

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131662/FO/2021
Date registered valid: 22 September 2021
Proposal: Erection of single storey rear extension to create beauty studio business premises use class E(e)
Address: 559A Barlow Moor Road, Manchester, M21 8AN
Ward(s): Chorlton Park Ward

Applicant: Ghaffur 1 Sandy Lane, Stretford, M32 9DB
Agent (if any): Mr Stephen Graham Apartment 9 Maple Court, 145-149 Cross Street M33 7JW
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 11 November 2021



Application details

Type of application: Full Application Consent
Development type: Minor Other
Date of site visit: 1 November 2021
Standard consultations: Printed: 27 September 2021 Expired: 18 October 2021
Neighbour notifications: Printed: 27 September 2021 Expired: 18 October 2021
Site notice: No site notice has been produced
Press advert: No press advert had been published
Departure from Development Plan: No
Environmental Statement: Not required
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The application site concerns the ground floor rear elevation of a commercial building situated on the south-western side of Barlow Moor Road in the Chorlton District Centre. The ground floor has an irregular footprint formed by both 2-storey and single storey rear extensions which creates a recess where development is proposed. At the time of a site visit, a free-standing secure bin store serving the premises and adjacent restaurant was in situ in this space.



The context of the rear elevation is within a car park serving the building. Access to the car park is restricted by controlled security gates at either side of the front elevation.

All of the building and site curtilage is within the site edged red and includes an existing ground floor beauty studio (Va Va Voom), restaurant (Roti) and, the Chorlton Health Hub which includes counselling rooms and a yoga/Pilates studio at first floor.

Description of area

The site lies within an active District Centre characterised by a range of independent businesses fronting onto Barlow Moor Road. In close proximity are estate agents, bars, a desert shop, hardware store and a hair salon. The eastern and southern boundaries are formed of residential dwellings with Nos.2, 4 and 6 Napier Road all sharing a boundary with the rear car park.

Description of development

Erection of single storey rear extension to create beauty studio business premises use class E(e).

The extension has a footprint of 4.6 x 4.6 metres with a flat roof and includes a reception, studio/treatment room and a WC. During negotiations, the agent has stated that the footfall would amount to 1 or 2 clients a day.

The hours of operation were unknown at the time the application but have since been confirmed as follows:

Monday to Sunday (including Bank Holidays) 8am to 8pm

The application was amended to replace the open bin store with one that is fully enclosed following discussion with a resident and to comply with the approved bin store (condition 10) in application ref: CDN/19/0810 for the adjacent restaurant.

The application has been assessed by the Environmental Health (Public Protection) team and Greater Manchester Police as detailed below.

Planning History

115228/P3CPA/2017 - Prior approval application for change of use from shop (Class A1) to cafe/restaurant (Class A3). Refused: 04.04.2017. Reason: The developer has stated on Question 4 (Description of Development) that the proposed development will be a cafe bar/restaurant. A cafe bar would fall within Class A4 of The Town and Country Planning (Use Classes) Order 1987 (as amended) and as such would not be a permitted change of use as detailed within the Town and Country Planning (General Permitted Development) (England) Order 2015.

123744/FO/2019 - Change of use from shop (Class A1) to restaurant/cafe (Class A3) and installation of flue to the side and a retractable awning to the front. Approved: 04.08.2019.

Conditions for noise, fumes, waste management and acoustics have been discharged from the above application (Refs: CDN/19/0810 and CDN/19/0895) associated with the restaurant.

Consultations & Notification Responses

Neighbour notifications - Objection 1

This will cause a major impact on the environment; they have proposed for an extension to be carry out onto the car park which they have provided for their customers to reduces on road parking and congestion. If the planning was to carry out, this will create more traffics congestion than we already have. As Barlow Moor Road is one of main road leading in and out of Manchester with the daily heavy traffics. On top of our local resident who have to park their vehicles on the roadside, it has already been a major issue. Therefore, I strongly object this planning.

Objection 2

I have a business in the building which would be attached to the new rear extension.

I am extremely worried about business interruption in the time it takes to do the foundations and erection of the extension. I have many services within the building but in particular my concerns are for the services provided in the two rear rooms which include highly confidential counselling and psychotherapy which is located at the rear of the building directly above where the extension work will be taking place along with this I have a busy yoga and Pilates studio at the rear of the building which consists of clients coming to escape their busy lives and want calm and quiet during the classes. Building work will mean I cannot work from this space for the duration of the build due to noise and privacy issues, this means a huge financial loss for my business and the therapists who work with me. I would have to relocate my services for the duration which I don't even think is possible.

Neutral comments

I note that the application is under the new "Class E(e)". Can you please advise if the developer would be required to apply for change of use if the new building was substantially changed to restaurant use (i.e. an extension to the existing restaurant). If it wasn't a requirement it would be a concern given the close proximity to our property.

Does this mean that it could be approved based on health services and then used as an extension to the restaurant? If this is the case it would be a significant concern given the close proximity to my house. Also, the previous application for change of use to a restaurant went to committee and included some strict provisions to exclude use of the area at the back of the premises.

If approved, could a condition be included please that requires a further application for any change of use to offer some protection.

The previous application for change of use of this building to a bar / restaurant went to committee and included a number of provisions relating to acoustic insulation, the extraction system and excluded use of the area at the rear of the property. Our local councillor was also involved. Despite these conditions, there has still been some noise and fume impact to us.

The proposed extension is much closer to our property. It will be around 1m from our boundary and just a few metres from two of our bedrooms.

I understand from our discussion, that if permission is granted under the new Class E, it could potentially be changed to an extension to the bar/restaurant in the future without further planning requirements. And as a result, would not be subject to all of the environmental considerations etc that would form part of the normal planning process for such intended use.

If this were to happen, we could be significantly impacted due to the very close proximity to our house. For this reason, we kindly request that a condition is included in any approval to require a further planning application for any subsequent change of use Class E(b) for the sale of food and drink, to ensure it would be appropriately considered as part of a the planning process.

Environmental Health

1.FUMES-ODOURS

a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and or any openable windows-ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties.

The applicant has said this is a beauty studio. This condition will only be necessary if they are doing nail treatments which use solvents.

2.DEMOLITION-CONSTRUCTION HOURS

Construction-demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday - Bank holidays: No work

3. DELIVERIES TO COMMERCIAL PREMISES

Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries-waste collections on Sundays-Bank Holidays.

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

4.NOISE - EXTERNAL PLANT- EQUIPMENT- SERVICING

a) 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. Prior to commencement of the use hereby approved the scheme shall be 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 site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise 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.

This should only be needed if odour extraction is required.

5.REFUSE

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.

The Waste Management Strategy submitted with the application is acceptable.

6. PREMISES OPENING HOURS**

The premises shall have the opening hours agreed in writing by the City Council as local planning authority

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

**As noted in the Description of Development section above, the hours of operation have since been submitted. The EHO has reviewed the hours and has no objection.

Greater Manchester Police

We would have concerns about the proposed location of the extension as it would create a recessed area and isolate both the rear access/fire exit to the restaurant and the entrance to the VA VA Beauty Rooms.

Ideally if the extension directly connected to the Beauty Rooms this would remove the issue of creating an isolated and secluded space but in the absence of this being possible the following recommendations would be pertinent to the support of this application.

New external fittings are to be installed (i.e. shutters, windows or doors) then they should be certified to Secured by Design standards.

If cash is to be kept within the property overnight, then a time delay safe certified to LPS 1183 should be installed and kept within a secure room that is only accessible by the members of staff.

Any staff areas that are to be included within the property should be access controlled and restricted to members of staff only.

An intruder alarm should be installed with contacts on all external doors and with movement detectors. The alarm should be monitored by an appropriate body.

If there is a CCTV system already in place on site, then it should be reviewed to ensure the new extension and the area between the restaurant and beauty rooms is covered.

Additional lighting will also be required to cover the area between the new extension and the current development ensuring the area is well illuminated in the hours of darkness.

Policy

National Planning Policy Framework (2021)

This Framework document places an emphasis on sustainable development through a plan-led system. For the Development Management decision-making process, this indicates a presumption in favour of development where that development accords with policies contained within the Development Plan and any Supplementary Planning Guidance.

The Framework gives prominence to the need for good design. Paragraph 58 of the Design advice provides that in the decision-making process, developments should:

- o Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- o Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and
- o Are visually attractive as a result of good architecture and appropriate landscaping.

The Manchester Core Strategy (adopted July 2012)

The Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The present application is subject to assessment under the following Core Strategy policies:

C2 - District Centres

Development in District Centres should:

Prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. The Council will ensure that retail remains the principal use in Primary Shopping Areas, but also ensure that provision is made in District Centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. Subject to impact on overall character and local amenity, the Council will support development which extends the time during which District Centres are active;

Promote the development of employment which provides opportunities for local people;
Promote the efficient use of land, particularly through considering options for multi-storey development. New development should positively contribute to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies;
Contribute positively to the diversity and mix of uses within centres without undermining their primary retail function. Development should also promote a range of retailers and shop formats;
Promote choice and competition particularly where development will support the independent sector;

Remedy deficiencies in areas with poor access to facilities.

New development should respect and enhance the character of existing centres.

New development should deliver improvements to the quality and accessibility of the centre environment. Opportunities should be taken to adopt sustainable building design and practises to assist in adapting to climate change (see also Green Infrastructure Policy EN9).

The subsequent DPD will identify sites for new development within District Centres.

C6 - South Manchester District Centres - Chorlton, Didsbury, Fallowfield, Levenshulme and Withington

Across the area there is capacity for both further convenience and comparison retailing floorspace. In total, approximately 8,000 square metres of convenience and 4,500 square metres of comparison retail floorspace will be promoted up to 2027.

The relevant policy extract for Chorlton states that:

Identified capacity will be directed to Chorlton centre to support more sustainable shopping patterns [...]. Redevelopment in Chorlton will provide a substantial increase in retail, alongside improvements to other commercial and community services. New development should also make a contribution to the character of the centre, including a range of unit sizes and environmental improvements.

Section 10.15 of the Core Strategy identifies the need for growth within District Centres to contribute to their future longevity:

Policy DM1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- o Appropriate siting, layout, scale, form, massing, materials and detail.
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.

Development should have regard to the character of the surrounding area.

- o Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- o Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- o Community safety and crime prevention.
- o Design for health.

- o Adequacy of internal accommodation and external amenity space.
- o Refuse storage and collection.
- o Vehicular access and car parking.
- o Effects relating to biodiversity, landscape, archaeological or built heritage.
- o Green Infrastructure including open space, both public and private.
- o The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- o Flood risk and drainage.
- o Existing or proposed hazardous installations.

The Council's approach to Development Management is intended to ensure that new developments contribute to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration priorities, in particular by contributing to Neighbourhoods of Choice. This includes protection of amenity and local character, environmental standards and practical matters such as access and safety. These issues will be considered in more detail through the Supplementary Planning Document, the Guide to Development in Manchester.

Unitary Development Plan for the City of Manchester (adopted 1995)

The site is unallocated in the UDP but the following saved policy applies:

DC26.1 - Noise

The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

Issues

Principle

The application site is within a mixed-use building that primarily delivers a range of holistic therapies and beauty services, close to the heart of the Chorlton District Centre and with on street parking in dedicated bays nearby.

It is within a sustainable location and represents a modest scale of development with a low projected daily footfall. As such, the principle of the proposal is acceptable.

Concern has been raised by a neighbouring resident about any future extension of the restaurant into the extension and the noise impacts which could arise. A second neighbour is concerned about an increase in on street parking.

A business owner within the building has also raised a concern about noise impacts on clients using the first floor during counselling sessions.

Use

The proposal is a conforming use both with the existing type of healthcare provision in the building and as commonly found in a District Centre location. As such, there are no concerns arising from the proposal which would support the vitality of the District Centre as promoted in Core Strategy policies C2 and C6.

Extension

The extension is of a modest scale being 4.6 metres deep x 4.6 metres wide and 3.3 metres high to a flat roof.

It is sited at the rear of the building, coming off the recessed area currently occupied by the bin store and will run parallel to 2no. back doors of the restaurant kitchen and existing Va Va Voom beauty rooms. The 2-metre wide pedestrian access off Barlow Moor Road on the eastern side of the building will be maintained and use of a curved corner closest to the above doors opens up visual surveillance opportunities. Vehicular access to the rear will be retained on the north-western side of the building.

GMP have nevertheless raised a concern that the siting will lead to the creation of a new recessed area which could function as a space for criminal activity. The comments of GMP are noted along with their recommendations for enhancing the security of the space should the application be approved.

The proposal is considered acceptable on the basis that it is sited to make the best use of the



View of the site from adjacent estate agents' car park, Groby Road

site constraints. Siting the extension in the recessed area, which is 2.7 metres deep, means that the projection into the car park is only 1.9 metres. If it came off the existing beauty rooms as GMP suggest, it would render the rear car park inaccessible as vehicular access can only be taken from the north side of the building. It would also entail the loss of a car parking space.

Additionally, if sited off the outrigger, it would create a visual barrier from the adjoining estate agents' car park and Groby Road which presently

have a clear sight line into the car park. Anyone seeking to hide in this space would therefore be visible from the Groby Road car park.

Furthermore, GMP are concerned that the extension would isolate the rear kitchen and existing beauty rooms access. Although the space to the side of the kitchen door would be restricted, these exits would however still offer a clear means of escape with no obstruction of the doors.

Additional security of the extension would be afforded by siting it in view of the kitchen door which would often be open, thus providing a source of informal surveillance, particularly during the evening when both the studio and restaurant were operational. Lastly, access into the rear car park is already restricted by the security gates at either side of the building and by the fenced and walled boundaries around the sites' perimeter.

The security concerns can otherwise be overcome by implementing GMP's recommendations which are appended as an Informative at the end of this report. These include installation of security lighting, CCTV/alarm systems and Secured by Design door and window fittings.

In visual terms, care has been taken over the design of the extension. It has a square plan form with a curved corner offering the benefits noted above, and aluminium capping around the edge of the flat roof. The building will sit on 2 courses of black engineering brick and the elevations will be formed of fire rated vertical black composite cladding which will help to distinguish it from the red brick elevations of the original building. A glazed rear door and vertical bi-fold window alongside are proposed on the rear elevation which will add visual interest and surveillance opportunities, and 2no. high level windows are proposed in the reception area on the inside elevation facing the estate agents' car park. No windows are proposed facing the rear garden boundary of No.2 Napier Road.

The building will lend a contemporary feel to the space which will help to raise the overall appearance of an otherwise utilitarian and inactive rear elevation. A condition for the materials to be implemented in accordance with the submitted plans is attached at the end of this report.

Residential amenity

The proposal is considered to be a low generator of noise and disturbance particularly as compared to the restaurant. It would likely be less noisy than the existing beauty studio which occupies a much larger floorspace and due to being within the existing building, shares party walls with other occupiers. Siting the studio outside would thus help to overcome the concerns of the existing business provider of the first-floor counselling and yoga/Pilates studio.

The proposal also has a very small projected daily footfall of 1 to 2 clients and thus movements in the rear car park would be limited. The comments with regards to the build of the extension are noted; however, the size and height of the extension would not entail digging deep foundations and any noise and disturbance would only be of a temporary nature. An Informative is appended at the end of this report to manage the hours and days on which construction and/or demolition activity is permitted to take place.

The parking concerns have likely been over-estimated given the low numbers of clients expected to use the studio on a daily basis, and the District Centre location which would likely attract a local population. Any clients arriving by car have access to either the dedicated on-street parking along Barlow Moor Road, or the rear car park. The site is also well served by public transport with frequent bus and tram services nearby. Any visitors by car are however unlikely to contribute towards any obvious increase in parking demand.

The building would be sited 2-metres off the rear garden boundary with No.2 Napier Road, the nearest property to the south-east. This distance, together with the height to 3.3 metres and the intervening fence and garden trees, creates sufficient mitigation against the building being overbearing. As such, the occupiers should not experience any significant loss of existing levels of amenity as a result of any approval.

A concern has nonetheless been raised by a resident regarding the future potential of the studio to be incorporated within the floorspace of the restaurant under the new Class E of the GPDO, and for this to give rise to noise and disturbance for residents living on Napier Road. The Council discussed this issue with a resident advising that the new Class E within Schedule 2 of the GPDO permits this transition. However, any future use of the proposed extension by the restaurant would not be covered by the later closing hours of the restaurant and could only be altered by an application to vary the hours condition in this application, to be lawful. This then gives the Council a degree of control over the likely impacts due to noise.

Furthermore, Condition 7 of the approved change of use to the restaurant (123744) placed a restriction on any use of the rear of the premises for dining/drinking by patrons. This would apply to any remaining rear areas as these are within the site edged red. The resident has suggested that a similar condition be applied to the present application as a means of protecting

against future noise. However, such a condition would not meet the 6 tests for conditions set out in paragraph 55 of the NPPF for this application.

Further opportunities to limit the breakout of noise and other sources of disamenity are considered below.

Hours

The proposed hours of use are:

Monday to Sunday including Bank Holidays – 8am to 8pm

The hours are acceptable for the District Centre location and compatible with the hours of neighbouring land uses. The Va Va Voom Beauty Rooms for example operates Tuesday to Sunday from 9 or 10am to 7pm.

A condition managing the hours is appended at the end of this report and would be subject to an application to vary the hours condition should the business wish to extend the hours in future.

Fumes / Odour Extraction

The submitted plans do not indicate any mechanical ventilation/extraction system. However, a condition for such a system to be introduced is appended should the business offer nail treatments which includes the use of solvents, the fumes from which would need to be discharged via external means. Any such proposal would need to be submitted to and approved in writing prior to first use to ensure that the extraction/ventilation system is appropriate and avoids discharging fumes in a manner that would lead to residential disamenity.

Acoustic insulation

Similarly, any external ventilation/fume extraction system could be a source of noise nuisance which be harmful to residential amenity. A condition is therefore appended to ensure that any extraction/ventilation system is appropriately insulated to mitigate any noise emissions. Any proposed system would need to be submitted to and approved in writing prior to first use to enable full assessment by the Environmental Health Officer.

Waste Management

A new purpose built secure and ventilated bin store is proposed that will manage the 3no.240 Litre waste and recycling bins for the development.

The bin store was amended (in drawing ref: 139 (08) 030- REV B) to include a cover over the top and is proposed to be clad in the same slatted composite materials as the elevations of the extension and in the same colour.

It will be sited on the rear boundary facing the rear elevation and collected on a weekly basis by a named contractor.

The proposal has been assessed by the Environmental Health Officer who has not raised an objection to the waste management proposals. As such, a condition is appended that the submitted scheme is implemented.

Parking

The applicant has not indicated that any parking is proposed for the development. As noted above, this is unlikely to be a source of disamenity given the projected low footfall to the premises and the availability of on-street parking in the District Centre.

Servicing / Delivery hours

The application proposal is unlikely to generate an intensive servicing/delivery demand. The days and hours of deliveries are therefore standard as recommended by the Environmental Health Officer:

Monday to Saturday 07:30 to 20:00

No deliveries/waste collections on Sundays/Bank Holidays

A condition for the servicing and delivery hours to comply with these recommendations is appended at the end of this report.

Conclusion

The proposal represents an acceptable District Centre use with a likely a low parking demand and no current projected noise / fume outputs.

Consideration has been given in the siting, design and means of access to make the best use of existing constraints and opportunities whilst limiting any adverse impacts on residential amenity and crime and safety.

Acceptable arrangements have been made for the storage and management of waste and the proposed hours of operation are within the parameters normally expected in a District Centre. Finally, the proposal introduces a small degree of activity at the rear of the site which can increase perceptions of public safety.

On the basis of the above, the proposal is considered to accord with saved UDP policy DC26 and with Core Strategy policies SP1, DM1, EN19, C2 and C6.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The proposed extension drew

concerns regarding any future changes to the business premises and the impacts on residential amenity, noise and parking demand, all of which have been considered in the delegated report. Conditions have been appended to the decision in the interests of residential and visual amenity, following statutory consultation with Environmental Health (Public Protection) and Greater Manchester Police (Design for Security). Any proposal to extend the restaurant into the extension hereby approved in future, would be subject to an application to vary the operating hours conditioned in this Decision Notice.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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 received by the City Council as Local Planning Authority on the 15th of September 2021 or as stated:

Application Form

Location Plan Ref: 139 (08) - 001

Site Plan 22 Sep 2021 Ref: 139 (08) - 005 Rev A

Existing Floor Plan Ref: 139 - 08 - 002

Existing Roof Plan Ref: 139 - 08 - 003

Existing Elevations Ref: 139 - 08 - 004

Proposed Elevations Ref: 139 - 08 - 008

Proposed Ground Floor Plan 22 Sep 2021 Ref: 139 - 08 - 006 Rev A

Proposed Roof Plan 22 Sep 2021 Ref: 139 - 08 - 007 Rev A

Proposed Bin store 07 Oct 2021 Ref: 139 (08) 030- Rev B

Waste Management Proforma Ref: 22 Sep 2021

Photos

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) The materials to be used in the extension hereby approved, shall be implemented in accordance with the details as set out in the proposed elevation drawings Ref: 139 - 08 - 008.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

4) The use hereby approved shall not operate outside of the following hours without the prior written approval of the City Council as Local Planning Authority:

Monday to Sunday (including Bank Holidays) 08.00am to 20.00pm.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved UDP policy DC26 and to Core Strategy policies SP1 and DM1.

5) 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, and at

all times thereafter. This includes use of the covered bin store as detailed in revised drawing Proposed Bin Store, Ref: 139 (08) 030- Rev B received by email on the 7th of October 2021.

Reason - In the interests of amenity and public health, pursuant to Core Strategy policies SP1, DM1 and EN19.

6) Should the business at any time entail the use of solvents for nail treatments,

a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to Core Strategy policies SP1 and DM1.

7) Should the business at any time require the installation of any odour extraction system,

a) 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. Prior to commencement of the use hereby approved the scheme shall be 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 site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise 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 on neighbouring occupiers and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved UDP policy DC26 and to Core Strategy policies SP1 and DM1.

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

07.30am to 20.00pm, Monday to Saturday,

No deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved UDP policy DC26 and Core Strategy policies SP1 and DM1.

Informatives

1) Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

3) New external fittings are to be installed (i.e. shutters, windows or doors) then they should be certified to Secured by Design standards.

If cash is to be kept within the property overnight, then a time delay safe certified to LPS 1183 should be installed and kept within a secure room that is only accessible by the members of staff.

Any staff areas that are to be included within the property should be access controlled and restricted to members of staff only.

An intruder alarm should be installed with contacts on all external doors and with movement detectors. The alarm should be monitored by an appropriate body.

If there is a CCTV system already in place on site, then it should be reviewed to ensure the new extension and the area between the restaurant and beauty rooms is covered.

Additional lighting will also be required to cover the area between the new extension and the current development ensuring the area is well illuminated in the hours of darkness.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Police

6 Napier Road, Manchester, M21 8AW
4 Napier Road, Manchester, M21 8AW
2 Napier Road, Manchester, M21 8AW
10 Napier Road, Manchester, M21 8AW
3 Groby Road, Manchester, M21 8AF
5 Groby Road, Manchester, M21 8AF
First And Second Floor, 557 Barlow Moor Road, Manchester, M21 8AN
First Floor And Second Floor, 557A Barlow Moor Road, Manchester, M21 8AN
Ground Floor, 559 Barlow Moor Road, Manchester, M21 8AN
First Floor And Second Floor, 559 Barlow Moor Road, Manchester, M21 8AN
559 Barlow Moor Road, Manchester, M21 8AN
557A Barlow Moor Road, Manchester, M21 8AN
Top Flat, 398 Barlow Moor Road, Manchester, M21 8AD
561A Barlow Moor Road, Manchester, M21 2AN
561 - 561A Barlow Moor Road, Manchester, M21 8AN
400A Barlow Moor Road, Manchester, M21 8AD
400 Barlow Moor Road, Manchester, M21 8AD
1 Groby Road, Manchester, M21 8AF
398 Barlow Moor Road, Manchester, M21 8AD
557 Barlow Moor Road, Manchester, M21 8AN
396 Barlow Moor Road, Manchester, M21 8BH
8 Napier Road, Manchester, M21 8AW
557B Barlow Moor Road, Manchester, M21 8AN

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH