

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 Paul Smith
Bruntwood Estates Limited
Union
Albert Square
Manchester
M2 6LW

Agent (if used)

Don Murphy
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: External works including works to existing entrances, replacement of existing windows including introduction of vents to lightwell windows, reconfiguration of existing plant including creation of plant enclosure, removal of small roof extension and restoration of tiled roof pitch, installation of dry riser panel, installation of facade lighting scheme, installation of 6 rooflights, creation of ground level plant enclosure, and associated works.

Location: 40 King Street West, Manchester, M3 2WY

Date of application: 1 April 2022

Application number: 133409/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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this development where early discussions took place regarding the design, appearance and extent of the development. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

- Location Plan (Drawing 2001 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Existing Site Plan (Drawing 2201 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Proposed Site Plan (Drawing 2202 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Existing Basement 01 Plan (Drawing 2098 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Existing Basement 02 Plan (Drawing 2097 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Existing Lower Ground Floor Plan (Drawing 2099 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Existing Ground Floor Plan (Drawing 2100 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Existing First Floor Plan (Drawing 2101 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Existing Second Floor Plan (Drawing 2102 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Existing Third Floor Plan
- Existing Fourth Floor Plan (Drawing 2104 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Existing Roof Plan (Drawing 2105 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Existing North Elevation (Drawing 4100 Revision P03 dated 28 March 2022) - Received 01 April 2022
- Existing East & West Elevation (Drawing 4102 Revision P03 dated 28 March 2022) - Received 01 April 2022
- Existing South Elevation (Drawing 4101 Revision P03 dated 28 March 2022) - Received 01 April 2022
- Existing Lightwell Elevation (Drawing 4103 Revision P03 dated 28 March 2022) - Received 01 April 2022
- Existing Longitudinal Section AA (Drawing 5100 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Existing Longitudinal Section BB (Drawing 5101 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Existing and Proposed King Street Ground Floor Detailed Elevations (Drawing 2201 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Existing and Proposed Back Bridge Ground Floor Detailed Elevations (Drawing 2202 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Proposed Basement 01 Plan (Drawing 2138 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed Basement 02 Plan (Drawing 2137 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed Lower Ground Floor (Drawing 2139 Revision P02 dated 28 March 2022) - Received 01 April 2022

- Proposed Ground Floor Plan (Drawing 2140 Revision P02 dated 28 March 2022)
- Received 01 April 2022
- Proposed First Floor Plan (Drawing 2141 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed Second Floor Plan (Drawing 2142 Revision P02 dated 28 March 2022)
- Received 01 April 2022
- Proposed Third Floor Plan (Drawing 2143 Revision P03 dated 28 March 2022, Received 01 April 2022)
- Proposed Fourth Floor Plan (Drawing 2144 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed Roof Plan (Drawing 2146 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed North Elevation (Drawing 4140 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed East & West Elevation (Drawing 4142 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed South Elevation (Drawing 4141 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed Lightwell Elevations (Drawing 4143 Revision P02 dated 28 March 2022) - Received 01 April 2022
- Proposed Longitudinal Section AA (Drawing 5140 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Proposed Longitudinal Section BB (Drawing 5141 Revision P01 dated 28 March 2022) - Received 01 April 2022
- Proposed North Elevation External Lighting Layout (Drawing 3001 dated 15 February 2022) - Received 01 April 2022
- Proposed East and West Elevation External Lighting Layout (Drawing 3002 dated 15 February 2022) - Received 01 April 2022

Supporting Documents

- Covering Letter prepared by Paul Butler Associates (Reference 21.1658 dated 28 March 2022) - Received 01 April 2022
- Design & Access Statement prepared by EPR Architects (Reference Kings House, Manchester Revision 01 dated 18 March 2022) - Received 01 April 2022
- Lighting Assessment prepared by Artin Light (Reference 201867-RPT-1003 dated 22 March 2022) - Received 01 April 2022
- Planning Energy Statement prepared by Ramboll (Reference Kings House Manchester, dated March 2022) - Received 01 April 2022
- Planning Statement prepared by Paul Butler Associates (Reference Kings House Manchester dated 28 March 2022) - Received 01 April 2022
- Ventilation Statement prepared by Ramboll (Reference 1620011488-RAM-XX-XX-RP-ZZ-00004 Revision P01 dated 24 March 2022) - Received 01 April 2022
- Noise Impact Assessment prepared by DBX Acoustics (Reference 21091 Revision R02 dated 23 March 2022) - Received 01 April 2022
- Bat Roost Assessment Report prepared by Tyler Grange (Reference 14426_R01a_DP_TW dated 04 February 2022) - Received 01 April 2022
- Heritage Statement prepared by Paul Butler Associates (Reference Kings House Manchester dated 28 March 2022) - Received 01 April 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 the details shown in the approved documents and detailed in condition 2 of this consent, no removal of existing windows shall commence unless and until full details of the replacement windows (both to street facing elevation and courtyard facing elevation) has been submitted to and approved in writing by the City Council as local planning authority. The proposal for replacement windows shall be accompanied by the following details:

- a) a method statement for the works,
- b) full details of the materials, including the fittings and fully detailed elevations and cross sections including measurements,
- c) a full-scale sample window installed on site prior to the removal of all but one of the existing windows (both to a street-facing elevation and courtyard elevation window). This sample window shall be made available for inspection by the Local Planning Authority.

The replacement windows shall be installed only in accordance with the approved details including samples and shall be as close to 'like for like' in the profile and appearance as possible to the existing windows.

Reason - In the interests of visual amenity in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

4) Notwithstanding the details as set out in Conditions 2 and 3 above, no construction shall commence with regards to each of the following points unless and until final details (including where appropriate specification and method statement) of the following have been submitted to and approved in writing by the City Council as Local Planning Authority:

- a) Full and final details and cross section of the proposed conservation style roof lights to the roof
- b) Full and final details (including materials and fixing details and cross section, of all proposed additional structures/roof structures to the roofscape of the building, including roof anchoring system.
- c) Full and final details (including materials and colour scheme) of all proposed plant equipment to the roof and not obscured from view by proposed rooftop structures
- d) Full and final details including methodology of brickwork repair and/or cleaning and reinstatement (including use of sealant, paint or any other finishes)
- e) Full details, location and extent of means of affixing any proposed fittings and fixtures (including but not limited to lighting rigs and wiring/connections) to the structure, including where possible a programme of making good any interventions/fixings in the future.

Reason: To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of visual amenity of the area within which the site is located, as specified in policies SP1, DM1 and EN3 of the Core Strategy and saved Policy DC18.1 of the Manchester Unitary Development Plan.

5) Prior to the commencement of the construction phase of the development a detailed construction and demolition 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

- Method Statements and risk assessments for construction and demolition works

- Display of an emergency contact number to be displayed in a publicly accessible location
- Dust and dirt suppression measures
- Compound locations where relevant
- Location, removal and recycling of construction waste
- Details of the vehicular activity associated with the construction, including a strategy for the routing of construction traffic and swept path analysis
- Details of the location and arrangements for all parking of all construction related vehicles and staff
- Community consultation strategy, including a strategy for consultation with affected residents and local businesses, which shall include details of how there will be engagement, consultation and notification during the works
- construction and demolition methods to be used; including the use of cranes
- a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

Development shall be carried out in accordance with the approved construction management plan.

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

6) a) Prior to the installation of the externally mounted ancillary equipment and ground level plant located behind the louvres, the equipment shall be acoustically insulated in accordance with a scheme 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 the equipment.

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) Upon completion of the development and within 6 months of the equipment becoming operational, 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 above criteria is 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 noise criteria. This report shall be submitted to and approved in writing by the City Council as local planning authority within 6 months of the equipment becoming operational along with a timescale that confirms when any necessary changes will be implemented.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) Prior to the first occupation of the development, a verification report for any external lighting will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report (Lighting Assessment prepared by Artin Light (Reference 201867-RPT-1003 dated 22 March 2022) - Received 01 April 2022)

The report shall also undertake post completion testing to confirm that acceptable criteria has 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 and a timescale for the correction of any instances of non-compliance.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to conditions SP1 and DM1 of the Core Strategy for the City of Manchester

8) All contractors shall be instructed in accordance with the details contained in the Preliminary Bat Roost Assessment Report prepared by Tyler Grange (Ref 14426_RO1a_DP_TW) Section 4.4 as submitted with the planning application before commencing work on the building.

Reason - to ensure that a satisfactory measures to enhance biodiversity are incorporated within the development in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

9) The development hereby approved shall provide for full disabled access for users and occupiers of the building to via an appropriate accessible entrance and to all the above ground floors of the building via the proposed lifts.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policies CC10 and DM1

10) When the development is operational, no, servicing, loading or unloading shall be carried out to the site outside the hours of:

07:30 to 20:00, Monday to Saturday,
10:00 to 18:00, Sunday/Bank Holiday.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

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.

Construction/demolition works should be confined to the following hours

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

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).

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).

The permission hereby granted does not grant or imply grant of planning permission for the display of signage on the building, which will require separate consent.

Date: 27 June 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