

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126706/JO/2020

Date registered valid: 5 May 2020

Proposal: Variation of conditions: 2 (Approved drawings), 5 (Acoustic treatment of the application premises) and 13 (Roller shutter opening) attached to planning permission referenced 121730/FO/2018

Address: 855 Stockport Road, Manchester, M19 3PW

Ward(s): Levenshulme Ward

Applicant: Martha Winder Draught Manchester Ltd 855 Stockport Road, Levenshulme, Manchester, M19 3PW

Agent (if any): Mr Jason Leech Camberwell & Metropolitan 80 Camberwell Road, London, SE5 0EG

Case officer: Carl Glennon
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Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 December 2020

Application details

Type of application: Variation or Removal of Condition

Development type: Notifications

Date of site visit: 26 June 2020 and 16 September 2020

Standard consultations:

Printed: 18 November 2020 Expired: 9 December 2020

Neighbour notifications

Printed: 18 November 2020 Expired: 9 December 2020

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

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This planning application relates to the ground floor and basement of a 3-storey building that is situated on the east side of Stockport Road and lies within Levenshulme District Centre. The building was formerly used as a bank (Class A2) on the ground floor with ancillary basement accommodation with the capacity for residential accommodation above. The site comprises of the ground floor banking hall and ancillary office accommodation. The rear of the site is an enclosed yard area accessed from Bankley Street. Access to the basement area and residential accommodation above is taken from the rear yard. The area to the east of the application site (along Bankley Street) comprise of a mix of historically established Class B1 and B2 light and general industrial uses, which separate the application premises from the nearest terraced housing on Drury Street. Double yellow lines are located immediately outside the application site with a TRO preventing waiting at any time.

Description of development

This s.73 application seeks to vary conditions 2 (Approved drawings), 5 (Acoustic treatment of the application premises) and 13 (Roller shutter opening) attached to planning permission referenced 121730/FO/2018 - Proposed change of use of the disused bank (Use Class A2) to a Class A4 drinking establishment including elevational alterations to create a new recessed shop front: Approved 22 January 2020.

The development has been implemented with the use coming into effect before the COVID period.

The applicant has sought to discharge the following conditions relating to 121730/FO/2018 through application referenced: CDN/20/03030 - Discharge of conditions 6 (Opening hours / use of the external forecourt area and rear yard), 7 (Management of the forecourt and external yard area), 11 (Waste collection contract) and 15 (Cycle storage) attached to planning permission referenced 121730/FO/2018. The conditions schedule reflects the details submitted in relation to the above.

The proposal involves the following amendments to the original planning permission:

- i. Condition 2 (Approved drawings) – Variations to the approved drawings to reflect substituted drawings and documents. This includes amendments to the authorised shopfront, which has been implemented in a form that differs from the approved drawings.

The implemented shopfront maintains stone pilasters and cornice framing the shopfront. The polyester powder-coated grey cladding on the fascia and central pier around the former bank fenestration has been removed, revealing the original brickwork which has been painted black. Timber railings have been added with the recessed internal 'forecourt' retained. Perforated roller shutters are also now fixed to the top of the new openings (rather than the recessed shop front), neatly positioned in the recess created by the original structural steel which runs immediately behind the new roller shutter mechanism. The pair of roller shutters are steel with a perforated lath, powder coated in black (RAL 9005) satin to bond visually with the black timber fascia boards of the first floor. They each have an overall width of 4280 mm and clear opening width of 4110 mm; an overall height of 2700 mm and a clear opening height of 2350 mm. The premises name, 'Overdraught', is painted in striking gold lettering on the grey fascia. The recessed shopfront incorporates four timber doors, with fixed window lights above, flanked by fixed glazing with timber frames. The central double doors align with the existing wheelchair ramp. All timber elements are painted the same grey as the handrails and fascia board.

The revised shopfront is shown on the following drawing (Fig 1) and shown as implemented in the photograph (Fig 2).

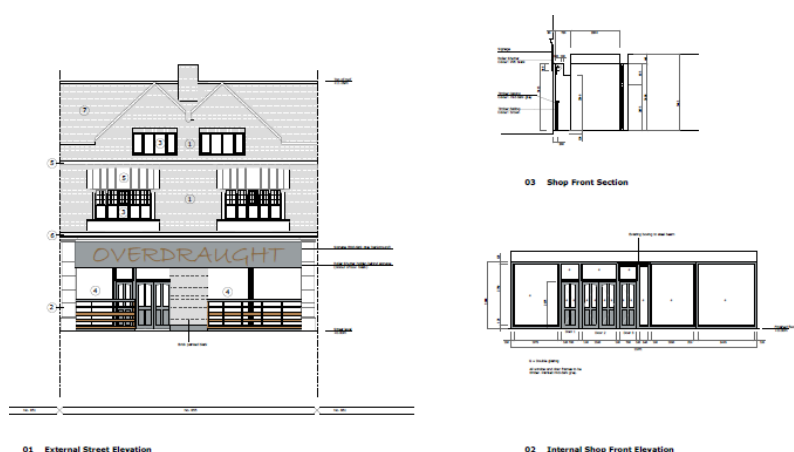


Fig 1 – Revised elevations



Fig 2 – Implemented shopfront

ii. Condition 3 (Materials) – The amended drawings provided details of the materials specification that have been related to the details required in respect of condition 3. For completeness, condition 3 has been amended to correspond to the details approved through condition 2.

iii. Condition 5 (acoustic treatment of the application premises)

The proposals affecting noise levels involve:

- the use of the premises' interior as a café-bar;
- the use of the covered forecourt as an open-air eating and drinking area;
- retention of the existing air-conditioning plant in the rear yard for use during longer opening hours (than the previous use of the commercial premises as a bank).

A noise assessment has been produced a Noise Impact Assessment (Rev. C) to inform the appropriate noise attenuation measures for the commercial premises. The agent states the assessment concludes that 'noise breakout through the external facade (Section 7.0) is that the transmission of noise to the nearest sensitive windows (the first floor residential window above adjacent building) due to the effects of the bar activity would be at a level of 25 dB(A). Considering the high ambient background noise level (50 dB(A)), this would be classed as an indication of the sound source having a very low impact.'

Furthermore, 'the conclusion of the Noise Impact Assessment for the External Seating Area (Section 8.0) is that continuous use of this area during trading hours would result in a noise rating level of 40 dB(A) at the nearest noise sensitive windows (the first floor residential window above adjacent building). This too is considered to have a low impact; 10 dB lower than the typical ambient background noise.'

The agent also states that the ' conclusion of the Noise Impact Assessment for Plant Installation (Section 9.0) is that retention of the existing air-conditioning units would produce a noise level of 26 dB(A) at the nearest sensitive receiver (a residential window on the rear elevation of the adjacent building). Appendix B3 demonstrates that this is due to the extensive natural screening of the building envelope.'

The noise assessment includes a noise management plan relating to the ensure the following:

- amplified music noise levels inside the bar do not exceed an overall limit of 79 dB(A);
- loudspeakers are resiliently fixed to the building structure, such that structure-borne noise is minimised;
- the external seating area and all external doors and windows should be closed at 23:00;
- staff should be instructed to ensure that entrance doors are kept closed where possible;
- any new external glazed elements should be selected to provide a sound reduction performance of at least Rw 31 dB;
- staff should also remind the café-bar's patrons of the residential nature of surrounding premises and behaviour outside the premises should be monitored accordingly.

In order to safeguard the amenity of residents above the ground floor premises the following condition has been suggested:

'The existing noise attenuation measures between the café-bar and the residential accommodation above is acceptable only insofar as the residential accommodation is occupied by a person solely or mainly employed or last employed in the café-bar business. Before the residential accommodation is let to a third party unrelated to the running of the café-bar business, an acoustic report confirming the satisfactory attenuation of noise disturbance to the upper floors shall be submitted to and approved in writing by the City Council.'

The following caveat has been added 'The agreed scheme and any related noise attenuation measures shall be fully implemented prior to occupation by third party unrelated to the running of the café-bar business and maintained in situ thereafter.'

The above measures have been assessed by Environmental Health.

iv. Condition 13 (roller shutters)

The condition requires that authorised roller shutters to the Stockport Road shopfront elevation shall remain in open position during the hours of 10.30 am and until the premises close in accordance with the authorised opening times.

The agent has stated that: 'there is concern that the phrasing of this planning condition may be interpreted as requiring the commercial occupier or building owner to raise the roller shutters every day irrespective of the trading status of the premises. Were the planning condition interpreted in this way, it would place an unreasonable burden on the occupier of the premises.'

The following condition has therefore been proposed:

'Upon occupation of the authorised Class A4 unit, any roller shutters on the frontage of the related unit at 855 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.' The applicant is willing to accept this new wording.

Consultations & Notification Responses

Local Residents – No comments received.

Environmental Health – Commented on 2 November 2020 and confirmed no objection to the variation of condition 5 subject to the condition relating to the occupancy of the upper floor

residential accommodation; including requirements for noise attenuation assessment and implementation should occupation by a third party occur

Highways Services - Have no concerns regarding the new shop front, roller shuttering and recessed covered forecourt as it is understood that this is fully contained within the private curtilage of the site and does not affect footway activity on Stockport Road.

Greater Manchester Police – No objection the revised cycle storage arrangements.

Issues

Planning application 121730/FO/2018 was assessed regarding to the following:

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- i. Chapter 7 Ensuring the vitality of town centres
- ii. Chapter 8: Promoting healthy and safe communities
- iii. Chapter 9: Promoting sustainable transport

It is considered that the development continues to relate positively to the above considerations.

Planning Practice Guidance (PPG) - On 6 March 2014, the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters - The PPG reasserts that local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application.
- ii. Health and well-being - States those local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in planning decision making;
- iii. Noise - Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. The PPG sets out

the potential approaches to responding to noise and appropriate mitigation, which have been applied in the consideration of the proposed development and the intensification of the residential use.

It is considered that the development accords with the above guidance.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 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 following policies are relevant to the proposed development:

Policy SP 1 Spatial Principles - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

It is considered that the development would respond positively to the objectives of policy SP1.

Policy C 1 Centre Hierarchy - States that the development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres. Policy C1 states that district centres, such as Levenshulme, have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. It further states that these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres. It is considered that the development would respond positively to the objectives of policy C1 through its positive contribution to the offer of facilities in the district centre.

Policy C 2 District centres - States that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. The delivery of this floor space should respect the network of centres across the City and in neighbouring districts.

The following relevant aspects of policy C2 have been identified:

- i. Prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. However, policy C2 also states that retailing should be the principal use in Primary Shopping Areas and to 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;

It is considered that the development would respond positively to the following aspect of policy C2:

- i. Promote the development of employment which provides opportunities for local people;
- ii. Promote the efficient use of land. New development should positively contribute to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies;
- iii. Contribute positively to the diversity and mix of uses within centres without undermining their primary retail function;
- iv. New development should respect and enhance the character of existing centres and deliver improvements to the quality and accessibility of the centre.

Policy C 10 Leisure and the Evening Economy - States that new development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

1. Cumulative impact - In areas where there is already a concentration of bars (A4), hot food takeaways (A5) and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities;
2. Residential amenity - the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance;
3. Balance - new uses in Manchester centres should support both the day-time and evening/night-time economies whilst not undermining the role of the primary shopping area.

When considering the impact of the proposed café bar regard has been given to the following:

- i. The existing number of similar establishments in the immediate area and their proximity to each other;
- ii. The type and characteristics of other uses, such as housing, shops and public houses;
- iii. The existence of vacant shop units and the condition of the unit;
- iv. The importance of the location for local shopping, and the number, function and location of shops that would remain to serve the local community;
- v. The character of the centre and its frontage, and the nature of the use proposed;
- vi. The potential impacts of the proposal on the wider community; and
- vii. Any known unresolved amenity, traffic or safety issues arising from existing uses in the area.

It is considered that the proposed bar would be relatively small and that its impact would not be unduly harmful in the context of the busy Levenshulme District Centre. Any impact would be capable of management through a site management plan and noise attenuation measures.

Policy EC9 South Manchester - States that within South Manchester, including Levenshulme District Centre, development proposals and planning applications should have regard to: ensuring efficient use of existing employment space; improving public transport, walking and cycling connectivity between residential neighbourhoods and employment locations such as the City Centre. It is considered that the proposed development would reinstate activity to a vacant premises and contribute positively to the commercial offer within the district centre. It would contribute to the night-time economy and provide small-scale employment opportunities. It would thereby respond positively to policy EC9.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

The applicant has provided waste management arrangements that are considered to be acceptable and capable of being managed through condition. Policy EN19 would thereby be complied with.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport.

Policy T2 (Accessible areas of opportunity and need) - Discusses the relationship of development to transportation routes and the utilisation of sustainable transport modes. It states, amongst other things, that the Council will take account of the circumstances of each proposal to establish what level of parking is appropriate and whether proposals are likely to be access or transport issues.

The application site is located on a radial within access to the public transport links (bus and rail) and cycle routes. As it is in district centre is in a sustainable location and likely to be accessed on foot. Policies T1 and T2 would thereby be accorded with in terms its accessibility via multiple transportation modes.

Policy DM1 Development Management - States that all development should have regard to the following specific issues, which are considered to be relevant to the consideration of this application:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- d. Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

In considering the proposed development the location of the application site in relation to the on-going regeneration of Levenshulme District Centre has been acknowledged, including the associated and characteristic levels of noise and activity as the local night-time economy continues to grow. It is considered that this activity would be managed by the operational management conditions and would, to a great extent be absorbed within the surrounding context of an active and vibrant district centre. On balance it is considered that the development would accord with policy DM1.

Unitary Development Plan (UDP) Saved Policies -The following saved UDP policies are also considered to be relevant:

Policy E3.3 Upgrade the appearance of radial and orbital routes - This policy (E3.3) is relevant given the views of the site from Stockport Road, which is a major radial route to the City Centre. It requires that new development contributes to the improvement of the appearance of such routes. This is to be achieved through improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems. It is considered that the proposed development would bring a vacant unit back into active use, which would be beneficial to the appearance of the streetscene, demonstrate the on-going regeneration of the high street and thereby accord with the objectives of policy E3.3.

Policy DC10 Food and Drink Uses - This policy (DC10) is relevant to the proposed development and particular consideration has been given to the following:

Policy DC10.1 - States that, in determining planning applications for developments involving the sale of food or drink for consumption on the premises, or for hot food to be consumed off the premises, the Council will have regard to:

- a. The general location of the proposed development, including any reference to the area in other policies in the development plan;
- b. The effect on the amenity of neighbouring residents;
- c. The availability of safe and convenient arrangements for car parking and servicing;
- d. Ease of access for all, including disabled people;
- e. The storage and collection of refuse and litter.

Policy DC10.2 -States that the Council will normally accept the principle of developments of this kind (food and drinks uses) in the City Centre, industrial and commercial areas, in shopping centres and, at ground level, in local shopping parades of more than 8 shops or offices.

Policy DC10.3 - Development will not normally be permitted where:

- a. It is proposed outside the general locations mentioned above, or
- b. There is a house or flat on the ground floor next to the proposed business, or only separated from it by a narrow street or alleyway.

Policy DC10.4 - Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents. These conditions may, amongst other things, include limitations on the hours of opening, and the need to deal satisfactorily with noise, fumes, smells, the storage of refuse and the collection of litter.

It is considered that the submitted information demonstrates that the proposed use can be accommodated within a site, which is located in a district centre where such uses are usually appropriate. Conditions relating to the implemented of submitted site management arrangements and the on-going management of the premises would provide suitable safeguards to residential amenity. It is thereby considered that policy DC10 would positively responded to and accorded with.

Policy DC26 Development and Noise - Is relevant to the proposed development due to its potential to generate noise and disturbance through the operation of the proposed use and any external associated equipment. The following aspects of this policy (DC26) are considered to be relevant to the proposed development.

Policy DC26.1 - Has been related to the proposal potential contribution to the local noise environment, in relation to the operation of associated external equipment and the additional activity that may be generated by customers and traffic movements and the undertaking of

servicing and deliveries, particularly with regard to the residents of Drury Street and any residents above neighbouring residential accommodation.

Policy DC26.4 - Requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily. This is particularly relevant given the proximity of the site to established residential uses.

Policy DC26.5 - Has been related to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

On the basis of the comments of Environmental Health, it is considered that noise issues are capable of being addressed through the noise attenuation condition and its requirement for an acoustic report. Compliance with policy DC26 can be complied subject to the implementation of appropriate and agreed details.

Guide to Development in Manchester - States that throughout the City, the Council will encourage development that complements Supplementary Planning Document and Planning Guidance. The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. The following aspects of the guide have been given consideration in this case and have been appropriately responded to:

- i. Paragraph 4.11 - States that all developments should be supported with a waste management strategy to ensure that adequately sized bin storage areas, access for collection crews and vehicles, and other aspects of waste management are designed into the development at the earliest stage;
- ii. Paragraph 11.24 - States that district and local centres are an important feature of neighbourhoods and contribute to the image and sense of place of an area;
- iii. Policy 11.25 - State that, whether they play a district or local function, centres should accommodate a range of facilities and services, not simply shops and hot food premises.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

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, officers have engaged with the applicant's agent to ensure that sufficient information was provided to allow the assessment of the potential noise impact of the development and the suitability of the proposed opening hours. The submission of additional details associated with the discharge of conditions relating to planning permission referenced: 121730/FO/2018 has also facilitated the consideration of outstanding issues as part of the assessment of the development.

Principle of the development – It is considered that the amendments to the proposals would not materially affect the suitability of the development. The submitted details have demonstrated the revised operating hours would be appropriate based on the findings of the noise assessment and the management of the future occupation of the upper floor residential accommodation; which has been conditioned. This includes arrangements for subsequent occupation by and unrelated third party, in terms of noise attenuation.

Amendments or the shopfront – The proposed amendments are acceptable as they uplift the appearance of the street frontage and maintain the arrangements for the recessed forecourt drinking area. The appearance of and positioning of black perforated roller shutters is acceptable. The materials specified with the elevational drawings have been related to the relevant condition.

Opening hours – The opening hours have been related to the following in the light of the submitted noise assessment and the residential occupation arrangements. This approach is supported by Environmental Health. The operating hours are:

The premises shall only trade between the hours of:
Sunday - Thursday 11:00am - 12 midnight
Friday - Saturday 11:00am - 01:00am

The external forecourt area shall not be used outside the hours of:
Sunday - Saturday 11:00am - 11:00pm

The rear yard area shall not be used for the purposes of eating or drinking.

The servicing hours condition is retained.

Roller shutters opening – The opening arrangement of the roller shutters has been amended to be more closely related to the operation hours of the premises, which is a reasonable response.

Conclusion – The amendments would secure the appropriate operation of the development and ensure its viable contribution to the district centre without undermining the appearance or character of the locality.

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

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,

officers have engaged with the applicant's agent to ensure that sufficient information was provided to allow the assessment of the potential noise impact of the development and the suitability of the proposed opening hours. The submission of additional details associated with the discharge of conditions relating to planning permission referenced: 121730/FO/2018 has also facilitated the consideration of outstanding issues as part of the assessment of the development.

Condition(s) to be attached to decision for approval

1) 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 the specified dates:

Application forms for the removal or variation of conditions granted in relation to planning permission referenced: 121730/FO/2018 received 17 November 2020;
Location plan with a red edge received 31 October 2018;
Site plan Ref: 855SR-04-001 received 31 October 2018;
Existing plans Ref: 855SR-04-100 received 31 October 2018;
Existing Elevations Ref: 855SR-04-300 received 31 October 2018;
855 Stockport Road Proposed Plan A-0100 Rev B received 16 November 2020;
855 Stockport Road Proposed Plan A-0150 Rev C received 16 November 2020.

Planning statement ref: Application to vary conditions 2, 5 and 13 relating to planning permission granted to application no. 121730/FO/2018 dated 14 November 2020 (including Appendix 1) by Camberwell & Metropolitan received 16 November 2020;
Planning statement ref: Request for confirmation of compliance with Conditions 6, 7, 11 and 15 of planning permission granted to application no. 121730/FO/2018: dated 14 November 2020 (including Appendices 1 and 2) by Camberwell & Metropolitan received 16 November 2020;
Noise Impact Assessment for 855 Stockport Road Levenshulme Manchester, Report Ref: 14511-NIA-01 Rev C Prepared 27 July 2020 for Camberwell & Metropolitan by Clement Acoustics received 16 November 2020;
Manufacturers specification of Oxford Anchor secure wall mounted cycle locking bracket as shown on drawing ref: 855 Stockport Road Proposed Plan A-0100 Rev B received 16 November 2020;
Photographs 1 – 4 showing cycle storage arrangements in situ received 27 August 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

2) The development shall be fully implemented in accordance with the materials and specification of the shopfront, including roller shutters, as specified in the following drawings and documents:

855 Stockport Road Proposed Plan A-0100 Rev B received 16 November 2020;
855 Stockport Road Proposed Plan A-0150 Rev C received 16 November 2020;
Planning statement ref: Application to vary conditions 2, 5 and 13 relating to planning permission granted to application no. 121730/FO/2018 dated 14 November 2020 Section 2.0 (pages 4-5) and Appendix 1 by Camberwell & Metropolitan received 16 November 2020.

The implemented details shall be maintained in situ thereafter.

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, EN1 and DM1 of the Core Strategy for the City of Manchester.

3) The planning permission hereby granted relates to the undertaking of a drinking establishment (Class A4) within the ground floor of 855 Stockport Road with the basement area used for ancillary storage only.

Reason - In the interests of residential amenity and in order to safeguard the future viability and vitality of Levenshulme District Centre pursuant to policies SP1, C1, C2, C10 and DM1 of the Core Strategy for the City of Manchester.

4) The authorised development shall be fully implemented in accordance with the following drawing and documents:

- i. Drawings ref: 855 Stockport Road Proposed Plan A-0100 Rev B received 16 November 2020;
- ii. Planning statement ref: Application to vary conditions 2, 5 and 13 relating to planning permission granted to application no. 121730/FO/2018 dated 14 November 2020 (including Appendix 1) by Camberwell & Metropolitan received 16 November 2020;
- iii. Noise Impact Assessment for 855 Stockport Road Levenshulme Manchester, Report Ref: 14511-NIA-01 Rev C Prepared 27 July 2020 for Camberwell & Metropolitan by Clement Acoustics received 16 November 2020.

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

5) The existing noise attenuation measures between the Class A4 business and the residential accommodation above are acceptable only insofar as the residential accommodation is occupied by a person solely or mainly employed or last employed in the authorised Class A4 business. Prior to the residential accommodation being let to any third party unrelated to the running of the Class A4 business, an acoustic report confirming the satisfactory attenuation of noise disturbance to the upper floors shall be submitted to and approved in writing by the City Council.

The approved arrangements shall be maintained in situ all times whilst the authorised development is in operation.

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

6) The operating hours of the authorised Class A4 use, including use of the external forecourt area and rear yard, shall be undertaken in accordance with the following drawings and documents:

- i. Drawings ref: 855 Stockport Road Proposed Plan A-0100 Rev B received 16 November 2020;
- ii. Planning statement ref: Request for confirmation of compliance with Conditions 6, 7, 11 and 15 of planning permission granted to application no. 121730/FO/2018: Section 2.0 (page 4) dated 14 November 2020 (including Appendices 1 and 2) by Camberwell & Metropolitan;

iii. Noise Impact Assessment for 855 Stockport Road Levenshulme Manchester, Report Ref: 14511-NIA-01 Rev C Prepared 27 July 2020 for Camberwell & Metropolitan by Clement Acoustics received 16 November 2020.

The premises shall only trade between the hours of:

Sunday - Thursday 11:00 AM - 12 midnight

Friday - Saturday 11:00 AM - 01:00 AM

The external forecourt area shall not be used outside the hours of:

Sunday - Saturday 11:00 AM - 11:00 PM

The rear yard area shall not be used for the purposes of customer eating or drinking.

The approved arrangements shall be maintained in situ all times whilst the authorised development is in operation.

Reason - In interests of residential amenity in order to reduce noise and general disturbance 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 for the City of Manchester.

7) The management of the forecourt and external yard area associated with the authorised Class A4 shall be undertaken in accordance with the following drawings and documents:

- i. Drawings ref: 855 Stockport Road Proposed Plan A-0100 Rev B received 16 November 2020.
- ii. Planning statement ref: Request for confirmation of compliance with Conditions 6, 7, 11 and 15 of planning permission granted to application no. 121730/FO/2018: Section 3.0 (page 6) dated 14 November 2020 (including Appendices 1 and 2) by Camberwell & Metropolitan
- iii. Noise Impact Assessment for 855 Stockport Road Levenshulme Manchester, Report Ref: 14511-NIA-01 Rev C Prepared 27 July 2020 for Camberwell & Metropolitan by Clement Acoustics received 16 November 2020.

The approved arrangements shall be maintained in situ all times whilst the authorised development is in operation.

Reason - In interests of residential amenity in order to reduce noise and general disturbance 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 for the City of Manchester.

8) No loading or unloading, including waste collections, shall be carried out on the site outside the following hours:

Monday to Saturday 7:30 am to 8:00 pm with no deliveries/waste collections on Sundays/Bank Holidays.

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.

9) Before its installation, any required equipment relating to the extraction of any fumes, vapours and odours from the premises shall be submitted to a scheme to be submitted to and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented in accordance with a timescale to be agreed as

part of the approved scheme and maintained in situ 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.

10) If any lighting and /or CCTV cameras relating to the authorised development, when operational, in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of its written request, a further scheme for the elimination of glare, light spillage or intrusion of privacy (in the case of CCTV cameras) shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of related illumination on the occupiers of nearby residential accommodation, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

11) The development shall be fully implemented in accordance with the following arrangements for waste management as specified in the drawing and documents referenced:

- i. Drawings ref: 855 Stockport Road Proposed Plan A-0100 Rev B received 16 November 2020.
- ii. Planning statement ref: Request for confirmation of compliance with Conditions 6, 7, 11 and 15 of planning permission granted to application no. 121730/FO/2018: Section 4.0 (page 9) dated 14 November 2020 by Camberwell & Metropolitan

The implemented details shall be maintained in situ, whilst the development is in use.

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

12) The development shall be implemented in accordance with the arrangements for presenting waste and recycling containers / bins to a designated collection point and their return to the designated bin storage areas as set out in the authorised waste management strategy; as specified in document ref: Planning statement ref: Request for confirmation of compliance with Conditions 6, 7, 11 and 15 of planning permission granted to application no. 121730/FO/2018: Section 3.0 (pages 6 and 7) dated 14 November 2020 by Camberwell & Metropolitan. The approved details shall be fully implemented prior to the commencement of the authorised Class A4 use and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of residential amenity pursuant to policies SP1, DM1 and EN19 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

13) Upon occupation of the authorised Class A4 unit, any roller shutters on the frontage of the related unit at 855 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.

14) There shall be no operation or use of external loudspeakers, bells, tannoy, public address systems or any other form of amplified internal or external sound equipment or musical performance in association with the authorised Class A4 use, within the external rear yard areas at any time whilst the authorised development is in operation.

Reason - In the interests of the amenity of the occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester and guidance contained within the National Planning Policy Framework.

15) The authorised development shall be fully implemented in accordance with the following arrangements for cycle storage - The discharge of condition 15 is approved on the basis development is undertaken in accordance with the following drawings and documents:

- i. Manufacturers specification of Oxford Anchor secure wall mounted cycle locking bracket as shown on drawing ref: 855 Stockport Road Proposed Plan A-0100 Rev B received 16 November 2020;
- ii. Photographs 1 – 4 showing cycle storage arrangements in situ;
- ii. Planning statement ref: Request for confirmation of compliance with Conditions 6, 7, 11 and 15 of planning permission granted to application no. 121730/FO/2018: Section 5.0 (page 8) dated 14 November 2020 (including Appendix 1) by Camberwell & Metropolitan.

The approved arrangements shall be maintained in situ all times whilst the authorised development is in operation.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

Informatives

1. The planning permission hereby granted does not confer consent for the display of advertisement signage.
2. Licensing - The applicant should be aware that under the Licensing Act 2003 the carrying on of a licensable activity (this includes the provision of late night refreshment between 23.00 -05.00, supply of alcohol, music, dancing, plays, films and indoor sporting events) on or from premises requires a premises licence from Manchester City Council as Licensing Authority. Further information is available on the following website: <https://www.manchester.gov.uk/directory/26/licensing/category/356>.
3. It is advised that the following security measures be incorporated into the development:
 - i. Any new external fittings (i.e. 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. In addition to condition 7, a CCTV system should be included within these licensed premises and should be capable of monitoring the following areas: external doorways, all internal spaces including the bar and function room area;
 - 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;
- vi. Dusk till dawn lighting should be installed above all external doors;
- vii. Clips should be fitted to the underside of tables/counters to allow customers to secure their bags or jackets while keeping it in view.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police

Adjacent 936 -938, Stockport Road, Manchester, M19 3NN
Flat 8, 861B Stockport Road, Manchester, M19 3PW
Flat 7, 861B Stockport Road, Manchester, M19 3PW
Flat 6, 861B Stockport Road, Manchester, M19 3PW
Flat 5, 861B Stockport Road, Manchester, M19 3PW
Flat 4, 861B Stockport Road, Manchester, M19 3PW
Flat 3, 861B Stockport Road, Manchester, M19 3PW
Flat 2, 861B Stockport Road, Manchester, M19 3PW
Flat 1, 861B Stockport Road, Manchester, M19 3PW
861A Stockport Road, Manchester, M19 3PW
861 Stockport Road, Manchester, M19 3PW
Flat Above, 936 - 938 Stockport Road, Manchester, M19 3NN
First Floor, Bankley House, 1 Bankley Street, Manchester, M19 3PQ
Ground Floor, The Mill, Bankley Street, Manchester, M19 3PQ
Second Floor Right, The Mill, Bankley Street, Manchester, M19 3PQ
Third Floor, The Mill, Bankley Street, Manchester, M19 3PQ
First Floor, The Mill, Bankley Street, Manchester, M19 3PQ
Second Floor, The Mill, Bankley Street, Manchester, M19 3PQ
Ground Floor, Bankley House, Bankley Street, Manchester, M19 3PP
Flat Above, 948 Stockport Road, Manchester, M19 3NN
Bankley Mill, Bankley Street, Manchester, M19 3PQ
853 Stockport Road, Manchester, M19 3PW
Flat Above, 954 - 956 Stockport Road, Manchester, M19 3NN
Top Flat, 950 - 952 Stockport Road, Manchester, M19 3NN
942 Stockport Road, Manchester, M19 3NN
Flat 2, 26 Bankley Street, Manchester, M19 3PP
24 Bankley Street, Manchester, M19 3PP
936 - 938 Stockport Road, Manchester, M19 3NN
950 - 952 Stockport Road, Manchester, M19 3NN
847 - 849 Stockport Road, Manchester, M19 3PW
863 - 871 Stockport Road, Manchester, M19 3PW
954 - 956 Stockport Road, Manchester, M19 3NN
948 Stockport Road, Manchester, M19 3NN
946 Stockport Road, Manchester, M19 3NN
944 Stockport Road, Manchester, M19 3NN
940 Stockport Road, Manchester, M19 3NN
Parkers Motor Body Clinic, Chapel Street, Manchester, M19 3QA

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) -
Area Team Boundary - Name: NORTH2