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	Agent (if used)
Custodian REIT Plc C/o Agent	Emily Davies Avison Young 11 York Street Manchester M2 2AW

Part 1 – Particulars of the application/development

Proposal: External alterations associated with refurbishment of existing office space comprising the installation of new roof terrace with pergola; installation of solar panels; installation of new security fencing, creation of access lobby, refurbishment of entrance plaza, new planters, creation of gym with associated changing rooms and studio, cycle store.

Location: Arthur House, 13 - 15 Chorlton Street, Manchester, M1 3FH

Date of application: 17 July 2023

Application number: 137556/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

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 that has resolved the issues associated with the proposal.

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 223-YOU-XX-XX-DR-I-9001 Rev P01: Site Map (Received 09/10/2023)
o 223-YOU-XX-00-DR-I-2001 Rev C03: Proposed Ground Floor (Received 25/01/2024)
o 223-YOU-XX-01-DR-I-2002 Rev P01: Proposed First Floor (Received 17/07/2023)
o 223-YOU-XX-00-DR-I-9020 Rev P01: Entrance Landscaping (Received 09/10/2023)
o 223-YOU-XX-EL-DR-I-2101 Rev P07: Proposed Elevation (A) (Received 25/01/2023)
o 223-YOU-XX-EL-DR-I-2102 Rev P06: Proposed Elevation (B) (Received 25/01/2023)
o 223-YOU-XX-EL-DR-I-2103 Rev P11: Proposed Elevation (C) (Received 09/10/2023)
o 223-YOU-XX-EL-DR-I-2104 Rev P08: Proposed Elevation (D) (Received 09/10/2023)
o 223-YOU-XX-R1-DR-I-2701 Rev P02: Proposed Roof Plan R1 (Received 09/10/2023)
o 223-YOU-XX-R1-DR-I-2751 Rev P05: Proposed Roof Details (Received 09/10/2023)
o 223-YOU-XX-XX-DR-I-2126 Rev P02: Proposed Planter (Received 09/10/2023)
o 223-YOU-XX-XX-DR-I-2129 Rev P02: Frame & Glazing D-F (Received 12/12/2023)
o 223-YOU-XX-XX-DR-I-2130 Rev P02: Access Gate and Fence F-I (Received 09/10/2023)
o 223-YOU-XX-XX-DR-I-2131 Rev P04: Perimeter Fence (Received 25/01/2023)
o 223-YOU-XX-XX-DR-I-2132 Rev P05: Proposed Extension (Received 09/10/2023)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to the commencement of any works relating to the replacement windows hereby approved, exact details of their profile and depth, as well as material samples shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then proceed in accordance with the approved details.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework.

4) Prior to the commencement of works relating to the roof top extension hereby approved, material samples of the render and decorative carving to be used in its external finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework.

5) Notwithstanding the submitted railings material sample (Received 12/12/2023), prior to the commencement of works relating to the approved boundary treatment along Silver Street and Gold Street, exact samples of the concrete base of the boundary treatment, that will also show how the approved railings will be affixed to it, shall be

submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework.

6) Prior to the commencement of works relating to the hard landscaping measures, exact details and samples of the materials to be used within the finish of such works shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework.

7) Prior to the commencement of works relating to the installation of the secure bin store and cycle store hereby approved, specifications and samples of the materials to be used in their finish shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then proceed in accordance with the approved details, be made available for use prior to the occupation of the development and be retained thereafter.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework

8) The landscaping measures as shown on drawing no.223-YOU-XX-00-DR-I-9020 Rev P01 & drawing no.223-YOU-XX-XX-DR-I-2126 Rev P02 shall be implemented prior to the occupation of the development and be retained thereafter. If within five years of the date of the completion of the development any tree or shrub is removed, uprooted, destroyed, fails, 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 in its 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 Core Strategy.

9) Prior to the commencement of the development hereby approved, a detailed construction/fit-out management plan outlining working practices during the construction phase of the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt the plan shall include detail on the following matters;

- Hours of site opening/operation;
- Display of an emergency contact number;
- Dust suppression measures, including a section on air quality and the mitigation measures proposed to control fugitive dust emissions;
- Compound locations where relevant;
- Details regarding location, removal and recycling of waste (Site waste management plan);
- Phasing and quantification/classification of vehicular activity;

o Types and frequency of vehicular demands - Routing strategy and swept path analysis;
o Parking for construction vehicles and staff;
o Construction and demolition methods to be used;
o The erection and maintenance of security hoardings where relevant;
o Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times;
o Community consultation strategy, including details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure;
o Pedestrian management proposals;
o Loading and unloading of plant and materials;
o The design, erection, maintenance and dismantling of scaffolding.

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 construction of the development shall then be carried out in accordance with the approved plan.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

10) 10) a) Within three months of the date of this decision notice a scheme for the on site provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved scheme being made available for use prior to the occupation of the development and shall then be retained thereafter.

b) Within one month of the completion of the development a verification report confirming the installation of the approved works shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interest of promoting sustainable forms of transportation to and from the application site, and improving the air quality of the City Centre in accordance with Core Strategy Policies CC5, EN16 and DM1, Places for Everyone Plan Policy JP-S6, and the National Planning Policy Framework.

11) No external doors or gates shall open so as to encroach upon or overhang the public highway.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

12) No vegetation or planters adjacent to the site's vehicular access off of Major Street shall exceed a height of 600mm at any time.

Reason - In the interest of preserving visibility splays for motorists and pedestrians, and maintaining a high level of highway safety, in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

13) The refuse storage facilities as shown on drawing no.223-YOU-XX-00-DR-I-2001 Rev C03 & drawing no.223-YOU-XX-00-DR-I-9023 Rev P01 shall be made available for use prior to the occupation of the development and be retained thereafter.

Reason - In the interest of neighbouring amenity and public health in accordance with Core Strategy Policy DM1, the National Planning Policy for Waste and the National Planning Policy Framework.

14) The cycle storage facilities as shown on drawing no.223-YOU-XX-00-DR-I-2001 Rev C03 shall be made available for use prior to the occupation of the development and be retained thereafter.

Reason - In the interests of promoting sustainable forms of transportation to and from the application site in accordance with Core Strategy Policies CC5 and DM1, and the National Planning Policy Framework.

15) The ancillary gym use hereby approved shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:

o Monday - Sunday (Including Bank Holidays): 06:00 till 20:00

Reason - To safeguard neighbouring amenity in accordance with Manchester Core Strategy Policy DM1 and the National Planning Policy Framework.

16) a) Notwithstanding Noise Impact Assessment prepared by BWB and dated April 2023 (Received 17/07/2023), prior to the construction of the gymnasium a detailed scheme for acoustically insulating the offices adjacent and above the gymnasium against noise generated, shall be submitted to and approved in writing by the City Council as local planning authority and implemented in full before the approved use of the gymnasium commences.

b) Within one month of the completion of the development and before first occupation of the completed development hereby approved, 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 safeguard neighbouring amenity in accordance with Manchester Core Strategy Policy DM1 and the National Planning Policy Framework. .

17) a) Should any externally mounted ancillary plant, equipment or servicing be required for the approved gym use, it 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 safeguard neighbouring amenity in accordance with Manchester Core Strategy Policy DM1 and the National Planning Policy Framework.

18) The roof terrace hereby approved shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:

o Monday - Sunday (Including Bank Holidays): 08:00 till 21:00

Reason - To safeguard neighbouring amenity in accordance with Manchester Core Strategy Policy DM1 and the National Planning Policy Framework.

19) a) Before the use hereby approved commences, external lighting shall be designed and installed in accordance with a scheme that shall be submitted to and approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties. The development shall then proceed in accordance with the approved details.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light 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 criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

20) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

21) Prior to the occupation of the development hereby approved, a specification of security measures that shall detail how the development will achieve compliance with secured by design standards shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the

approved scheme which shall be implemented prior to the occupation of the development.

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

22) Prior to the occupation of the development hereby approved, a verification report confirming the installation of a bird box in an appropriate location on site, shall be submitted to and approved in writing by the Local Planning Authority. The approved box shall then be retained thereafter for the lifetime of the development.

Reason - In order to secure a biodiversity net gain on site in accordance with Manchester Core Strategy Policy EN15, Places for Everyone Plan Policy JP-G9 and 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.

The applicant should be advised that any requirements for licensing, hoarding/scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Contact Manchester (Tel: 0161 234 5004 / Email: highwaylicences@manchester.gov.uk).

The applicant should design and construct drainage system 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 EN14 & EN17 of the Core Strategy.

Date: 31 January 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