

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 Simon Davey
St Josephs Group
Basement
24 Lever Street
Manchester
M1 1DZ

Agent (if used)

Mrs Sarah Schofield
iCatch Design
10 Kilworth Avenue
Manchester
M33 4SE

Part 1 – Particulars of the application/development

Proposal: Creation of bar (Sui Generis) within basement, with external alterations.

Location: Basement, 24 Lever Street, Manchester, M1 1DZ

Date of application: 5 June 2024

Application number: 139221/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 received by the City Council as local planning authority on 9 February 2024

The drawings referenced:

0209-06
0209-08
0209-09

received by the City Council as local planning authority on 17 May 2024

0209-10 Rev A
0209-11 Rev A

received by the City Council as local planning authority on 5 June 2024

0209-05 Rev B
0209-07 Rev A

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

0209-02 Rev B
0209-14 Rev A
0209-15
0209-16

received by the City Council as local planning authority on 26 July 2024

The Method Statement dated 12th April 2024 received by the City Council as local planning authority on 30 April 2024

The completed waste proforma received by the City Council as local planning authority on 12 July 2024

The Design and Access Statement prepared by received by the City Council as local planning authority on 12 July 2024

The email from iCatch Design dated 19 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 policy DC19.1 of the Unitary Development Plan for the City of Manchester.

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) An Operating Schedule and management plan for the use, to include prevention of crime and disorder, prevention of public nuisance, management of smokers and details of a dispersal procedure shall be submitted to and approved in writing by the City Council as local planning authority prior to the commencement of the use hereby approved.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

5) a) Prior to the first use of the development hereby approved, a scheme to acoustically insulate the premises 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 the premises.

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) Within one month of the 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 use 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 development hereby approved. The use hereby approved shall then not operate outside of the approved opening hours.

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) Notwithstanding the information hereby approved, full and final details of the screen to be installed in front of the louvre to be installed on the Bunsen Street elevation and full and final details of the louvres including details of the design, materials and finishes shall be submitted to and approved in writing by the City Council as local planning authority prior to the installation of the external louvre hereby approved. The approved screen shall be installed only in accordance with the approved information and shall be installed within the window opening prior to the installation of the louvre.

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.

9) (a) Prior to the first use of the development hereby approved, full details of the exact location and method of secure storage of the 2no. cycle spaces described within the email from iCatch Design dated 19 July 2024 shall be submitted to and agreed in writing by the City Council as local planning authority.

(b) Following the identification of the exact locations of cycle parking and prior to the first use of the development hereby approved the 2no. cycle spaces shall be implemented and retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development in order to support modal shift measures and air quality pursuant to policies SP1, T1, T2, EN14 and DM1 of the Manchester Core Strategy (2012).

10) The scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed within the completed waste management proforma received by the City Council as local planning authority on 12 July 2024 shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

11) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

Monday to Saturday- 07:30 to 20:00,

Sunday and Bank Holidays - 10:00 to 18:00

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

12) The access measures for disabled people to gain access into and throughout the premises as follows:

- Contrasting nosings to stairs
- Light Level to be sufficient for visually impaired
- Ambulant handrails within the toilets
- Contrasting colours to doors.

shall be fully implemented before the use hereby approved commences and 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.

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.

Any signage to the premises would require both advertisement consent and Listed Building Consent. Please contact the Local Planning Authority to discuss this.

Date: 31 July 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