

## **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](mailto:planning@manchester.gov.uk)

## **Town & Country Planning Act 1990 (as amended)**

### **Planning Permission**

#### **Applicant**

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

#### **Agent (if used)**

Mr Jason Leech  
Camberwell & Metropolitan  
80 Camberwell Road  
London  
SE5 0EG

### **Part 1 – Particulars of the application/development**

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**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

**Location:** 855 Stockport Road, Manchester, M19 3PW

**Date of application:** 5 May 2020

**Application number:** 126706/JO/2020

### **Part 2 – Particulars of decision**

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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**

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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) attached to this decision**

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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 - 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, tannoys, 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**

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### **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](http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2)

The planning permission hereby granted does not confer consent for the display of advertisement signage.

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>.

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.

Date: 15 December 2020

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](http://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](mailto:planning@manchester.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](http://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 their 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.