

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 Ehab Alfaraj
157 Chantry Road
Stockport
SK12 2DN

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Change of use ground floor from retail shop (Class E) to a hot food take away (Class A5)

Location: 903 Stockport Road, Manchester, M19 3PG

Date of application: 21 April 2021

Application number: 127576/FO/2020

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. In this case, discussions have engaged with the applicant to ensure that the hot food take away would accord with Council policy particularly with regarding to its operational arrangements. On the basis of the additional information that has been provided the proposed development has been appropriately assessed.

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 stamped as received by the City Council as local planning authority on 8 December 2020, 7 April 2021 and 22 April 2021:

Existing site location plan Ref: E-PL-000
Existing Ground floor plan Ref: E-EL-001
Existing Section AA Ref: E-SE-002
Existing Front Elevation Ref: E-EL-003
Existing Rear Elevation Ref: E-EL-004
Proposed Ground floor plan Ref: P-PL-001 Rev P03
Proposed Site plan Ref: P-PL002 Rev P01
Proposed Front elevation Ref: P-PL-003 Rev P01
Proposed Rear Elevation Ref: P-PI-004 Rev P01

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 for the City of Manchester.

3) Before the commencement of the authorised use, 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 occupancy and shall remain operational at all times thereafter.

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

4) Before the commencement of the authorised use, the ground floor of 903 Stockport Road, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The implemented details shall be fully implemented in accordance with the approved details, which shall be maintained in situ at all times thereafter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester

5) The premises shall not be open outside the following hours:

Monday to Friday: 10.00 am to 3.00 pm and 5.30 pm to 11.00 pm;
Saturday: 10.00 am to 12 midnight;
Sunday and Bank Holidays: 10.00 am to 11.00 pm.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for the City of Manchester

6) Deliveries, servicing and / or waste collections shall be undertaken outside the hours of:

Monday to Saturday - 7.30 am to 8.00 pm;
Sunday and Bank Holidays - No deliveries, servicing and / or waste collections.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

7) Before the commencement of the authorised use, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing waste management arrangements to supplement the arrangements shown on drawing referenced: Proposed Ground floor plan Ref: P-PL-001 Rev P03, relating to the siting and appearance of a lockable waste enclosure for use by residents of the upper floor flat with confirmed bin storage capacities for segregated waste and recycling. The approved details shall be fully implemented upon commencement of the authorised use and maintained in situ at all times whilst the development is in operation.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage segregated waste, recycling and used cooking oil, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

8) Before the commencement the authorised use, confirmation of arrangements for the collection and removal of segregated waste, including recycling and used cooking oil by a licensed waste contractor, shall be submitted to and approved in writing by the City Council as local planning authority. The approved arrangements shall be implemented upon commencement of the authorised use and maintained in situ at whilst the development is in operation.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the collection of segregated waste, recycling and used cooking oil, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

9) Before the commencement of the authorised use, a scheme shall be submitted to and approve in writing by the City Council as local planning authority, relating to the management and collection of litter and food packaging within the vicinity of the development site. The approved use shall be implemented in accordance with the approved details, which shall be in place upon commencement of the authorised use and maintained in situ at all times whilst the development is in operation.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

10) Upon the commencement of the authorised use, the authorised Class A5 unit, any roller shutters on the frontage of the related unit at 903 Stockport Road shall be open / raised on days that the business is trading from 12:00 noon until the unit closes that same trading day.

Reason - In interests of residential amenity and to safeguard the appearance and character of Levenshulme District Centre, pursuant to policies SP1, C2, C10 and DM1 of the Core Strategy for the City of Manchester and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

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

Guidance for developers can be found via the following link:

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

A fume extraction strategy is required that includes risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement air.

The following security measures are recommended:

- i. Any new external fittings, including shutters, windows or doors should be certified to Secured by Design standards;
- ii. Any new glazing in external doors, ground floor or easily accessible windows should include at least one pane of laminated glass rated as P4A under EN 356;
- iii. A CCTV system should be included within these premises and should be capable of monitoring the following areas: external doorways, all internal spaces;
- iv. Signage should be displayed to indicate the areas of the premises that are restricted to staff only;
- v. Any staff areas that are to be included within the proposal should be access controlled and restricted to members of staff only;
- v. Dusk till dawn lighting should be installed above all external doors.

Date: 2 August 2021

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.