

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

Ms Vedrana Bilanovic Riley
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Agent (if used)

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LS10 1GX

Part 1 – Particulars of the application/development

Proposal: Extension of 5th floor plant room enclosure, gas pipe and lift overrun.

Location: 40 Laystall Street, Manchester, M1 2JP

Date of application: 1 December 2022

Application number: 135633/FO/2022

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application and agreement of amendments to the proposals. All remaining issues can be dealt with by 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 development hereby approved shall be carried out in accordance with the following drawings and documents:

The location plan referenced 4328 PL 280 Rev - received by the City Council as local planning authority on 1 December 2022.

The following drawings:

4328 P(00) 111 Rev E
4328 P(00) 112 Rev D
4328 P(00) 105 Rev G
4328 P(90) 300 Rev D

received by the City Council as local planning authority on 3 February 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies CC9, EN1, EN3, EN16 and DM1 of the Core Strategy, saved policy DC19.1 and DC26 of the Unitary Development Plan.

3) Notwithstanding the details shown in the approved documents and detailed in condition 2 of this decision, full details of the materials and finishes of the gas flue pipe shall be submitted to and approved in writing prior to the installation of this pipe. The works shall then be carried out 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 EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan.

4) a) The externally mounted equipment 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 approved equipment the scheme shall be submitted to and approved in writing by the City Council as local planning authority prior to the installation of the plant 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 approved equipment commences.

b) A verification report shall be submitted to and approved in writing by the City Council as local planning authority within 1 months of the first operation of the equipment 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.

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

5) The colour of the louvred plant enclosure hereby approved shall be RAL 7035 (Light Grey) as confirmed on drawing referenced P(00)111 Rev E.

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 EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan.

6) For the avoidance of doubt this decision does not grant or imply grant of planning permission for items 1-4 (inclusive) as listed on the drawings referenced 4328 P(00) 111 Rev E and 4328 P(00) 112 Rev D, which shall form part of other applications for planning permission.

Reason - For the avoidance of doubt and to ensure that the works comply with relevant legislation and guidance, pursuant to policies EN3, CC9, SP1 and DM1 of the Manchester Core Strategy, saved policy DC19.1 of the Unitary Development Plan.

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: 10 February 2023

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

135633/FO/2022

Page 4 of 6

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