



Paul Butler Associates

Planning, Development & Heritage Consultants

15 March 2023

Mrs Julie Roscoe
Manchester City Council
Planning
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Town Hall
Manchester
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FAO Emily Booth

20.1456

Dear Emily

Eastern House, 40-42 Princess Street, Manchester; and Langley Buildings 44-46 Princess Street, Manchester, M1 6DE - Applications for Discharge of Conditions

Please find enclosed applications for the discharge of conditions attached to Listed Building Consents (LBC) 135618/LO/2022, 135619/LO/2022, and Planning Permission 135667/FO/2022. The LBCs relate to the interconnected 40-42 Princess Street (Eastern House) and 44-46 Princess Street (Langley Buildings) respectively, which along with Planning Permission 135667/FO/2022 were approved by Manchester City Council on 9 February 2023. The description of development for the Planning Permission (which included for all proposed works) stated:

'Installation of lightning protection system, generator, and ground level plant screen.'

The installation of the lightning protection system affects both Listed Buildings, whilst the LBC for Eastern House also included for the installation of the generator and ground level plant screen.

The conditions which are proposed for discharge are set out below, with the information submitted in support of this discharge referred to where appropriate.

Condition 3: Lightning Tape Details (all three consents)

Condition 3 states:

Notwithstanding the information detailed within Condition 2 of this application, full details of the 2no. lightning tapes hereby approved including the exact locations that they would be installed, including elevation and cross section drawings showing them in context with the building elevations and features that they would be located on/adjacent to and confirmation of the colours of the tapes. This information shall be submitted to and agreed in writing by the City Council as local planning authority prior to the installation of lightning tapes. The works shall be carried out fully and only in accordance with the approved information.

Retrospective discharge of Condition 3 is sought. Further to a site visit with MCC officers on 22 February 2023, it was agreed that the installation, positioning, and colouring of the tapes was acceptable. This was to verify MCC's initial view (email from Emily Booth to Don Murphy on 15 February 2023) that the works were likely acceptable based on the photographs which had been provided (Images 3.1 – 3.4).



Image 3.1: Conductor Tape – Courtyard



Image 3.2: Conductor Tape – Courtyard



Image 3.3: Conductor Tape – Courtyard



Image 3.4: Conductor Tape – Harter St.

Condition 4: Generator Screen (135618/LO/2022 and 135667/FO/2022)

Discharge of Condition 4 as attached to the Planning Permission and 40-42 Princess Street LBC is sought. The condition states:

Notwithstanding the information detailed within Condition 2 of this application, details of the materials of the generator screen including samples shall be submitted to and agreed in writing by the City Council as local planning authority prior to the installation of the generator hereby approved.

The approved screen shall be installed within a week of the installation of the generator hereby approved and shall be carried out fully and only in accordance with the approved information. The generator shall be screened for as long as it is in situ.

We can confirm that the approved screen will be constructed of a galvanised steel frame with flat rails and vertical timber. Please see the precedent image below (Image 4.1).



Image 4.1: Generator Screen Precedent Image

Condition 5: Noise (135667/FO/2022)

Discharge of Condition 5 as attached to the Planning Permission is sought. The condition states:

a) The generator hereby approved shall be acoustically treated in accordance with a scheme designed so as to achieve a rating level of 10dB (LAeq) above the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use of the generator 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 of the generator commences.

b) A verification report shall be submitted to and approved in writing by the City Council as local planning authority within 3 months of the first operation of the generator hereby approved to validate that the work undertaken in this development conforms to the recommendations and requirements in the approved acoustic report (a). 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. Any non-conformity with the recommendations in the report shall be fully resolved within 3 months of the first operation of the generator hereby approved.

The condition has been reviewed by Sandy Brown Associates, the author of the approved Noise Addendum (Ref: M024-A). In order to assist with the required acoustic scheme, the following queries have been raised. Once the MCC Environmental Health Officer (EHO) has confirmed these queries, the necessary information to discharge parts a and b of the condition can immediately be submitted:

- The proposed limit within the Condition 5 wording (10 dB above typical background) is in line with the approved Noise report, though exceedances to the limits are predicted.
- EHO to confirm whether routing testing could be carried out at a reduced duty to meet the daytime limit (LAeq 71 dB at 1 m from the generator should be achieved to meet the MCC daytime limits – this corresponds to 4 dB overall attenuation).
- If routing testing is only carried out during daytime hours (07:00-23:00), EHO to confirm whether a relaxation against the night-time limits could be agreed on the basis that the generator would only operate at night during a life-safety emergency.
- The planning condition requires a verification report (with post-completion measurements) to demonstrate the limits are met, and any conformity resolved within 3 months. EHO to confirm whether running the generator at a reduced duty (for routine testing) and assessing against the daytime limits would be suitable to demonstrate compliance.

We look forward to receiving confirmation regarding the above, and will be sure to submit supplementary information as soon as possible, to enable the discharge of the condition within the determination period.

We trust that this submission is sufficient to enable the discharge and partial discharge of each Condition. Should any further information be required, please do not hesitate to get in touch.

Yours sincerely



Don Murphy MPLAN MRTPI
Director