

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

Agent (if used)

Real Estate Development Partnership Ltd
80 Mosley Street
Manchester
M2 3FX

Part 1 – Particulars of the application/development

Proposal: Variation of condition 3 (Contract for works to amend the triggers for the additional support and strengthening works required to stabilise the structure of 7 Kelvin Street to be carried out) attached to Listed Building Consent 130475/LO/2021

Location: 42-46 Thomas Street, Manchester, M4 1ER

Date of application: 7 July 2022

Application number: 134301/JO/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. All remaining issues can be dealt with by condition.

Condition(s) attached to this decision

1) The development must be begun not later than 03-08-22 beginning with the date of this permission.

Reason - In line with the approval under 130475 and to ensure a satisfactory development in line with the requirements of Section 16 of the NPPF and sections 16,66 and 72 of the Listed Building Act 1990 and 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:

(a) Site plans 05013 MP 01 2201, BP 00 0001 and MP 01 220;

(b) Dwgs 05013 B1 02 5099, 05013 B1 02 5100, 05013 B1 02 5101, 05013 B1 02 5102 and 05013 B1 02 5103 ;

(c) Dwgs 05013 B1 02 2199 Rev A, 2200 Rev A, 2201 Rev A, 2203 Rev A, 2204 Rev A, 2205 Rev A and 2206 Rev A (113475/FO/2016 and 113476/LO/2016);

(d) Dwgs 05013 B1 04 2200 Rev A and 2201 Rev A (113475/FO/2016 and 113476/LO/2016);

(e) Dwgs 05013 B1 05 2201 Rev A, 2202 Rev A, 2203 Rev A and 2204 Rev A (113475/FO/2016 and 113476/LO/2016); and

(f) Dwgs 05013 B1 10 4200 Rev A, 42001 Rev A, 4210 Rev A, 4300 Rev A, 4301 Rev A, 4310 Rev A, 4401 Rev A, 4400 Rev A and 4401 Rev A (113475/FO/2016 and 113476/LO/2016);

(g) Dwgs 05013 B1 03 2200 , 05013 B1 12 3204, 3205, 3207, 3206, 3208 and 3209 (113475/FO/2016 and 113476/LO/2016);

(h) RED PARTNERSHIP Climate Emergency - Carbon Statement Residential Development, 42-50 Thomas Street, Manchester and WSP's e-mail dated 22-05-20 in relation to Embodied Carbon and the Sustainability Agenda

Reason - To ensure that the development is carried out in accordance with the approved plans and pursuant to Core Strategy SP 1, CC9 , EN3 and DM 1 and saved Unitary Development Plan policies DC18.1, DC19.1 and DC20.

3) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works for the redevelopment of the site as approved under application ref no's 113475/FO/2016 has been agreed and signed and evidence of that contract has been supplied to the City Council as local planning authority and the programme, scope and nature of the enabling works in relation to the additional support and strengthening works required to stabilise and repair the structure have been agreed (CDN/22/0434)

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

4) The development shall be implemented in accordance with the following:

(a) Details of a Phasing Plan and programme for the delivery of the consented schemes 113475/FO/2016

*Programme for Delivery -Thomas St Main Works Programme_Rev 4 and Thomas Street, 7 Kelvin Street Level 2 Programme Rev 2 28/07/2022

and with the

- * Demolition Plan (PCS-DOC-42TS-001_02 Demolition Plan)
- *Stage 1 Demolition RAMS (PCS-RAMS-42TS-003_01 Stage 1 Demolition RAMS)
- *Demolition Specification (PCS-DOC-42TS-002_00 Demolition Specification)
- *Stage 1 Soft Strip Scope of Works (Stage 1 Soft Strip Scope_R1)

(b) Details of a package of enabling works in relation to the additional support and strengthening works required to stabilise the structure of 7 Kelvin Street;

This part of the condition is discharged on the basis of the:

*Structural Condition Report (No.7 Kelvin St - Structural Survey Report June 2020 Rev 03); and

Compliance with the following:

- *Stabilisation Concept Design and Performance Specification (TST-REN-B-ZZ-DR-S-01100 and TST-REN-B-ZZ-SP-S-01100 P02)
- *Vibration and Movement Monitoring Performance Specification (TST-REN-0-XX-SP-S-00060_Monitoring Specification)
- *Stabilisation RAMS (PCS-RAMS-42TS-004_00 7KS Stabilisation RAMS) UPDATED 18/07/2022

And

subject to ongoing compliance during design development and project delivery as set out in :

*Programme for Delivery -Thomas St Main Works Programme_Rev 4 and Thomas Street, 7 Kelvin Street Level 2 Programme Rev 2 27/07/2022);

and with the :

*Quality Inspection and Test Plan by Mountain Earth Ref TS/QMP/QITP/7KS/001 Rev PO3 (Draft) subject to final sign off as detailed in the Programme for Delivery -Thomas St Main Works Programme_Rev 3 and Thomas Street, 7 Kelvin Street Level 2 Programme Rev 1 28/07/2022

All of the above shall be implemented in accordance with the approved details

Reason - Given the further deteriorated condition of 7 Kelvin Street since the granting of the 2017 consents, to ensure that works are sequenced to ensure the prioritisation of stabilising 7 Kelvin Street and necessary structural works to secure its retention and refurbishment prior of any demolition of 42-46 Thomas Street taking place. In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

5) Notwithstanding the findings within Bat Survey Report (REC, August 2019) and Emergence Survey May 2021, if demolition works have not commenced by April 2023 an updated survey including an assessment of change and any new mitigation and/or licensing that may be required as a result of new evidence shall be submitted to and approved in writing by the City Council as Local Planning Authority

Reason - for the protection of bats and in order to comply with the Habitats Directive and pursuant to Core Strategy Policy EN15.

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: 3 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 their 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.