

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 Bell
Portland Estates Ltd
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Altrincham
WA14 2DT

Agent (if used)

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Manchester
M1 3PW

Part 1 – Particulars of the application/development

Proposal: Variation of Condition 10 (Use Class) from Use Class E (b) to Use Class F1 (a) attached to Planning Permission 134909/FO/2022.

Location: Ground Floor Rear, Beaver House, 125 Portland Street, Manchester, M1 4QA

Date of application: 12 July 2023

Application number: 137538/JO/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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Condition(s) attached to this decision

- 1) The development must be begun not later than 02.06.2026

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Drawing - Proposed P(201) REV B ELEVATIONS - SHEET 1
- Drawing - Proposed P(210) REV C ELEVATIONS - SHEET 2

-Drawing - Proposed P(234) REV D GROUND FLOOR ELEVATIONS - CRECHE
-Drawing - Proposed T(100) REV J GROUND FLOOR PLAN
-Tree survey or information TREE SURVEY REPORT
received by the City Council, as local planning authority, on 21/02/2023

-Heritage Statement
received by the City Council, as local planning authority, on 09/09/2022

-Design & Access Statement REV A
received by the City Council, as local planning authority, on 15/12/2022

-Drawing - Proposed P (170) REV E ROOF PLAN
received by the City Council, as local planning authority, on 02/06/2023

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 commencement, samples and specifications of the materials to be used on the external elevations of the building shall be submitted for approval in writing by the City Council as Local Planning Authority. This includes any brickwork, fixing and joining and new doorways and windows including specifications of frame widths. The approved materials shall be implemented as part of the development.

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.

4) 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 of a Secured by Design accreditation.

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.

5) Notwithstanding the details contained within the approved documents (P(201) REV B ELEVATIONS - SHEET 1, P(210) REV C ELEVATIONS - SHEET 2, P(234) REV D GROUND FLOOR ELEVATIONS - CRECHE, T(100) REV J GROUND FLOOR PLAN), prior to the commencement of the development hereby approved, full and final details of the boundary treatment shall be submitted for approval in writing by the City Council, as local planning authority. The approved details shall be implemented as part of the development and be in place prior to the first occupation of the development.

The boundary treatments for each phase of development shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012)

6) The window reveals and soffits for the development hereby approved shall be as follows:

- minimum 200mm;
- Soffits - brick.

The approved window and soffit detail shall be implemented as part of the development.

Reason - In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

7) 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 For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

The construction works shall be carried out in accordance with the approved construction management plan.

Reason: To ensure that the development is acceptable in the interests of the highway safety and the amenity of the locality, pursuant to policies SP1, DM1, CC5, CC10, T1, EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

8) a) Before the first use of the development hereby approved, a scheme for the storage and disposal of refuse shall be submitted for approval 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 accordance with Core Strategy Policy DM1.

9) The cycle parking indicated on the approved plan (Drawing - Proposed T(100) REV J GROUND FLOOR PLAN) shall be made available for use prior to the occupation of the development hereby approved.

The cycle parking shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

10) 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 of F1 (Learning and non-residential institutions - (a) Provision of education) 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).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1.

11) Prior to the occupation of the development hereby approved, a scheme shall be submitted detailing coverage for any CCTV systems, alarms and access control to check all areas of the development are covered shall be submitted to and approved in writing by the City Council, as local planning authority. The approved scheme shall be implemented in full for the duration of the use of the development.

Reason - in the interest of public safety pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) The external areas within the application site shall only be used in accordance with a Management Plan that shall be submitted to and approved in writing by the City Council as local planning authority before the development is first occupied and shall include:

- a schedule of days and hours of operation;
- number of occupiers (capacity); and
- statement of intended use.

The approved management plan shall be implemented upon the first use of the development hereby approved and thereafter retained.

No amplified sound or any music shall be produced or played in any part of the site outside the building.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

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

07:30 to 20:00, Monday to Saturday
10:00 to 18:00 Sunday/Bank Holiday

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation and in accordance with Core Strategy Policy DM1.

14) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

15) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained in the approved document (T(100) REV J GROUND FLOOR PLAN) paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

16) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work" and BS5837 "Trees in relation to design, demolition and construction".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

17) Prior to commencement, full and final details of the design of the green roof of the building shall be submitted for approval in writing by the City Council as Local Planning Authority. This shall include cross sections and materials. The approved design shall be implemented as part of the development.

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.

18) Prior to any above ground works, the specification of the hard and soft landscaping (including materials) shall be submitted for approval in writing by the City Council, as Local Planning Authority, The approved details shall be implemented as part of the

development and thereafter retained and maintained for as long as the development is in use.

Reason - In the interest of an appropriate landscaping scheme being prepared for the site and in the interest of visual amenity pursuant to policies SP1, EN1 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:

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: 12 September 2023

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 their 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.