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

Heyes
A Place Called Common
39-41 Port Street
Manchester
M4 1LS

Agent (if used)

Up North Architects
Room 111 Holyoake House
Hanover Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Creation of new level access entrance and other external alterations.

Location: 1 - 3 Clarence Street, Manchester, M2 4DE

Date of application: 12 June 2024

Application number: 140165/FO/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 ongoing advice about the information required to be submitted to support the application and discussions regarding amendments to the proposals that have allowed that application to be approved.

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 location plan referenced 001 Rev - received by the City Council as local planning authority on 31 May 2024

The drawings referenced:

100 Rev A
101 Rev A
102 Rev B
103 Rev A
105 Rev A
110 Rev A
111 Rev B
112 Rev A
113 Rev B
114 Rev A
115 Rev A
150
153
154
155

received by the City Council as local planning authority on 31 May 2024

104 Rev E

received by the City Council as local planning authority on 23 July 2024

C771/2 Rev D

received by the City Council as local planning authority on 24 July 2024

The email from Up North Architects dated 23 July 2024

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

3) No external works shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by the Manchester City Council. The CMP shall provide for: -

a) measures to control the emission of dust and dirt during construction.
b) details of an emergency telephone contact number for a person responsible for the site; to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.
c) a Community Consultation Plan
d) sheeting of any construction vehicles that stay on site.
e) contractor parking location
f) loading and unloading zone and frequency
g) details of any temporary traffic/footway management measures
h) a photographic record (Dilapidation Survey) on the condition of the footway in the vicinity of the new doorway to ensure any

damage to the footway is rectified upon completion.

Development shall be carried out in accordance with the approved construction management plan.

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

4) 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 of the development.

b) Jointing and fixing details between all component materials.

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.

5) 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 the first use of the development, 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.

6) 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.

7) The accessible entrance on Kennedy Street shall be fully implemented prior to the first use of the development and shall be maintained and used for the duration of the use of the building.

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.

8) 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:
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 Coal Authority in Appendix A.

Date: 7 August 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 of 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.

Appendix A

The Coal Authority

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024