

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

Zurich Insurance Company Ltd - UK
Branch
C/o CBRE Investment Management
Third Floor
One New Change
London
EC4M 9AF

Agent (if used)

Hannah Shine
CBRE Limited
10th Floor
One St Peters Square
Manchester
M2 3DE

Part 1 – Particulars of the application/development

Proposal: Elevation alterations and erection of two storey rooftop extension including rooftop terrace

Location: 35 Fountain Street, Manchester, M2 2AN

Date of application: 23 February 2023

Application number: 136013/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 in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. The City Council officers worked with the applicant during the application process to resolve issues relating to highway safety.

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:

L1011	Rev D	Proposed Plan - Basement
L1000	Rev C	Proposed Plan - Level 00
L1001	Rev C	Proposed Plan - Level 01
L1002	Rev D	Proposed Plan - Level 02
L1003	Rev D	Proposed Plan - Level 03
L1004	Rev D	Proposed Plan - Level 04
L1005	Rev D	Proposed Plan - Level 05
L1006	Rev D	Proposed Plan - Level 06
L1007	Rev D	Proposed Plan - Level 07
L1008	Rev D	Proposed Plan - Level 08
L1009	Rev E	Proposed Plan - Level 09
L1010	Rev E	Proposed Plan - Roof
L1600	Rev C	Proposed Elevation - Fountain Street AA
L1601	Rev C	Proposed Elevation - Marble Street BB
L1602	Rev C	Proposed Elevation - West Mosley Street CC
L1603	Rev C	Proposed Elevation - DD
L1604	Rev C	Proposed Elevation - Fountain Street AA
L1605	Rev C	Proposed Elevation - Marble Street BB
L1606	Rev C	Proposed Elevation - West Mosley Street CC
L1607	Rev C	Proposed Elevation - DD
L1610	Rev B	Proposed Section AA
L1611	Rev B	Proposed Section BB
SK71	Rev A	Façade Study 1 (Proposed)
SK73	Rev A	Façade Study 2 (Proposed)
SK75	Rev A	Façade Study 3 (Proposed)
SK77	Rev A	Façade Study 4 (Proposed)
SK79	Rev A	Roof Sections (Proposed)

Supporting Information

Planning Statement, CBRE Limited, January 2023
 Design and Access Statement, OMI Architects, December 2022
 Air Quality Assessment, BWB Consulting, December 2022
 Acoustics Assessment, Lighthouse Acoustics, December 2022
 Preliminary Ecology Assessment, Tyler Grange, December 2022
 Phase 1 Geo-environmental Assessment, IGE Consulting, December 2022
 Flood Risk and Drainage Strategy, IGE Consulting, July 2022
 Crime Impact Statement, GMP Design for Security, December 2022
 Television and Radio Impact Statement, G-Tech Surveys, December 2022
 Outline Construction Management Plan, CBRE Limited, January 2023
 Environmental Standards Statement, Quinn Ross, December 2022
 Heritage Impact Statement, SLHA, December 2022
 Transport Statement, Vectos, December 2022
 Travel Plan, Vectos, December 2022
 Waste Management Strategy incl. MCC Waste Proforma, Vectos, December 2022
 Stage 1 Road Safety Audit, six:TEN, August 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) Before the development commences, a highways dilapidation survey must be carried out and agreed in writing with the City Council as local planning authority.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

4) Before the development commences, a swept path analysis exercise must be carried out for the access and egress of construction vehicles, and agreed in writing with the City Council as local planning authority.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

5) (a) Prior to the commencement of the development, details of a Local Labour Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Labour Proposal means a document which includes: the measures proposed to recruit local people including apprenticeships mechanisms for the implementation and delivery of the Local Labour Proposal measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction workbeing completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

6) Notwithstanding the TV reception study prepared by G-Tech Surveys, received by the City Council, as Local Planning Authority 19 January 2023, within one month of the practical completion of the development, and at any other time during the construction of the development if requested in writing by the City Council as Local Planning Authority, in response to identified television signal reception problems within the potential impact area a study to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The measures identified must be carried out before the development is first occupied (or brought into use) or within one month of the study being submitted for approval in writing to the City Council as Local Planning Authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

7) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

(a) Samples and specifications of all material to be used on all external elevations and rooves of the development, drawings to illustrate details of full-sized sample panels and mock-ups that will be produced (The panel to be produced shall include jointing and fixing details between all component materials and any component panels), details of the drips to be used to prevent staining and details of the glazing and frames, a programme for the production of the full sized sample panels and a strategy for quality control management.

(b) Submission of a Construction Environmental Management Plan (CEMP) (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.

(c) The sample panels and quality control management strategy.

The approved materials shall be used in the construction 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.

8) Prior to the first occupation, the cycle storage, as indicated on drawing L1011 Rev D Proposed Plan - Basement received by the City Council, as Local Planning Authority, on the 19 January 2023 shall be implemented and made available upon first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

9) Before first occupation of the building, a planting scheme for the proposed rooftop amenity spaces which will incorporate a SUDs strategy into the building shall be submitted and approved in writing by the City Council.

Reason - pursuant to policies SP1 and DM1 of the Core Strategy.

10) The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police. 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 secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

11) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Outstanding' unless otherwise agreed in writing. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, before the building hereby approved is first occupied.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policy DP3 of Regional Spatial Strategy for the North West (RSS), and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

12) The submitted Waste Management Strategy shall be implemented and be in place prior first use of the building and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

13) The footpaths and areas between the pavement and the line of the proposed building shall be re-instated in York Stone within six months of any part of the development first being occupied.

Reason - In the interests of amenity and conservation, and to ensure that paving materials are consistent with the use of these areas as pedestrian routes and in accordance with policies CC9, EN3 and DM1 of the Core Strategy and saved policy DC19 of the Unitary Development Plan for the City of Manchester.

14) Prior to the first use of the office development hereby approved, details of the siting, scale and appearance of the solar panels to the roof of the building (including cross sections) shall be submitted to the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

15) Prior to the first use of the roof terraces of the development, details of the opening hours for the terraces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved opening hours shall then become the operating hours for the terraces in that phase. There shall be no amplified music or sound on the roof terrace at any time.

Reason - In interests of amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

16) The proposed office floors are permitted to be used 00.00 to 00.00 (24 hours a day, Monday to Sunday including Bank Holidays).

Reason - In order that the local planning authority can achieve the objectives both of protecting the amenity of local residents in accordance with saved policy DC 26 in

accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy

17) The development shall be carried out in accordance with the Travel Plan prepared by Vectos, received by the City Council as Local Planning Authority on 19 January 2023.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

18) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. in accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy and paragraph 174 of the National Planning Policy Framework.

19) 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 Dust suppression measures;
- o Details of wheel washing for construction vehicles;
- o Compound locations where relevant;
- o Details of an emergency contact telephone number which shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete
- o A community consultation plan and;
- o Sheeting of construction vehicles.

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

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

20) External areas within the application site shall only be used in accordance with a schedule of days and hours of operation, capacity and a statement regarding intended use submitted to and approved in writing by the City Council as local planning authority and shall not allow for the use of amplified sound or any music in these external areas at any time.

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

21) 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 pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

22) No development shall take place until surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards have been submitted to and approved in writing by the Local Planning Authority.

This shall include

:

- o A finalised drainage layout showing all components, outfalls, levels and connectivity;
- o Maximised integration of green SuDS components (utilising attenuation) if practicable;
- o Construction details of flow control and SuDS elements.
- o Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved details shall be in place prior to first use of the building.

Reason - Pursuant to policies SP1, and DM1 of the Manchester Core Strategy.

Reason - Pursuant to policies SP1, and DM1 of the Manchester Core Strategy.

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: 16 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