01.502 Rev C

received by the City Council as local planning authority on 30 August 2024

1368 P.01.401 Rev B
1368 P.01.402 Rev B
1368 P.01.403 Rev A

received by the City Council as local planning authority on 13 September 2024

1368.P.05.100 Rev A
1368.P.05.100 Rev A

received by the City Council as local planning authority on 29 October 2024

1368.P.05.101 Rev A

received by the City Council as local planning authority on 1 November 2024

The Heritage Statement prepared by Donald Insall Associates received by the City Council as local planning authority on 22 May 2024
The Heritage Statement Addendum prepared by Donald Insall Associates received by the City Council as local planning authority on 30 August 2024
The Design and Access Statement prepared by Mark Pinney Associates received by the City Council as local planning authority on 30 August 2024
The Architectural Method Statement prepared by Mark Pinney Associates received by the City Council as local planning authority on 30 August 2024

The email from Savills dated 14 May 2024

The letter from Savills dated 15 August 2024

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 any above ground external works the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

(a) Samples and specifications of all materials to be used on all external elevations, terrace and rooves of the development.

(b) jointing and fixing details between all component materials

(c) a strategy for quality control management.

(d) Submission of a Construction Environmental Management Plan (CEMP) (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.

The approved materials shall be used in the construction of the development hereby approved.

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 EN3, CC9, SP1 and DM1 of the Core Strategy.

4) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the first use of the equipment to which these works relate.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Before the first use of the fume extraction approved within part (a) of this planning condition, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been fully implemented.

c) The equipment shall then be operated and maintained only in accordance with the above approved documents for the duration of the use.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

5) a) Prior to the first use of the ancillary bar and entertainment areas of the building, a scheme to acoustically insulate the internal areas of the premises and control the noise levels on the external terrace to limit the break out of noise shall be submitted for approval in writing by the City Council as Local Planning Authority. The scheme shall be implemented in full before the first use of bar and entertainment areas of the building.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

b) Upon completion of the development and before the use hereby approved becomes operational, a verification report shall be undertaken 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 before the use becomes operational along with a timescale that confirms when any necessary changes will be implemented.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

6) a) 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. Prior to the installation of the equipment hereby approved the scheme shall 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.

b) Prior to first operation of the equipment hereby approved, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the works conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been 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 agreed noise criteria.

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

7) The external terrace hereby approved shall only be used in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority before the commencement of the use of the external terrace hereby approved. The use hereby approved shall not operate outside of the approved opening hours.

There shall not be any speakers, music or amplification of any kind in the external terrace area 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.

8) An Operational management plan shall be provided for the use of the terrace prior to the first use of the external terrace. This plan shall include measures to reduce disturbance, antisocial behaviour and the effects on traffic and confirm the timescales for events and the details of the operation of events. The terraces shall be used only in accordance with the approved management plan for the duration of the use of the external terrace.

Reason - To ensure an acceptable development in the interests of residential amenity, ensuring highway safety and preventing crime pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

9) Notwithstanding the approved drawings and documents within Condition 2 of this decision, full and final details of the number, height, colour and materials of the rooftop plant screens shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to install these features within the site. The screens 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.

10) Notwithstanding the approved drawings and documents within Condition 2 of this decision, full and final details of the location, amount and scale of external plant and equipment shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to install these features within the site. The plant and equipment installed shall be limited to the approved scale and amount.

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.

11) Prior to the removal of any external doors of the full and final details of all new doors and the treatment of the fanlight shall be submitted to and agreed in writing by the City Council as local planning authority. The works within the external door openings shall be carried out fully and only in accordance with the approved details.

Reason - In the interests of visual amenity and 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.

12) The security measures detailed within the email from Savills dated 14 May 2024 shall be fully implemented prior to the first use of development and shall be maintained for the duration of the use.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

13) Full and final details of the planters and the planting species that they would contain that would be installed within the existing lightwells shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works taking place to the lightwells. The planters shall be installed only in accordance with the approved information and shall be installed within the lightwells before the development hereby approved is completed.

Reason - In the interests of visual amenity and 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.

14) The access measures for disabled people to gain access into and throughout the premises as shown on the drawings referenced 1368.P.01.100 Rev C and 1368.P.01.101 Rev C shall be 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 CC10, T2, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester.

15) All ground floor windows of the building shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

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 Coal Authority in Appendix A.

Date: 5 November 2024

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.