

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 S Yip
PB Manchester Ltd
23 Peter Street
Manchester
M2 5QR

Agent (if used)

Mr Adam Hegab
Creative Architecture Ltd
1 The Long Stables
Rochdale Road
Oldham
OL3 5UE

Part 1 – Particulars of the application/development

Proposal: External alterations to form upper floor balcony/terrace area

Location: 23 Peter Street, Manchester, M2 5QR

Date of application: 26 July 2022

Application number: 134319/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

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:

- Application Form (PP-11386580 dated 08 July 2022) - Received 08 July 2022
- Location Plan (Drawing 1000 dated 31 March 2022) - Received 08 July 2022
- Existing Site Plan (Drawing 1001 Revision A dated 04 July 2022) - Received 08 July 2022
- Existing Floor Plans (Drawing 1002 dated 01 April 2022) - Received 08 July 2022
- Existing Elevations (Drawing 1003 dated 30 June 2022) - Received 08 July 2022
- Proposed Site Plan (drawing 1004 dated 01 April 2022) - Received 08 July 2022

- Proposed Floor Plans (Drawing 1005 Revision C dated 22 August 2022) - Received 22 August 2022
- Proposed Elevations (Drawing 1006 Revision B dated 22 August 2022) - Received 22 August 2022
- Proposed 3D View (Drawing 1007 Revision B dated 30 January 2021) - Received 22 August 2022
- Proposed 3D View (Drawing 1008 Revision B dated 30 January 2021) - Received 22 August 2022
- Proposed Sections (Drawing 1009 Revision A dated 22 August 2022) - Received 22 August 2022
- Heritage Assessment prepared by Garry Miller Heritage Consultancy (Proposed Alterations at 23 Peter Street) - Received 08 July 2022
- Noise Survey and Noise Impact Assessment prepared by DBX Acoustics (Reference 22041 dated 09 August 2022) - Received 11 August 2022
- Management Strategy prepared by Creative Architecture Limited ('Revision A' dated 09 July 2022) - Received 11 August 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) Notwithstanding drawing '1006 Revision B - Proposed Elevations stamped as received by the City Council, as Local Planning Authority, on the 22 August 2022, prior to the commencement of the development, samples and specifications of all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council as local planning authority.

The approved materials shall be used in the construction of the development.

Reason - To ensure that the appearance of the building is appropriate and would have no undue impact on the local historic environment or established Conservation Area, in accordance with Manchester Core Strategy policies SP1, CC9, EN3, DM1 and saved Unitary Development Plan policies DC18.1 and DC19.1

4) Notwithstanding the details shown on/within the approved drawings and documents listed in condition 2 and 3, the following information shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to each particular aspect of the specific specified works commencing:

- a. Methodology of removing glass canopy and repair/making good of brickwork/stonework to front elevation
- b. Full details of aluminium doors and windows proposed
- c. Full details of joinery details and proposed glass balustrade, which should also include detailed cross sections
- d. Full details of proposed external lighting scheme

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

5) Prior to the commencement of any works to the existing external facade, a scheme, including a detailed methodology and specification, for any scaffolding and support

structures required in order to carry out the approved works shall be submitted to and approved in writing by the City Council as local planning authority.

The scheme shall explore options considered in order to minimise any potential harm to the asset, and include details of any means of affixing to the building, location of any associated fixings to the building, details of how the building fabric would be protected from potential damage as a result of the erection of the scaffolding and details of making good to the building fabric following the removal of the scaffold. Any associated scaffold shall be fully implemented and subsequently removed in accordance with the approved scheme.

Reason - In the interests of visual amenity and because the proposed works affect designated heritage assets and careful attention to building work is required to protect the character and appearance of the listed building and designated Conservation Area in accordance with policies SP1, CC9, EN3 and DM1 of the City of Manchester Core Strategy and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester

6) Prior to the first use of the covered terrace area hereby approved, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustician report (Noise Survey and Noise Impact Assessment prepared by DBX Acoustics reference 'Peaky Blinders Bar, 23 Peter Street, Manchester' and dated 09 August 2022). This 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 criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties, in accordance with Policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26.1 of the Manchester Unitary Development Plan

7) The external areas/outside seating area associated with the proposed terrace shall only allow be used in accordance with the submitted Management Strategy (Management Strategy prepared by Creative Architecture Ltd 'Revision A' dated 10 August 2022) and shall not allow for the use of amplified sound or any music in these external areas at any time.

The opening hours shall be 12 (midday) to 23:00 daily.

Reason - To safeguard the amenities of the occupiers of nearby properties in accordance with Policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26.1 of the Manchester 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.

Following consultation with Greater Manchester Police, the following recommendations were made:

- The new external fittings (i.e. shutters, windows or doors, cycle storage) should be certified to Secured by Design standards.
- All aspects of the proposed balcony, particularly doorways should be illuminated with dusk til dawn lighting.
- Coverage for any CCTV systems and alarms will need to be reviewed to check all areas of the development are covered.

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Date: 25 August 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.

Appendix A



The Coal
Authority

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/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

This Standing Advice is valid from 1st January 2021 until 31st December 2022