

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 James Nichols
The Hut Group
C/o Agent

Agent (if used)

Miss Ellie Philcox
Euan Kellie Property Solutions
Landmark House
Station Road
SK8 7BS

Part 1 – Particulars of the application/development

Proposal: Internal refurbishment of the existing King Street Townhouse Hotel including eighth floor rooftop extension and replacement of the existing facade at fifth, sixth and seventh floors together with associated works

Location: 10 Booth Street, Manchester, M2 4AW

Date of application: 22 June 2021

Application number: 130826/FO/2021

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 a planning application, officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance this has included advice about the intended use of the proposed development and its impact, and the development is considered acceptable, subject to conditions.

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:

Drawings

- o Site Plan 11177-EPR-00-XX-TP-A-01-0101-Rev 01
- o Basement Level - Proposed Plan 11177-EPR-00-B1-TP-A-02-0240- Rev 01
- o Ground Floor - Proposed Plan 11177-EPR-00-GF-TP-A-02-0241-Rev 01
- o Mezzanine Level - Proposed Plan 11177-EPR-00-M1-TP-A-02-0242-Rev 01
- o First Floor - Proposed Plan 11177-EPR-00-01-TP-A-02-0243-Rev 01
- o Second Floor - Proposed Plan 11177-EPR-00-02-TP-A-02-0244-Rev 01
- o Third Floor - Proposed Plan 11177-EPR-00-03-TP-A-02-0245-Rev 01
- o Fourth Floor - Proposed Plan 11177-EPR-00-04-TP-A-02- 0246-Rev 01
- o Fifth Floor - Proposed Plan 11177-EPR-00-05-TP-A-02-0247-Rev 01
- o Sixth Floor - Proposed Plan 11177-EPR-00-06-TP-A-02-0248- Rev 01
- o Seventh Floor - Proposed Plan 11177-EPR-00-07-TP-A-02-0249 Rev 01
- o Eighth Floor - Proposed Plan 11177-EPR-00-08-TP-A-02-0250- Rev 01
- o Roof Level - Proposed Plan 11177-EPR-00-RF-TP-A-02-0251-Rev 01

Received by the City Council, as Local Planning Authority, on the 22 June 2021

Documents

External Lighting Strategy prepared by BDP
Design & Access Statement prepared by EPR
Waste Management Strategy prepared by EPR
Heritage and Visual Impact Assessment prepared by Stephen Levrant Heritage Architecture
Computer Generated Images prepared by EPR
Acoustic Assessment prepared by WSP
Energy and Environmental Standards Statement prepared by WSP
Transport Statement prepared by Vectos
Waste Management Strategy prepared by Vectos
Operational Management Strategy prepared by THG
Preliminary Bat Roost Assessment prepared by Tyler Grange.

Received by the City Council, as Local Planning Authority, on the 22 June 2021

Lighting Report for Planning' prepared by BDP Received by the City Council, as Local Planning Authority, on the 10 May 2022

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Policy DM1 (Development Management) of the Manchester Core Strategy.

3) Prior to the commencement of the development hereby approved, details of the samples and specifications of all materials to be used on all external elevations of the development, including all replacement windows and doors, along with jointing and fixing details, have been submitted to and approved in writing by the City Council as local planning authority. 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 development, a detailed construction management plan outlining working practices for the proposed development construction shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the construction management plans shall include:

- o Display of an emergency contact number;
- o Communication strategy with residents;
- 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 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 plans for the duration of the demolition and construction parts of the development.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

5) Prior to the first use of the development hereby approved, a schedule of hours of operation shall be submitted for approval in writing by the City Council, as local planning authority. The schedule shall include the hours for the bars, function rooms and event space. The approved schedule shall then be implemented and remain in place for as long as the premises is in use.

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

6) Prior to the first use of the external roof terraces hereby approved, a management plan shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include:

- a) a management plan which includes the intended use, the permitted occupiers (and nature of events), a schedule of days and hours of operation, assessment of patron noise.
- b) a scheme to contain internal noise, including a lobbied door system, or other noise exclusion proposal, with details including design, performance and specification.
- c) maximum capacity of each terrace area, shown with accompanying plan.
- d) full details of external lighting for terrace areas.

There shall be no use of speakers, amplified sound, live, recorded or DJ led music, in any external areas at any time.

The approved management plan shall then be implemented and remain in place for as long as the premises is in use.

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

7) (a) Prior to the first use of the development, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted 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 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall not be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed in writing with the City Council, as Local Planning Authority. Any measures shall thereafter be retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

8) No doors (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).

9) The waste management arrangements for the development hereby approved shall be carried out in accordance with the Waste Management Strategy (including MCC's Waste Proforma) stamped as received by the City Council, as Local Planning Authority, on the 22 June 2021.

The details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

10) (a) Prior to the first use of the development hereby approved, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the L_{Aeq} (entertainment noise) shall be controlled to 10dB below the L_{A90} (without entertainment noise) in each octave band

at the façade 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, respectively.

There shall be no live drums in use at any time.

(b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

11) The development hereby approved shall be carried out in accordance with the recommendations of the biodiversity survey received by the City Council, as Local Planning Authority, date 22 June 2021.

Reason - In the interest of ecology and biodiversity pursuant to policy EN15 of the Manchester Core Strategy (2012).

12) 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).

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

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Date: 17 November 2022

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/planning-inspectorate. 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.