

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 Stephen Elias
Charlotte Street Estates Limited
1 Ashley Road
Altrincham
WA14 2DT

Agent (if used)

Ms Heloise Wood
Atelier MB
Suite 2A Amazon House
Brazil Street
Manchester
M1 3PJ

Part 1 – Particulars of the application/development

Proposal: Creation of 12 no. residential apartments (Use Class C3a) and associated external works

Location: St Margarets Chambers , 5 Newton Street, Manchester, M1 1HL

Date of application: 29 March 2023

Application number: 136417/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. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the application.

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:

(a) Site Location Plan 1907 (E(900) Rev A stamped as received on 06-03-23;

(b) Dwgs P(101) Basement Strip-out Rev A, P(110) Ground Floor Proposed Rev D, P(111) Ground Floor Strip Out, P(112) Ground - Basement Floor Plan Bin Cycle Store, P(119) Ground floor - Entrance Lobby Options, P(120) First Floor Plan Proposed rev G, P(121) First Floor Strip Out Rev A, P(130) Proposed Second Floor Plan Rev H, P(131) Second Floor Strip Out Rev A, P(140) Proposed Third Floor Plan Rev G, P(141) Third Floor Strip Out Rev A, P(150) Proposed Fourth Floor Plan Rev G, P(151) Fourth Floor Strip Out Rev A and , P(160) Proposed Roof Plan Rev A all stamped as received on 04-08-23;

(c) Dwgs P(200) Piccadilly Elevation - Proposed Rev C, P(201) Piccadilly Elevation - Strip-Out Rev A, P(206) Picadilly Elevation - Proposed Repairs and Conditions, P(210) Newton Street Elevation - Proposed Rev C, P(211) Newton Street Elevation 1-2 - Proposed Rev C, P(212) Newton Street Elevation 2-2 - Proposed Rev C, P(213) Newton Street Elevation - Strip-Out, P(214) Newton Street Elevation 1-2 - Strip-Out Rev C, P(215) Newton Street Elevation 2-2 - Strip-Out, P(216) Newton Street Elevation - Proposed Repairs and Conditions 1-2, P(217) Newton Street Elevation - Proposed Repairs and Conditions 2-2 Rev C, P(220) Back Picadilly Elevation - Proposed Rev C, P(222) Back Picadilly Elevation - Strip-Out Rev B, P(226) Back Picadilly Elevation - Proposed Repairs and Conditions, P(230) Lightwell Elevations - Proposed Rev A, P(231) Lightwell Elevations - Strip-Out Rev A, P(236) Lightwell Elevations - Proposed Repairs and Conditions 1-2 and P(237) Lightwell Elevations - Proposed Repairs and Conditions 2-2 Rev A all stamped as received on 04-08-23;

(d) Dwgs P(300) Proposed Section AA rev A, P(301) Proposed Section AA Strip-Out, P(310) Proposed Section BB Rev A, P(311) Proposed Section BB Strip-Out, P(320) Proposed Section CC, P(321) Proposed Section CC Strip-Out, P(330) Ground Floor Lobby Section AA Rev A, P(331) Ground Floor Lobby Section BB, P(332) Ground Floor Lobby Sections CC & DD Rev A, P(334) Ground Floor Bin Lift Section EE Rev B and P(335) Basement Proposed Opening Section GG Rev B all stamped as received on 04-08-23;

(e) Dwgs P(400) Typical Partition Detail Rev B, P(410) Typical Floor Build Up Proposed Upgrade Rev A, P(430) Details - windows Rev A, P(431) Roof Details 2 and P(440) Roof Details 1 all stamped as received on 04-08-23;

(f) Dwgs P(103) Proposed Basement Reflective Ceiling Plan and P(113) Proposed Ground Floor Reflective Ceiling Plan;

(g) Dwgs P(401) Typical Partition Detail - Sheet 2, P(402) Door and Partition Detail - Sheet 3, P(403) Panelled Wall Elevation - 1st Floor Lobby, and P(340) Fourth Floor Partitions all stamped as received on 04-08-23;

(h) Dwgs P(100) Basement Proposed Rev C and P(404) Rev A Panelled Wall Elevation - Upper floor Lobby both stamped as received on 16 04 23;

(i) Dwgs P(123) Rev A Proposed First Floor Reflective Ceiling Plan, P(133) Rev A Proposed Second Floor Reflective Ceiling Plan, P(143) Rev A Proposed Third Floor Reflective Ceiling Plan and P(153) Rev A Proposed Fourth Floor Reflective Ceiling Plan all stamped as received on 22 08 23;

(j) Method Statement Rev A- Door and Panel Modifications, Project Ref: 1907 St Margarets, Manchester by Atelier MB stamped as received on 16-08-23;

(k) St Margarets 1907 Envelope Repairs 23-02-2023 by Atelier Mb stamped as received on 13-03-23;

(l) Waste Proforma stamped as received on 25-04-23;

(m) ST MARGARET'S CHAMBERS, MANCHESTER, ENVIRONMENTAL STANDARDS STATEMENT, MARCH 2023, REF: 2022.213B by Element Sustainability stamped as received on 29-08-23;

(n) Section 8 of the St Margaret's Design and Access Statement by Atelier stamped as received on 06-03-23; and

(o) Ambient Noise and Building Envelope Assessment, Proposed Residential Development, St Margaret's Chambers, Newton Street, Manchester, M1 1HL, REPORT REFERENCE NO. J004193-5990-02-CW ,February 2023 by PDA stamped as received on the 13-07-23

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC7, CC9, CC10, T1, T2, EN3, EN6, EN8, EN16, EN19 and DM1 saved Unitary Development Plan policies DC18.1, DC19.1 and DC26.1

3) The residential accommodation hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, or 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 such as serviced apartments/apart hotels do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

4) Prior to the commencement of development, a detailed construction management plan outlining working practices during development shall be submitted for approval in writing by the local planning authority, which should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

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

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

5) The scheme for the storage (including segregated waste recycling) and disposal of refuse as set out in the Waste Proforma stamped as received on 25-04-23 and section 8.3 of the St Margaret's Design and Access Statement by Atelier stamped as received on 06-03-23 shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

6) The development hereby approved shall be carried out in accordance with the measures set out in the ST MARGARET'S CHAMBERS, MANCHESTER, ENVIRONMENTAL STANDARDS STATEMENT, MARCH 2023, REF: 2022.213B by Element Sustainability stamped as received on 29-08-23.

A post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

7) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details which should include the secondary entrance door certified to a burglary resistant standard (i.e. BS PAS 24) and the mailboxes are secure mailboxes (TS009:2019)

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.

8) Notwithstanding the recommendations within the Ambient Noise and Building Envelope Assessment, Proposed Residential Development, St Margaret's Chambers, Newton Street, Manchester, M1 1HL, REPORT REFERENCE NO. J004193-5990-02-

CW ,February 2023 by PDA stamped as received on the 13-07-23 before development commences final details of the following shall be submitted:

(a) a scheme for acoustically insulating and mechanically ventilating the residential accommodation against local road traffic network, any local commercial/industrial noise sources including the ground floor / basement commercial units;

(b) An assessment of the potential for overheating and any required mitigation which the noise insulation scheme shall take into account

and shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation and ventilation scheme and shall be completed before any of the dwelling units are occupied.

The following noise criteria will be required to be achieved whilst providing adequate ventilation as defined by Approved Document F of the Building Regulations (whole dwelling ventilation):

Bedrooms (night time - 23.00 - 07.00)	30 dB LAeq (individual noise events shall not exceed 45 dB L _{Amax,F} by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00)	35 dB LAeq

In terms of insulation from entertainment noise the scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

(c) Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

9) Prior to occupation of the residential accommodation a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location 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 equipment.

The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

10) Deliveries, servicing and collections associated with the management of the building and ancillary uses within it including waste collections shall not take place outside the following hours:

07:30 to 20:00 Monday to Saturday

10:00 to 18:00 Sundays and Bank Holidays

Reason - In interests of residential 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.

11) 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) a programme for: providing details of all repair and cleaning works and methodologies; for inspection of samples of these works; a quality control management statement; and for implementation of these works.

(b) The agreed works shall be implemented in accordance with the programme following sign off of samples;

(c) A schedule of and programme for the submission of samples of all internal and external materials;

(d) The material samples shall be submitted and approved in writing in accordance with the above programme;

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.

12) Notwithstanding the details as set out in condition 2 above for each of the following items no works shall commence unless and until final details (including where appropriate specification and method statement) of the following have been submitted to and approved in writing by the City Council as Local Planning Authority:

(a) Full and final details of the proposed new windows [first floor and lightwell], including glazing specifications, complete cross-section and an in-situ sample of the new window to the first floor to Newton Street;

(b) Full and final details of the proposed secondary glazing, including affixing detail, finish and an in-situ sample;

(c) Full and final details of the proposed new door to Newton Street and the new opening to Back Piccadilly, including product specifications and finish of the proposed new louvre;

(d) Full and final details of external lighting, signage and other installations;

(e) Full and final details of the proposed rooflights, including complete cross-sections and material specifications ; and

(l) A strategy and details of the location and detailing of all building services including electrics and plumbing, telecommunications, fire/security alarms, any aerials and CCTV cameras (and associated cabling and equipment) along with final details of these items;

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

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: 11 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 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