

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 Jonathan McCaul
McCaul Developments Ltd
C/o Agent

Agent (if used)

Mr Ralph Taylor
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Variation of planning permission 128924/JO/2020 to make elevational alterations including alteration to roof together with the configuration of the car parking area, means of access and landscaping

Location: Former All Souls Rectory , Every Street, Manchester , M4 7DQ

Date of application: 2 February 2023

Application number: 136140/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 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 hereby approved shall be carried out in accordance with the following drawings and documents:

- o 909 A 000: Location Plan (Dated 31/08/2016)
- o 909-A-001G Revision G: Proposed Site Plan (Dated 26/01/2023)
- o 909-A-002H Revision H: Proposed Ground Floor Plan (Dated 03/04/2023;
Includes Refuse Mark-Up)
- o 909-A-003F Revision F: Proposed First and Second Floor Plan (Dated 03/01/2023)

- o 909-A-004F Revision F: Proposed Third Floor Plan (Dated 03/01/2023)
- o 909-A-010: Proposed External Works Plan (Dated April 2023)
- o 909-A-010D Revision D: Proposed North Elevation (Dated 26/01/2023)
- o 909-A-011D Revision D: Proposed East Elevation (Dated 26/01/2023)
- o 909-A-012D Revision D: Proposed South Elevation (Dated 26/01/2023)
- o 909-A-013D Revision D: Proposed West Elevation (Dated 26/01/2023)
- o 909-A-030B Revision B: Proposed Part Section Elevation AA (Dated 26/01/2023)
- o 909-A-031B Revision B: Proposed Part Section Elevation BB (Dated 26/01/2023)
- o 1077-HAR-XX-ZZ-SC-E-6000 Rev P1: Proposed Residential Development (Dated 12/04/2023)
- o A695_P_4000I External Gate and Wall Details (Dated April 2023)
- o A695-T-101A Revision A: Proposed Site Plan & External Works (Dated 10/02/2023)
- o Wienerberger Bradfield Multi brick email (Dated 03/07/2023)

Reason: To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC5, EN14, EN19 and DM1 of the Core Strategy, saved policies DC19 and DC26 of the Unitary Development Plan and Sections 9, 12 and 16 of the National Planning Policy Framework.

2) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development, aside from the approved brick type (Wienerberger Bradfield Multi), have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the approved details.

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.

3) No above ground 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. 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.

4) The bicycle storage area indicated on the approved plans shall be implemented in full and made available for use prior to first occupation of the residential apartments hereby approved. The approved store shall be made available for use by the occupiers of the development at all times for the lifetime of the development thereafter.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

5) The car parking layout indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall remain in use at all times thereafter.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

6) Prior to the occupation of the development hereby approved, the electric vehicle charging point provision, as shown on drawing Nos.A695-T-101A Revision A & 1077-HAR-XX-ZZ-SC-E-6000 Rev P1, shall be made available for use and be retained thereafter for the lifetime of the development.

Reason: In the interest of improving the air quality of Manchester City Centre and contributing to the Council's target of net zero emissions by 2038 in accordance with Core Strategy Policies EN16 and T1, and the National Planning Policy Framework.

7) Prior to the first occupation of the development hereby approved, the waste management and storage arrangements depicted on drawing No.909-A-002H Revision H shall be made available for use and be retained thereafter for the lifetime of the development.

Reason - In the interests of residential amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

8) Before first occupation of the residential accommodation hereby approved, a scheme for acoustically insulating the residential accommodation against noise from Every Street shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved noise insulation scheme shall be completed before any of the flats are occupied and shall thereafter retained.

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

9) Prior to the commencement of any above ground works, a hard and soft landscaping scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall then proceed in accordance with the approved details.

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.

10) The development hereby approved shall only be carried out in accordance with measures detailed in the Environmental Standards statement prepared by Element Sustainability (Ref: 2016.131) dated September 2016, stamped as received by the City Council, as Local Planning Authority on the 19th September 2016.

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 and the principles

contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework (NPPF).

11) The development hereby approved shall only be implemented in accordance with the revised Construction Environmental Management Plan prepared by A&H Safety Consultants Limited (Dated April 2023) and shall be adhered to for the entirety of the construction phase of the development.

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

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the apartments hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

13) If any lighting associated with 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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

14) Prior to first occupation of the development hereby approved, details of a waiting/parking restriction (Traffic Regulation Order) on the carriageway immediately adjacent to the vehicular access on Caterham Street shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been constructed in accordance with the approved details and retained thereafter.

Reason - To ensure adequate sight lines to the access, the interests of highway safety, pursuant to Policy DM1 of the Core Strategy.

15) The development hereby approved shall only be implemented in accordance with the submitted Geo Environmental Investigation and Assessment produced by WML Consulting (Ref: 7261G-WML-00-XX RP-G-0002 Rev A) received by the City Council as Local Planning Authority on 20 November 2019 and updated Ground Gas Risk Assessment produced by WML Consulting (Ref: 7261G/TPB/SCC) received by the City Council as Local Planning Authority on 1 November 2019, pursuant to condition

discharge approval referenced CDN/19/0784. 128924/JO/2020 Page 6 of 8 To enable the full discharge of the condition, the following information is required to be submitted to and agreed in writing by the City Council as Local Planning Authority. (i) A post demolition Site Investigation and Risk Assessment Report; (ii) Submission of a detailed Remediation Strategy (to be submitted once the additional Site Investigation Report has been completed). (iii) A Completion/Verification Report to confirm that the development has been implemented in accordance with the agreed strategy. In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

16) Development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion. The scheme shall include:

- o Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes is required.
- o Surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.
- o Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- o Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;
- o Hydraulic calculations to support the drainage proposal.
- o Details of how the scheme shall be maintained and managed after completion.

Reason - 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 EN17 of the Manchester Core Strategy.

17) The development hereby approved shall be carried out in accordance with the bay study on drawing 09-A-030B received by the City Council, as Local Planning Authority, on the 2 February 2023. This shall include:

- Window reveal 215 mm minimum; and
- Soffits - brick.

The approved window reveal 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).

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the apartments 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(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within 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:

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.

Highway Informative: The approved development includes alterations to the highway network which will require a S278 agreement between the developer and Manchester City Council, which would include any required technical approval. Further information regarding such matters can be found at https://www.manchester.gov.uk/directory_record/287709/permission_to_work_on_the_highways_-_section_278_agreements/category/355/highways_and_pavements

Date: 7 July 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.