

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

Palace Capital (Manchester) Ltd
C/o Agent

Agent (if used)

Emily Davies
Avison Young
11 York Street
Manchester
M2 2AW

Part 1 – Particulars of the application/development

Proposal: Change of use of Floor 2 and one additional upper floor from Offices (Use Class E(c)) to an educational facility (Use Class F1(a)) and Offices (Use Class E(c)) for a temporary period of 4 years.

Location: Boulton House, 17 - 21 Chorlton Street, Manchester, M1 3HY

Date of application: 10 August 2023

Application number: 136790/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 acted positively and proactively 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. In this case, after negotiation, the applicant has provided sufficient detail to allow the satisfactory assessment of the amended development and for remaining details to be secured via planning condition.

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 permission hereby granted is for a limited period only, four years from the date the planning permission is implemented.

Reason - The use hereby granted is for a temporary period only to help meet the short term demand for educational facilities in the area pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) Two months prior to the expiration of the temporary period, a scheme to restore the relevant floors of the building to office use shall be submitted for approved in writing by the City Council, as Local Planning Authority. The scheme shall be implemented within one month of the use ceasing and thereafter retained and maintained in accordance with this scheme.

Reason - To ensure that the building is reinstated to offices of the site pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

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

- 21036-FUS-XX-XX-DR-A-0001: Car Parking & Bicycle Store Plan (Received 24/07/2023)
- 21036-FUS-XX-02-DR-A-2002: General Arrangement Plan (Received 21/04/2023)
- 21036-FUS-XX-05-DR-A-2005: General Arrangement Plan (Received 21/04/2023)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EC1, EC3, CC1, CC5, EN19 and DM1 of the Core Strategy, saved policy DC26 of the Unitary Development Plan and Sections 9 and 12 of the National Planning Policy Framework.

5) The premises shall not be open outside the following hours for the lifetime of the development:

- Monday to Sunday (Including Bank Holidays) - 8:00 to 19:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 of the Manchester Core Strategy, and the National Planning Policy Framework.

6) The education use hereby approved shall be only be situated on the second floor of the application site and one additional floor at any one time for the lifetime of the development.

Reason - In the interest of securing the continued supply of office space within the City Centre in accordance with Core Strategy Policies DM1, EC3 and CC1, and the National Planning Policy Framework.

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

- o Monday to Saturday - 07:30 to 20:00
- o Sunday and Bank Holidays - 10:00 to 18:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 of the Manchester Core Strategy and the National Planning Policy Framework.

8) Prior to the occupation of the development, it shall be ensured that those persons either employed by or a student of the education use hereby approved, shall have access to the application site's cycle storage facilities, as shown on drawing no.21036-FUS-XX-XX-DR-A-0001, for the lifetime of the development.

Reason - In the interest of promoting sustainable modes of transportation within the City Centre in accordance with Core Strategy Policies CC5 and DM1, and the National Planning Policy Framework.

9) Prior to the occupation of the development the submitted waste management strategy (Received 21/04/2023) shall be implemented on site and then adhered to for the lifetime of the development thereafter.

Reason - In the interest of delivering acceptable waste management arrangements on site in accordance with Core Strategy Policy DM1 and the National Planning Policy for Waste.

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 is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and

agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Date: 3 October 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 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