MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Gary Bell
Portland Estates Ltd.
1 Ashley Road
Altrincham
WA14 2DT

Agent (if used)

Andrew Burns
Atelier MB Architecture
Suite 1A, Amazon House
Brazil Street
M1 3PJ

Part 1 – Particulars of the application/development

Proposal: Use of front suite of the ground floor of the building as a Cafe (Use Class E) with front and side extensions to form glazed entrance to Cafe and extension of office reception with provision of rear external seating area in association with the cafe use and provision of an enlarged internal bin store.

Location: Beaver House , 125 Portland Street, Manchester, M1 4QD

Date of application: 26 August 2021

Application number: 130103/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

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

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 ('Location Plan of M1 4QD dated 23/03/21) - Rec 19/04/21

- Existing Ground Floor Plan (Drawing E(101) dated February 2019) - Rec 19/04/21
- Existing First Floor Plan (Drawing E(110) dated February 2019) - Rec 19/04/21
- Existing Elevations Sheet I (Drawing E(200) dated February 2019) - Rec 19/04/21
- Existing Elevations Sheet II (Drawing E(210) dated March 2021) - Rec 19/04/21
- Existing Portland St. Context Elevation (Drawing E(250) dated May 2021) - Rec 22/06/21
- Existing Section (Drawing E(300) dated February 2019) - Rec 22/06/21
- Existing Section (Drawing E(310) dated May 2021) - Rec 22/06/21
- Existing Section (Drawing E(320) dated May 2021) - Rec 22/06/21
- Proposed Ground Floor Plan (Drawing T(100) Rev A dated Dec 2021) - Rec 11/02/22
- Proposed Ground Floor Strip Out (Drawing P(101) dated May 2021) - Rec 22/06/21
- Proposed First Floor Plan (Drawing P(110) Rev A dated April 2021) - Rec 11/02/22
- Proposed Second Floor Plan (Drawing P(120) Rev A dated April 2021) - Rec. 14/02/22
- Proposed Third Floor Plan (Drawing P(130) Rev A dated February 2019) - Rec. 14/02/22
- Proposed Fifth Floor Plan (Drawing P(150) Rev A dated February 2019) - Rec 14/02/22
- Proposed Roof Plan (Drawing P(160) Rev A dated May 2021) - Rec 11/02/22
- Proposed Elevations I (Drawing P(201) Rev A dated March 2021) - Rec 11/02/22
- Proposed Elevations II (Drawing P(210) Rev B dated March 2021) - Rec 11/02/22
- Proposed Context Elevation (Drawing P(220) Rev B dated March 2021) - Rec 01/03/22
- Proposed 3D View (Drawing P(520) dated February 2019) - Rec 14/02/22
- Proposed Section A:A (Drawing P(300) Rev A dated May 2021) - Rec 11/02/22
- Proposed Section B:B (Drawing P(310) Rev A dated May 2021) - Rec. 14/02/22
- Proposed Sections (Drawing P(330) Rev A dated May 2021) - Rec 14/02/22
- Proposed Sections (Drawing P(340) Rev A dated May 2021) - Rec 14/02/22
- Proposed Portland St. Context Elevation (Drawing P(220) Rev B dated March 2021 - Rec 11/02/22
- Existing Axo (Drawing E(500) dated February 2019) - Rec 19/04/21
- Proposed Axo (Drawing P(500) Rev B dated February 2019) - Rec 11/02/22
- Proposed 3D Views (Drawing P(510) Rev A dated February 2019) - Rec 11/02/22
- Servicing Schedule prepared by Atelier MB (Ref 1877 Dated September 2021) - Rec 09/09/21
- Waste Management Proforma ('Appendix E') - Received 22/06/21

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) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations (including the proposed bin store) of the development, including all replacement windows and doors, along with jointing and fixing details (cross-sections), have been submitted to and approved in writing by the City Council as local planning authority. This shall include details of the planters proposed to external seating areas.

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) The cycle parking indicated on the approved plan ('T(100) Revision A) shall be made available for use prior to the development hereby approved being occupied. The cycle parking shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

5) Prior to the commencement of the development, a detailed construction/fit-out management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt this should include:

- Hours of site opening/operation
- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures, including a section on air quality and the mitigation measures proposed to control fugitive dust emissions during the enabling and build phases;
- Compound locations where relevant;
- Details regarding location, removal and recycling of waste (site waste management plan);
- Phasing and quantification/classification of vehicular activity
- Types and frequency of vehicular demands
- Routing strategy and swept path analysis where applicable;
- Parking for construction vehicles and staff;
- Sheeting over of construction vehicles;
- A commentary/consideration of ongoing construction works in the locality;
- Construction and demolition methods to be used, including the use of cranes (and their location);
- The erection and maintenance of security hoardings;
- Details on the timing of construction of scaffolding;
- Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times
- Community consultation strategy, including details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure.

The 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, EN9, EN19 and DM1 of the Core Strategy.

6) a) Before development commences, a full condition survey of the carriageways/footways on construction vehicle routes surrounding the site shall be undertaken and submitted to the City Council as Local Planning Authority.

b) When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the City Council as Local Planning

Authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the City Council as Local Planning Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant.

Reason - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

7) The proposed ground floor premises ('new café use' as shown on Plan T(100) Rev A) including associated outdoor seating areas shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

As applied for: Monday to Sunday, including Bank Holidays 07:00 to 19:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

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

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

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation and in accordance with Core Strategy Policy DM1.

9) The proposed outdoor seating areas hereby approved shall not allow for the use of amplified sound or any music within the external areas at any time. In addition, all moveable furniture shall be brought indoors outside of the hours and days of operation hereby approved.

Reason: To safeguard the amenities of the occupiers of nearby properties and in accordance with Core Strategy Policy DM1.

10) The approved scheme for the storage and disposal of refuse shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health and in accordance with Core Strategy Policy DM1.

11) Development shall not begin until a surface water drainage layout for the site (including with regards to the retained street trees to the Portland Street elevation) based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 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 works shall be confined to the following hours:
o Monday - Friday: 7.30am - 6pm
o Saturday: 8.30am - 2pm
o Sunday / Bank holidays: No work

The below recommendations have been provided by Greater Manchester Police. The recommendations do not negate the need for seeking planning consent (if required):

Physical Security

External Doors

o All external doors must be compliant with and certified to BS PAS 24, STS 202 or LPS 1175 SR2. It is crucial that the door ironmongery to any external escape-only doors is permitted under the security certification of the product. Escape-only doors should be alarmed (audible upon opening) and designed without visible external ironmongery.

Windows

o All windows should be compliant with and certified to BS PAS 24 where possible. All other window designs/dimensions should take account of the requirements of the above standards, as certified products can carry dimensional restrictions.

o Any opening lights (escape requirements permitting) must be lockable and have fixed/lockable opening restrictors (not releasable from the outside) limited to 100mm. Drive-through windows should be fitted with restrictors to prevent people climbing or reaching in.

o Any curtain walling panels should include laminated glazing (see below) and should be securely fixed and nonopening.

Internal Security

o All back-of-house/staff areas should not be publicly accessible and there should be a secure area for staff to store their belongings whilst at work.

o Ideally, there should also be a secure cash office - which should have solid masonry walls (with no adjacent false/suspended ceilings) and a security-certified doorset (to BS PAS 24, STS 202, or LPS 1175 SR2). At the very least, there should be a time-delay safe to LPS 1183 providing adequate capacity and overnight cover. The correct size and category of safe should be determined by an assessment of prospective takings and to meet insurance needs. Cash chutes should also be employed to ensure large amounts of cash are not kept in the tills.

o Internal access doors/frames to all other storage rooms etc. should also be solid-core (min. 44mm thick) and fitted with either auditable access controls (i.e. proximity readers or swipe cards) or secured with key operated locks (carried by staff only if required for duties and accounted for at all times) to secure them when unoccupied. Key-pads are not recommended, as they can be easily observed and are rarely changed. All staff should understand and accept the need for security measures and should be trained to be vigilant and to report any suspicious behaviour.

Alarm

o An intruder alarm should cover the proposed restaurant and should be linked to contacts on all external doors and PIR detectors. The alarm signal should terminate at a recognised Alarm Receiving Centre. The system should comply with the current version of the EN 50131-1 standard and be eligible for a Police response as defined by the ACPO Policy on Police Response to Security Systems, Level 1 status.

External Seating Area

o There should be clear views over the external seating area from within the premises, allowing staff to monitor customer use/behaviour. It should also be covered by CCTV.

Lighting

o Dusk 'til dawn lights, operated by photoelectric cell/daylight sensor, should be installed to all external doors/shutters.

o Fittings should produce 'white' light, as opposed to yellow/orange light. Metal halide (or bulbs with a comparable output) should be used, as these offer superior colour rendition over alternatives such as high and low pressure sodium bulbs.

o Lighting fixtures must not be positioned to provide climbing aids over boundary treatments. Electrical and architectural layouts should be developed together to avoid this.

CCTV

Any CCTV system that may be used within this proposal will require certain specifications and intelligent placement of cameras to compliment the design of the development. Designers should consider the following points when planning a CCTV strategy:

o CCTV systems (and lighting that support them) require regular cleaning and maintenance to remain effective.

o Where necessary cameras that are vulnerable to damage should be protected from attack either by relocation to a higher level and using a bigger lens to achieve the view required or through the fitting of a vandal resistant housing.

o With regards to the retention of footage, the police prefer quality over quantity. The overall retention period should be dictated by what the system is designed to achieve, though it would be better to have good quality images over a 14-day period than poor ones over a 30-day period.

o Procedures for recovery of recordings are recommended to be established (e.g. trained staff / the CCTV system instruction manual to be readily available). This is to ensure that the images produced will be of an acceptable standard that will allow for identification of an individual which will stand up to scrutiny in court.

o Acceptable Standard - this generally requires a resolution of 720x576 pixels at a real time frame rate of 25 frames per second. (N.B. Both the camera and DVR must be capable of this - if the camera will only send low resolution images then it does not matter how high the resolution of the recording unit is).

o Identification - One of three levels of field of view. To identify an individual, the image must capture no less than 120% of the field of view (at least from the top of the individuals head to their knees). The remaining two levels of field of view are 'Overview' and 'Recognition', which whilst effective for observational purposes, are less likely to result in the identification of a person/offender.

o The intelligent placement of cameras helps to provide clear facial identification of individuals. Suitable locations would be: the main entrances to the premises, all service counters/pay-points, all seating areas (external and internal), toilet lobbies and all parking areas

Other

o Any external bin store should be a secure, lockable and fire resistant enclosure. A strategy should be defined to ensure waste collection can take place whilst retaining a secure development and servicing activities should also not require any service doors to remain open and unattended for prolonged periods.

Date: 2 March 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 of 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