

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

Mr Osman Kocak
UK Turkish Islamic Cultural Centre
9 Dolphin Street
Manchester
M12 6BG

Agent (if used)

Simon Plowman
Plan:8 Town Planning Ltd
G7 44 Europa Business Park
Stockport
SK3 0XA

Part 1 – Particulars of the application/development

Proposal: Erection of an additional storey, above existing building, with 3 storey side extension to form a 3-storey building including retention of an existing community centre and formation of 15 student bedsits (sui generis), ancillary facilities and retained car parking

Location: 9 Dolphin Street, Manchester, M12 6BG

Date of application: 12 September 2023

Application number: 137242/FO/2023

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

Condition(s) attached to this decision

0) Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process to resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns in regard to the relationship of the proposed extension to the adjacent commercial building, and potential privacy issues in relation to the proposed accommodation.

These matters have been satisfactorily resolved and the appropriate conditions have been attached.

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 shall be carried out in accordance with the following drawings and documents:

Existing location plan ref: 2021/10/01

Statement to reduce risk of crime and measures to improve security;

Overarching Geo-environmental Assessment report ref: LKC 22 1483 dated October 2022

Planning Support Statement (notwithstanding the referenced gap to the adjacent mill on page 6 paragraph 7)

Noise Assessment dated 08 April 2022

received 9th June 2023

Agent email dated 12th July 2023 confirming the student accommodation is part of the community centre.

Fenton House and Palfrey Place Listing Descriptions and DAS Heritage Statement received 12th July 2023

Student Report in relation to Policy H12 of the Development Plan 'Purpose Built Student Accommodation' received 27th July 2023

Proposed plan ref: 2121.10 .03 rev.A and Waste Management proforma, and Transport Statement Doc Ref: 3181-01-TS01 dated March 2022 received 2nd August 2024

Student Accommodation justification email from agent dated 3rd November 2023;

University of Salford support letter received 3rd November 2023

Received 5th December 2023

Planning Agent email dated 14th December 2024

Letter from owner of Dolphin Mill dated 11th April 2024

Proposed Ground Floor plan ref: 2021.10.08 rev. D

Proposed First Floor plan ref: 2021.10.09 rev .D

Proposed Second Floor plan ref: 2021.10.10 rev.D

Proposed front and rear elevations plan ref: 2021.10.11 rev.C

Proposed side elevations plan ref: 2021.10.12 rev.D

Received 12th July 2024

Transport Statement ref: 3181-01-TS 01a dated July 2024

Received 30th July 2024

Proposed site plan ref: 2021.10.03 rev.E

Proposed Ground Floor plan ref: 2021.10.08 rev. E

Proposed site plan showing railings ref: 2021.10.16 rev.E

Received 18th August 2024

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) Prior to the commencement of the development, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- o The routing of construction traffic;

- o Detail the vehicular activity associated with the construction including appropriate swept path assessment;

- o Details of the location and arrangements for contractor parking;

- o The identification of the vehicular access points into the site;
 - o Identify measures to control dust and mud, including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
 - o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
 - o A highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.
 - o Identify measures to reduce noise emissions;
- Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (2012).

4) Prior to above ground works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

5) a) The car parking indicated plan ref: Proposed site plan ref: 2021.10.03 rev.E shall be demarcated and made available for use for the community centre prior to the residential accommodation hereby approved being occupied, and be retained thereafter.

b) Parking space no.1 on plan ref: Proposed site plan ref: 2021.10.03 rev.E shall be marked on site for use by disabled visitors to the property.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

6) Prior to the occupation of the student residential accommodation, a parking management strategy for the parking spaces on plan ref: Proposed site plan ref: 2021.10.03 rev.E to limit the use of the spaces to use by the community centre shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure that there is adequate parking for the community centre when the student residential accommodation is occupied, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

7) a) The cycle storage facilities shall be implemented in accordance with the location as shown on the approved plan refs : Proposed site plan ref: 2021.10.03 rev.E and Proposed site plan showing railings ref: 2021.10.16 rev.E, prior to the proposed accommodation being brought into use, and be retained thereafter.

b) Finalised elevational design details of the proposed cycle store hereby approved shall be submitted to and approved in writing by the City Council as local planning authority, prior to occupation of the accommodation hereby approved. The development shall be carried out in accordance with the agreed details.

c) In the event that Travel Plan monitoring identifies the need for increased cycle storage provision, additional provision adjacent to the approved cycle store shall be implemented, in accordance with the provision identified as part of the Travel Plan monitoring.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

8) Notwithstanding details submitted, within 3 months of the approved development first becoming operational, a full Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within twelve months of the first use of the development hereby approved, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

9) Development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority, together with details relating to how the scheme shall be maintained and managed after completion.

The development shall be constructed and completed in accordance with the approved details, prior to the occupation of the accommodation.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Manchester Core Strategy (2012).

10) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme has been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

Verification report providing photographic evidence of construction as per design drawings,;

As built construction drawings if different from design construction drawings;
Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason- To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and a maintenance mechanism for the lifetime of the development, pursuant to policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

11) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. No occupation of the development shall take place until the completion/verification report is submitted to and approved by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies EN18, DM1 and SP1 of the Manchester Core Strategy (2012).

12) a) The development hereby approved shall be implemented in full accordance with the mitigation and design measures set in the Noise Assessment report prepared by Echo Acoustics dated 08 April 2022, before any of the dwelling units are occupied.

b) Prior to above ground works, details of the mechanical ventilation system to be installed, together with confirmation that the system installed does not affect the internal noise levels at the development, and with an overheating assessment, shall be submitted to and approved in writing by the City Council as local planning authority.

c) Prior to first occupation of the residential units, a verification report shall 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 the internal 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 internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to policy DM1 of the Manchester Core Strategy (2012).

13) a) Notwithstanding the details contained within the Waste Management Strategy, received by the City Council, as Local planning Authority, on 12th July 2023 and indicated on plan refs: Proposed site plan showing railings ref: 2021.10.16 rev.E and Proposed site plan ref: 2021.10.03 rev.E 18th August 2024, prior to above ground works finalised details of refuse storage arrangements on the basis of separated storage arrangements for the community centre and the student residential accommodation shall be submitted to and approved in writing by the City Council as local planning authority.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

14) a) Prior to any above ground works, a scheme for a clean air intake for the proposed student accommodation shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason- To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012) .

15) The boundary treatment shall be implemented in accordance with the details, colouration and identified locations on the approved shown on plan ref: Proposed site plan showing railings ref: 2021.10.16 rev.E and shall thereafter be retained .

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 in order to comply with policies SP1 and DM1 of the Manchester Core Strategy (2012).

16) The development hereby approved shall only be carried out in accordance with the submitted Statement to reduce risk of crime and measures to improve security received by the City Council, as Local planning Authority, on 9 June 2023, and its associated recommendations. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation that these works have been carried out satisfactorily.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

17) a) Prior to the occupation of the student residential accommodation, finalised details of the containerised planting shown on Proposed front elevation plan ref: 2021/10/11 rev.D, together with the finalised location of the planters shall be submitted to and approved in writing by the City Council as local planning authority. The approved planting scheme shall be implemented, before occupation of the student residential accommodation.

b) If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

18) Before the occupation of the residential accommodation hereby approved, full details of the design and locations of bat and bird boxes to form part of the development shall be submitted and agreed with the Local Planning Authority. The permanent bat and bird boxes shall be installed in accordance with the agreed designs.

Reason - To provide a roost for bats a European Protected Species (Habitats Regulations 1994) and bird boxes to comply with policy EN15 of the Manchester Core Strategy (2012).

19) The bedroom windows in the northern elevation in the proposed side and second floor extension shall be obscurely glazed to a height of 1.7m above internal floor level to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, and maintained in perpetuity.

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy (2012).

20) The accommodation hereby approved shall only be used as residential accommodation for students, and for no other purposes of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

21) The existing pedestrian access gate to the community centre on Dolphin Street shall be repositioned as shown on plan ref: Proposed site plan showing railings ref: 2021.10.16 rev.E and shall thereafter be retained.

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 in order to comply with policies SP1 and DM1 of the Manchester Core Strategy (2012).

22) The student accommodation hereby approved is ancillary to the UK Turkish Islamic Cultural Centre as stated in agent email dated 12th July 2023, and shall only be used in conjunction with the UK Turkish Islamic Cultural Centre.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 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:

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.

Whilst the building to be modified has been assessed as low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Construction/demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance 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).

Date: 28 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 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.

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