

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

Nikar Properties (No 2) Limited
C/o Agent

Agent (if used)

Lynsay Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Change of use from offices (Class E) to 2no. residential dwellings (C3 use).

Location: 28 St John Street, Manchester, M3 4DJ

Date of application: 25 April 2023

Application number: 136625/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

Officers have worked with the applicant/agent in a positive and proactive manner in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

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:

- o A665_P_102 LOCATION PLAN 1:1250 A3
- o A665_P_101 BLOCK PLAN 1:500 A3

- o A665_P_105A DEMOLITION PLANS_LOWER 1:100 A3 (Received 11/03/2024)
 - o A665_P_106 DEMOLITION PLANS_UPPER 1:100 A3
 - o A665_P_201 PROPOSED SITE PLAN 1:500 A3
 - o A665_P_204 PROPOSED REFLECTIVE CEILING PLANS LOWER 1:100 A3
 - o A665_P_205 PROPOSED REFLECTIVE CEILING PLANS UPPER 1:100 A3
 - o A665_P_301 PROPOSED WEST ELEVATION 1:100 A3
 - o A665_P_302 PROPOSED SOUTH ELEVATION 1:100 A3
 - o A665_P_303 PROPOSED CONTEXT SOUTH ELEVATION 1:200 A3
 - o A665_P_304 PROPOSED CONTEXT WEST ELEVATION 1:200 A3
 - o A665_P_401A Rev B PROPOSED SECTION AA 1:100 A3 (Received 15/04/2024)
 - o A665_P_403 PROPOSED SECTION CC 1:100 A3
 - o A665_P_404A PROPOSED SECTION DD 1:100 A3 (Received 11/03/2024)
 - o A665_P_405A PROPOSED SECTION EE 1:100 A3 (Received 11/03/2024)
 - o A665_P_406A PROPOSED SECTION FF 1:100 A3 (Received 11/03/2024)
 - o A665_P_500A PROPOSED BASEMENT ELEVATION 1 OF 2 1:20 A3 (Received 11/03/2024)
 - o A665_P_501B PROPOSED BASEMENT ELEVATION 2 OF 2 1:20 A3 (Received 11/03/2024)
 - o A665_P_502 PROPOSED FIRST FLOOR ELEVATION 1:20 A3
 - o A665_P_503 PROPOSED SECOND FLOOR ELEVATION 1 OF 2 1:20 A3
 - o A665_P_504 PROPOSED SECOND FLOOR ELEVATION 2 OF 2 1:20 A3
 - o A665_P_3006 PROPOSED MECH VENT & SOIL PIPE SCHEMATIC 1 OF 2 1:100 A3
 - o A665_P_3007A PROPOSED MECH VENT & SOIL PIPE SCHEMATIC 2 OF 2 1:100 A3 (Received 16/04/2024)
 - o PROPOSED CONSTRUCTION DETAILS A665_T_3000 PROPOSED PARTY FLOOR DETAIL 1:5 A3
 - o A665_T_3001 PROPOSED NEW PARTY WALL INFILL DETAIL 1 OF 2 1:5 A3
 - o A665_T_3002 PROPOSED NEW PARTY WALL INFILL DETAIL 2 OF 2 1:5 A3
 - o A665_T_3003 PROPOSED NEW FRONT DOOR 1:5 A3
 - o A665_T_3004 NEW SOIL PIPE PLAN DETAIL 1 OF 2 1:5 A3
 - o A665_T_3005 NEW SOIL PIPE PLAN DETAIL 2 OF 2 1:5 A3
 - o A665_T_3006 TYPICAL CONSERVATION 1:5 A3
 - o A665_T_801 TYPICAL EXISTING SASH WINDOW DETAIL 1:20 A3
 - o A665_T_802 PROPOSED SECONDARY GLAZING DETAIL
- (All stamped as received by the City Council as Local Planning Authority on 29.03.2023 unless specified otherwise)
- o A665_P_202C PROPOSED BASEMENT, GF & 1ST FLOOR PLANS (Received 11/03/2024)
 - o A665_P_203B PROPOSED 2ND FLOOR & ROOF PLANS (Received 15/04/2024)
 - o A665_P_501A PROPOSED BASEMENT ELEVATIONS (Received 01/08/2023)
 - o A665_P_500C WASTE MANAGEMENT STRATEGY PLAN (Received 11/03/2024)
 - o A665_P_3007C PROPOSED MECH VENT & SOIL PIPE SCHEMATIC 1 of 2 (Received 11/03/2024)
 - o A665_P_3008A PROPOSED MECH VENT & SOIL PIPE SCHEMATIC 2 of 2
 - o A665_T_3005 NEW MECHANICAL VENTILATION DUCT - TYPE A
 - o A665_T_3005 NEW MECHANICAL VENTILATION DUCT - TYPE B
 - o A665_T_3005 ELECTRIC RISER DETAIL

(All stamped as received by the City Council as Local Planning Authority on 09.08.2023 unless specified otherwise)

- o A665_C_310 PROPOSED GA ELEVATIONS- VENTS DETAIL
- o A665_T_802A PROPOSED SECONDARY GLAZING DETAILS

(All stamped as received by the City Council as Local Planning Authority on 12.09.2023)
Documents:

- o Planning Statement prepared by Paul Butler Associates
- o Heritage Statement prepared by Paul Butler Associates
- o Design and Access Statement prepared by Ollier Smurthwaite Architects
- o Air Quality Assessment prepared by Redmore Environmental Consulting.

(All stamped as received by the City Council as Local Planning Authority on 29.03.2023)

- o Architectural Method Statement and Specification of Building Elements prepared by Ollier Smurthwaite Architects. 2nd Issue (received on 09.08.2023)
- o Noise Assessment for Planning Purposes prepared by AEC (received on 12.09.2023).
- o Archaeological Written Scheme of Investigation (Prepared by Paul Butler Associates; Dated 14/08/2023; Received 15/03/2024)
- o Archaeological Building Survey (Prepared by Paul Butler Associates; Dated 28/09/2023; Received 15/03/2024).

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 SP1 and DM1 of the Core Strategy.

3) Prior to the commencement of development, a construction management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt shall include as a minimum:

- o Measures to control noise and vibration
- o Dust suppression measures
- o Compound locations where relevant
- o Details of an emergency contact telephone number
- o A community consultation plan
- o Sheeting of construction vehicles
- o Parking of vehicle of site operatives and visitors
- o Types and frequency of vehicular demands
- o Routes for construction traffic (Including appropriate swept-path assessment)
- o Locations for loading/unloading and storage of plant, waste and construction materials
- o Any necessary temporary traffic management measures
- o Arrangements for turning vehicles
- o Arrangements to receive abnormal loads or unusually large vehicles

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The development shall only be carried out in accordance with the approved management plan.

Reason - To safeguard the amenities of nearby residents and neighbouring properties and in the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

4) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from surrounding roads / streets shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved:

- o Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)
- o Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq
- o Gardens and terraces (daytime) 55 dB LAeq

b) 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.

5) a) Prior to commencement of the development, a scheme for a clean air intake 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 Core Strategy.

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 commencement of the use 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. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme 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 development 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 minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

7) Prior to the commencement of the occupation of the use hereby approved, a scheme detailing the security measures that have been implemented as part of the development, including new doors, windows and secondary glazing, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved measures shall then be retained for the lifetime of the development.

Reason - In the interest of delivering a secure development to discourage and prevent criminal and anti-social behaviour in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

8) The scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed drawing A665_P_550C WASTE MANAGEMENT STRATEGY PLAN (Received on 11.03.2024) shall be implemented as part of the development, be made available for use prior to first occupation 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

9) The development shall proceed in accordance with the submitted Archaeological Written Scheme of Investigation (Prepared by Paul Butler Associates; Dated 14/08/2023; Received 15/03/2024) and Archaeological Building Survey (Prepared by Paul Butler Associates; Dated 28/09/2023; Received 15/03/2024).

The Greater Manchester Archaeological Advisory Service will be notified no less than one week in advancement of the commencement of the development hereby approved and shall be kept informed of significant findings of the building investigation during the carrying out of the approved scheme.

Reason - In the interest of recording and advancing understanding of the heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy (2012) and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995).

10) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive

nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) 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 and re-enacting that Order with or without modification). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

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: 18 April 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