

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

Mrs Natalie Power
12 Dene Hollow
Stockport
SK5 6XX

Agent (if used)

Mrs Suzanne Bratley
Bratley Architectural Ltd
PO Box 3870
Chester
CH1 9DQ

Part 1 – Particulars of the application/development

Proposal: Change of use of ground floor from Hairdressing Salon to Bar/Restaurant (sui generis) together with single storey rear extension, installation of extraction flue and creation of external seating areas

Location: 320 Wilmslow Road, Manchester, M14 6XQ

Date of application: 20 January 2022

Application number: 132530/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

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 for the reasons outlined in the Planning and Highways Committee report. The proposal has been amended to take account of the Council's, residents', Ward Members' and statutory consultee concerns and is subject to conditions in the interests of residential and visual amenity, crime, security and waste management.

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 received on the 17th of December 2021 or as stated:

Application form

Location Plan

Existing Floor Plans Ref: 1454/03

Existing and Proposed Block Plan Ref: 1454/02A received on the 10th of May 2022

Existing and Proposed Elevations Ref: 1454/05 B received on the 10th of May 2022

Proposed Floor Plans Ref: 1454/04 B received on the 10th of May 2022

Waste Plan Ref: 1454/06A received on the 10th of May 2022

Waste Proforma received on the 20th of January 2022

Noise Impact Assessment provided by Noise Assessments Ltd dated 25th of September 2021, received on the 17th of December 2021

Odour Impact Assessment provided by Noise Assessments Ltd dated 25th of September 2021, received on the 17th of December 2021

Supporting Planning Statement provided by Civitas Planning Ltd, received on the 17th of December 2021

Rebuttal Report provided by Bratley Architecture Ltd, received on the 10th of 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) The premises shall not be open outside of the following hours:

08.00 - 00.00 Monday to Saturday

09.00 - 23.00 Sundays and Bank Holidays

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

4) The hours of use of the external seating area at the front of the property in connection with the use of the site as a café-bar/restaurant, shall not be operational after 9.30pm daily.

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

5) There shall be no playing of live or amplified music within the external areas of the development at any time.

Reason - To protect the amenity of the area from excessive noise pursuant to Manchester Core Strategy policies DM1 and C10 and saved Unitary Development Plan policies DC10 and DC26.

6) The development shall be carried out in accordance with a waste management strategy to be submitted to and approved in writing by the City Council as Local Planning Authority prior to first use of the development. The waste refuse scheme shall include provision for segregated and recyclable waste for all uses within the site, including the residential flat, and shall include the number of waste containers to be

provided. The waste management strategy shall be carried out in accordance with the approved details for as long as the development remains in use.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Manchester Core Strategy (2012).

7) The development hereby approved shall be implemented in accordance with the details submitted on the Proposed Block Plan and in the Rebuttal Statement, including the measures to improve the security of the site and external areas through CCTV, external lighting, and other security measures, before the first occupation of the development hereby approved, and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Manchester Core Strategy (2012).

8) 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; any works approved shall be implemented before first occupation of the development.

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. Details of a paint treatment to colour coat the flue shall also be included.

Reason - To ensure an adequate fume extraction system is put in place in the interest of visual and residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

9) Prior to first use of the development hereby approved, a scheme for the acoustic insulation of the flue and any associated externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location 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 equipment. The approved scheme shall be implemented in accordance with the approved details and shall remain operational thereafter.

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

10) 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 - 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 Manchester Core Strategy (2012).

11) Notwithstanding the cycle storage area shown on the approved plans, the applicant shall explore alternative options for cycle parking which could include a wall-mounted cycle rack for staff within the premises. Any alternative cycle parking provision shall be implemented in full and made available for use prior to first operation of the development hereby approved. The approved scheme shall remain available for use whilst the development is in use.

Reason - To increase the options for sustainable travel to and from the site pursuant to policies DM1, T1 and SP1 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

External Doors

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

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.

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.

Any curtain walling panels should include laminated glazing (see below) and should be securely fixed and non-opening.

Internal Security

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.

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.

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

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

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.

Tables and chairs should be fixed to prevent mis-use or theft. Any removable barriers, canopies or heaters, as well as any non-fixed tables and chairs, should be stored securely within the building out-of-hours to prevent damage, theft and mis-use.

Lighting

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

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.

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:

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

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.

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.

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.

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).

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.

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 (including the drive-thru lane).

Other

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.

Internal Layout Guidance

The internal layout of the premises should be carefully considered, so as to maximise surveillance over customers and reduce the opportunities for criminals to exploit. Design for Security understands that the designers and clients may not always know who will be occupying their units once complete, and therefore, the end-users requirements. It is highly recommended that the following good practice principles are adopted where applicable, so as not to undermine the security of the building shell.

Restaurants can, if poorly managed, generate crime for the following reasons:

Opportunities - Large numbers of people congregating in cafes/coffee shops generates opportunities for crime. Unlike on-street populations, patrons are stationary for long periods of time, making them easier to target.

Lack of attention - The movement of people, noise, social interaction and other factors mean patrons can be easily distracted.

Cohesion - Particularly during busy periods, the large numbers and wide variety of groups of people that tend to frequent cafes/coffee shops means that such a venue would lack 'community territoriality' (i.e. regular customers displaying an awareness of and care for the environment around them). This can limit any self-policing that might otherwise occur.

Customer turnover - High turnover with high levels of customer movement within an establishment, are more likely to allow offenders to go unnoticed.

Valuable goods - Often available and possibly on show, a particular problem in external seating areas. Patrons are likely to carry small, valuable, concealable goods - such as mobile phones, purses, wallets, keys etc.

Stealth - Busy venues provide the anonymity necessary to commit offences.

In order to minimise these issues, it is recommended that the following good practice principles are adhered to:

Customers entering/leaving the premises through the main entrance should be easily observed by staff. Staff should also have clear views of any W/Cs to monitor their use.

The area in front of the service counter should be clearly defined to provide an easy queuing system to help prevent against queue jumping, which can lead to conflict. Consideration should be given to Internal floor demarcations (such as different coloured floor tiles) to direct people and encourage efficient circulation within the premises (i.e. defining separate queuing/waiting and seating areas). Sufficient levels of service staff should be provided at busy periods to reduce waiting times and the potential for frustration, aggression and conflict.

The internal layout the premises should be generally uncluttered with few places for concealment, allowing staff to monitor customer behaviour. The precise arrangement of internal furnishings should aid circulation and aim to achieve a balance between intimacy and visibility. Clear views should also remain from the premises through to the public highway, i.e. large promotional signs and menus should not obstruct views.

There should be high/wide service counters, which increase the distance between staff and any potentially aggressive patrons and aid surveillance of all parts of the premises. Tills should be positioned away from customers' reach, but preferably fronting towards customers. Casual access to the rear of any service counters should be prevented (e.g. with lockable hatches that cannot be easily scaled).

There should be chute deposit safes (certified to LPS 1183) behind any service/till area, or an alternative management practice, which would reduce the amount of cash held in tills during busy periods.

1.1 Alarms

It is strongly recommended that a monitored alarm system is provided, with a response facility (be that an alert to the key holder, or to a security patrol team). Contacts should be provided on all external doors and PIR detectors should cover all rooms.

Access Control

Access control systems should be operable by swipe card or fob, and not numeric key pads. The following doors should operate on access control:

Staff only external doors

Doors into areas restricted to staff

Storage rooms

1.2 Other

Adequate signage should be deployed in all areas not only to direct people throughout the building, but also to deter unauthorised access to certain areas.

Date: 1 June 2022

Signed:



Julie Roscoe

Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.