

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 Adam Wlodarczyk Black
Clearbell UK Strategic Partnership
Freetrade Exchange
37 Peter Street
Manchester
M2 5GB

Agent (if used)

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

Part 1 – Particulars of the application/development

Proposal: Application for full planning permission (including a partial change of use to lower ground floor from Office Use (Class E(g)i) to Public House, Wine Bar, or Drinking Establishment Sui Generis (p)) to include removal of glass canopy above main entrance, alterations to entrances to south (front) elevation, the infill of an enclosed area to the fifth floor to create an additional 37 square metres of office space (Class E(g)i), repainting of modern ground floor feature to western return elevation, replacement of external lighting and removal of redundant lighting, removal of roller shutter door and louvre to vehicle entrance to north (rear) elevation and replacement with glazed entrance and reception, removal of redundant plant, lift overrun to roof level, creation of new plant screen, placement of new plant equipment and PV panels to roof.

Location: Freetrade Exchange , 37 Peter Street, Manchester, M2 5GB

Date of application: 8 March 2022

Application number: 133119/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:

- Location Plan (Drawing MLA.AR(SK)100, undated) - Received 04 March 2022
- Existing Layout Basement (CFM.AR(99)001 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Lower Ground Floor (Drawing CFM.AR(99)002 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Ground Floor (Drawing CFM.AR(99)003 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout First Floor (Drawing CFM.AR(99)004 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Second Floor (Drawing CFM.AR(99)005 Revision A dated February 2022) - Received 04 March 2022
- Existing Layout Third Floor (Drawing CFM.AR(99)006 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Fourth Floor (Drawing CFM.AR(99)007 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Fifth Floor (Drawing CFM.AR(99)008 Revision A dated September 2021) - Received 04 March 2022
- Existing Layout Roof (Drawing CFM.AR(99)009 Revision A dated September 2021) - Received 04 March 2022
- Existing Sections General Arrangement (CFM.AR(99)010 Revision A dated November 2021) - Received 04 March 2022
- Existing Elevation with Downtakings North Elevation (Drawing CFM.AR(10)021 Revision B dated November 2021) - Received 04 March 2022
- Existing Elevation with Downtakings South & East Elevation (Drawing CFM.AR(10)020 Revision C dated November 2021) - Received 08 June 2022
- Proposed Elevations (South and East) (Drawing CFM.AR(99)020 Revision C dated November 2021) - Received 08 June 2022
- Proposed Elevations (North Elevation) (Drawing CFM.AR(99)021 Revision E dated November 2021) - Received 08 June 2022
- Proposed Elevations South Elevation Main Entrance Study (Drawing CFM/AR(PL)101 Revision A dated February 2022) - Received 07 July 2022
- Proposed Sections General Arrangement (Drawing CFM.AR(99)022 Revision A dated November 2021) - Received 04 March 2022
- Proposed Layout Rear Entrance Cycle Store Provision (drawing CFM.AR(PL)105 Revision A dated September 2021) - Received 04 March 2022
- Notional Lighting Layout External Façade (Drawing EX-DR-E-0404 , undated) - Received 08 June 2022
- Proposed External Glazed Screen South Elevation Peter Street Main Entrance Typical Details (Drawing CFM.AR(21)104 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street Main Entrance (Drawing CFM/AR(21)101 Revision A) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation - Peter Street Main Entrance Elevation & Section (Drawing CFM.AR(21)102 Revision A) - Received 21 July 2022

- Proposed External Glazed Screen South Elevation Peter Street Main Entrance Typical Details (Drawing CFM/AR(21)103 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street LGF Entrance Plan, Elevations and Section (Drawing CFM/AR(21)105 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street LGF Entrance Typical Details (Drawing CFM.AR(21)106 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street Rear Entrance Plans, Elevations and Section (Drawing CFM.AR(21)107 Revision A dated July 2022) - Received 21 July 2022
- Proposed External Glazed Screen South Elevation Peter Street Rear Entrance Typical Details (Drawing CFM.AR(21)108 Revision A dated July 2022) - Received 21 July 2022
- Proposed Basement Layout (Drawing CFM.AR(99)011 Revision A dated September 2021) - Received 04 March 2022
- Proposed Lower Ground Floor Layout (Drawing CFM.AR(99)011 Revision A dated September 2021) - Received 04 March 2022
- Proposed Ground Floor Layout (Drawing CFM.AR(99)013 Revision C dated September 2021) - Received 08 June 2022
- Proposed Layout First Floor (Drawing CFM.AR(99)014 Revision A dated September 2021) - Received 04 March 2022
- Proposed Layout Second Floor (Drawing CFM.AR(99)015 Revision A dated September 2021) - Received 04 March 2022
- Proposed Layout Third Floor (Drawing CFM.AR(99)016 Revision A dated September 2021) - Received 04 March 2022
- Proposed Fourth Floor Layout (Drawing CDM.AR(99)017 Revision A dated September 2021) - Received 04 March 2022
- Proposed Layout Fifth Floor (Drawing CFM.AR(99)_018 Revision A dated September 2021) - Received 04 March 2022
- Proposed Layout Roof (Drawing CFM.AR(99)019 Revision A dated September 2021) - Received 04 March 2022
- Hard Strip Out Roof Existing Layout with Downtakings (Drawing CFM.AR(10)019 Revision A dated October 2021) - Received 04 March 2022
- Louvred Grills Information prepared by Lang and Fulton (Reference Pressure Locked and Electrofused Products, undated) - Received 07 June 2022
- Environmental Noise and Noise Impact Assessment (Reference 29443/NIA1 dated 04 May 2022) - Received 09 May 2022
- Crime Impact Statement (Reference 2021/0631/CIS/02 Version A dated 12 January 2022) - Received 04 March 2022
- Ventilation Statement (Reference 3882-HAN-ZZ-XX-RP-MEP-005 dated 08 February 2022) - Received 04 March 2022
- External Lighting Statement prepared for Clearbell UK (Reference 3882-HAN-ZZ-XX-RP-MEP-004 Issue 06 dated 07 June 2022) - Received 07 June 2022
- Heritage Statement prepared by Stephen Levrant Heritage Architecture (Reference Clearbell Capital LLP dated June 2022) - Received 07 June 2022
- Highways Statement prepared by Vectos (Reference VN222287, dated 04 May 2022) - Received 05 May 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 submitted plans and documents as specified in condition 2, prior to the commencement of the development of the rooftop extension and rooftop plant equipment (not including erection of any external scaffolding required) the following shall be submitted to and approved in writing by the City Council, as local planning authority:

- (i) A programme for the issue of samples and specifications of all material to be used on the external elevations of the rooftop extension of the development (including external plant equipment). The programme shall include timings for the submission of samples and specifications of all materials to be used on all external parts of the development;
- (ii) full and final details including clearly annotated detailed cross-sectional drawings with all relevant jointing and fixing details; and
- (iii) a strategy for quality control management.

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme, as agreed in the above part a of this condition, and the development shall be fully implemented in accordance with the approved materials or details thereafter.

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.

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:

- Full and final details of external lighting equipment including wiring and connections to historic fabric.
- Method and full and final details relating to the removal of any redundant fixtures and fittings to the exterior of the building (including the canopy to the building's front elevation) and the making good external fabric.
- Full and final details of any painting/treatments to external surfaces, including metalwork
- Full and final details of framing and glazing systems to entrances
- Full details and methodology of any intrusive works to investigate sources of damp in the basement and details of any works required to rectify/solve damp source.

The works shall be carried out in accordance with the approved details.

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 commencement of the development, a detailed construction management plan outlining working practices during construction shall be submitted for approval in writing by the City Council, as local planning authority, which for the avoidance of doubt should include:

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust Management Plan;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy, vehicular access point, vehicular activity associated with construction and swept path analysis; and,
- Parking of construction vehicles and staff.
- A highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

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

Reason - To safeguard the amenities of nearby residents and businesses, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) 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 light consultant's report (Hannan Associates reference 3882-HAN-ZZ-XX-RP-MEP-004 Issue 05 dated 29 April 2022). 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 criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties and the safety of road users, in accordance with Policies SP1 and DM1 of the Manchester Core Strategy

8) Prior to the occupation of the lower ground floor (sui generis (p)) use hereby approved, a verification report will be required to validate that the work undertaken in respect to this part of the development conforms to the recommendations and requirements in the approved acoustic consultant's (including noise breakout and upon consideration of any entertainment noise) report. The report shall also include the results of post completion testing having been undertaken to confirm that acceptable and agreed 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 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 saved policy DC26.1 of the Manchester Unitary Development Plan and policies DM1, SP1 of the Manchester Core Strategy.

9) Prior to occupation to any part of the development, a verification report will be required to validate that the proposed external plant equipment 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 minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, in accordance with saved policy DC26.1 of the Manchester Unitary Development Plan and policies DM1, SP1 of the Manchester Core Strategy.

10) Prior to the occupation of the lower ground floor sui generis (p) use hereby approved, a schedule of opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority. The unit shall then be operated in accordance with the agreed hours of opening.

Reason - In the interests of amenity pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

11) Prior to the occupation of the lower ground floor (sui generis (p)) use hereby approved, a waste management strategy shall be submitted for approval to the council as local planning authority

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

12) Prior to occupation of the lower ground floor (sui generis (p)) use hereby approved, a verification report shall be submitted to the council as local planning authority setting any proposed food preparation and/or cooking proposed. In the event that the cooking or food preparation would require an external flue or extract in compliance with the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust systems commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to any of the cooking not permitted by the above commencing and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

13) Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

- Monday to Saturday 07:30 to 20:00
- Sundays (and Bank Holidays): No deliveries/waste collections

Reason - In the interest of residential amenity pursuant to policies SP1 and 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.

The developer is informed that bins should be removed from the highway as soon as possible after collection to ensure they do not impinge on pedestrian and vehicular movements. It is also requested that servicing takes place outside of the network peak hours. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway.

Construction/demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

The developer shall make all steps possible to ensure that the proposed development is carried out in accordance with those recommendations set out under Sections 3.3 and 4 of the Crime Impact Statement that accompanies this application. The developer is reminded that some of the steps recommended may require separate listed building consent.

Date: 26 July 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