MANCHESTER CITY COUNCIL

Planning

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Mrs Larna Smith
Avison Young
11 York Street
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Date: 9 April 2024

Dear Sir/Madam,

Application under Section 96a of the Town & Country Planning Act 1990 (as amended) for a Non-Material change to a planning permission
Application No: 139548/NMC/2024
Description: Non-material amendment to planning permission 130553/FO/2021, and non-material amendments 133829/NMC/2022 & 138854/NMC/2023, to vary the wording of conditions 7 (Acoustic Insulation) & Condition 9 (Plant Noise) to split trigger of commercial and office space.
Location: Land Bounded By John Dalton Street, Ridgefield, Bow Street And South King Street, Manchester

I refer to your application for a non-material amendment to planning permission reference 130553/FO/2021.

The proposed seeks to separate conditions 7 (Acoustic Insulation) and 9 (Plant Noise) in order to allow the approved office and ground floor commercial uses to be discharged separately.

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

Therefore I can confirm that the proposed amendments are hereby **approved**.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 130553/FO/2021. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 130553/FO/2021 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended conditions also now apply:

7) a) Prior to the first occupation of the premises, the property shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment including particulars of the acoustic glazing and acoustically treated ventilation to be installed as part of (i) the office development and (ii) the ground floor commercial uses within the building that has been submitted to and

approved in writing by the City Council as local planning authority. The approved scheme shall then be implemented in full before the use commences.

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) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development in relation to (i) the office development and (ii) the ground floor commercial uses conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 - In the interests of the amenities of occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

9) 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 (i) office use and (ii) the ground floor commercial uses 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 occupation of the (i) office use and (ii) the ground floor commercial uses, 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 in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

Should you wish to discuss the matter further, please contact Michael Pearson using the details above.

Yours faithfully,



Julie Roscoe
Director of Planning, Building Control & Licensing