

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 Nicholas Lloyd
Urbana Partners
Studio 3
91 Wimpole Street
London
W1G 0EF

Agent (if used)

Mr Nab Speakes
3DReid
26 Cross Street
Manchester
M2 7AQ

Part 1 – Particulars of the application/development

Proposal: Refurbishment of the existing building including introduction of new fenestration, refurbishment of existing curtain wall, infill of double height recessed bays, new entrances, creation of new amenity space at roof level and introduction of Class E (a,b) use to the ground floor.

Location: 17 Quay Street, Manchester, M3 3HN

Date of application: 26 October 2022

Application number: 135294/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

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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:

220022-3DR-ZZ-ZZ-DR-A-08401-P1-Proposed North Elevation
220022-3DR-ZZ-ZZ-DR-A-08402-P1-Proposed West Elevation
220022-3DR-ZZ-ZZ-DR-A-08403-P1-Proposed South Elevation
220022-3DR-ZZ-XX-RP-A-08001-P01 Design and Access Statement
220022-3DR-ZZ-ZZ-DR-A-08501 P1 Proposed Section AA
220022-3DR-ZZ-ZZ-DR-A-08502 P1 Proposed Section BB
20022-3DR-ZZ-02-DR-A-08204 Proposed Floor Plan Level 02
20022-3DR-ZZ-B1-DR-A-08201 Proposed Floor Plan Basement
220022-3DR-ZZ-00-DR-A-08202 Proposed Floor Plan Level 00
220022-3DR-ZZ-01-DR-A-08203 Proposed Floor Plan Level 01
220022-3DR-ZZ-03-DR-A-08205 Proposed Floor Plan Level 03
220022-3DR-ZZ-04-DR-A-08206 Proposed Floor Plan Level 04
220022-3DR-ZZ-05-DR-A-08207 Proposed Floor Plan Level 05

Environmental noise survey report ref. 22355-R01-A dated 28 July 2022 prepared by Sandy Brown

Crime Impact Statement referenced 2019/0774/CIS/01

Transport Statement referenced VN222432 dated October 2022

Waste Management Strategy

Received by the City Council as Local Planning Authority on 26 October 2022.

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) Prior to commencement, samples and specifications of the materials to be used on the external elevations of the building shall be submitted for approval in writing by the City Council as Local Planning Authority. This shall include the submission of samples the replacement windows, external cladding and brick stain. The approved materials shall be implemented as part 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.

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

- Display of an emergency contact number;
- Phasing and quantification / classification of vehicular activity associated with planned construction;
- Commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway;
- Compound locations where relevant;
- Parking of construction vehicles and staff;
- Sheeting over of construction vehicles;

-A dilapidation survey, including photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

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 construction and demolition works shall be carried out in accordance with the approved construction management plan.

Reason: To ensure that the development is acceptable in the interests of the highway safety and the amenity of the locality, pursuant to policies SP1, DM1, CC5, CC10, T1, EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

5) The Class E (a,b) use shall not be open outside the following hours:

07:00 to 02:00 Mon to Sat and 07:00 to 00:00 Sunday and Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1 and Saved UDP Policy DC26.

6) a) Prior to the first use of the development, a scheme for the extraction of fumes, vapours and odours shall be submitted for approval in writing by the City Council as local planning authority. The approved scheme shall then be implemented.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to first use of the development hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1.

7) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. 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.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1 and Saved UDP Policy DC26.

8) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, Sunday and Bank Holiday confined to 10:00 to 18:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1.

9) The external areas of the building shall be ancillary to the office use only and no amplified sound or any music any time shall be played in these areas.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1 and Saved UDP Policy DC26.

10) a) Prior to first use of the development hereby a 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 any external plant at the site. The scheme shall be implemented in full before the first use of the development.

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.

b) Prior to the plant being first brought into use, 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 in accordance with Core Strategy Policy DM1 and Saved UDP Policy DC26.

11) a) Before the first use of the development hereby approved, a scheme for the storage and disposal of refuse shall be submitted for approval in writing by the City Council as local planning authority.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health accordance with Core Strategy Policy DM1.

12) The development hereby permitted shall be carried out in accordance with the security measures as outline in section 4 of the Crime Impact Statement referenced 2019/0774/CIS/01 received by the City Council as Local Planning Authority on 26 October 2022.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

13) The commercial units, as indicated on drawing 220022-3DR-ZZ-00-DR-A-08202 stamped as received by the City Council, as Local Planning Authority, on the 26 October 2022, can be occupied as Use Class E (a and b) (excluding convenience retail) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester

14) Prior to the first use of the office element of the development hereby approved, the cycle store shall be implemented in accordance with drawing 20022-3DR-ZZ-B1-DR-A-08201 stamped as received by the City Council, as Local Planning Authority, on the 26 October 2022 and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

15) Prior to the first use of the office element of the development hereby approved, the car parking spaces, as indicated on drawing 20022-3DR-ZZ-B1-DR-A-08201 stamped as received by the City Council, as Local Planning Authority, on the 26 October 2022 shall then be implemented, made available and remain in situ for as long as the development remains in use.

Reason - To ensure sufficient car parking is available for the occupants of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

16) Prior to the first use of the office element hereby approved details of fast charging electric car charging points to an agreed number of the car parking bays, as shown on drawing 20022-3DR-ZZ-B1-DR-A-08201 stamped as received by the City Council, as Local Planning Authority, on the 26 October 2022 shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and remain available for as long as the development is in.

Reason - In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

17) Prior to the first use of the development hereby approved, details of bird and bat boxes to be provided (including location and specification) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason - To provide new habitats for birds and bats pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

18) Prior to the first occupation of the development, a signage strategy for the entire buildings shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for the development and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

19) No doors to commercial units (other than those designated as fire exits) shall open outwards onto adjacent pedestrian routes.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

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: 4 January 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