

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

Shimla Enterprises Ltd
Hexagon House
21-23 Gatley Road
Cheadle
SK8 1NZ

Agent (if used)

Miss Lucy Furber
Iceni Projects
29 John Dalton Street
Manchester
M2 6DS

Part 1 – Particulars of the application/development

Proposal: Installation of a retractable glass rooftop extension to form ancillary outdoor terrace and replacement of existing windows.

Location: 23 Radium Street, Manchester, M4 6AY

Date of application: 22 April 2025

Application number: 142764/FO/2025

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application.

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:

- o Ground Floor Plan: B-0257-1105-Proposed GA Level 00 Rev P1
- o Third Floor Plan: B-0257-1108-Proposed GA Level 03 Rev P1
- o Roof Plan: B-0257-1110-Proposed Roof Plan Rev P1

- o North Elevation: B-0257-1305-Proposed North Elevation Rev P1
- o South Elevation: B-0257-1306-Proposed South Elevation Rev P1
- o West Elevation: B-0257-1307-Proposed West Elevation Rev P1
- o East Elevation: B-0257-1308-Proposed East Elevation Rev P1
- o Proposed Section Drawings: B-0257-1204-Typical Section A-A and BB
- o Third Floor Drainage Details: B-0257-1120-Proposed Level 03 Drainage Plan
- o Roof Drainage Details: B-0257-1121-Proposed Roof Drainage Plan

All stamped as received by the City Council as Local Planning authority on the
Received 21/08/2025

- o Television and Radio Reception Impact Assessment

Stamped as received by the City Council as Local Planning authority on the Received
22/08/2025

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 and the National Planning Policy Framework.

3) The rooftop extension shall be constructed in accordance with the material details as set out in drawing nos. B-0257-1307-Proposed West Elevation Rev P1 and B-0257-1204-Typical Section A-A and BB received by the City Council as Local Planning Authority on 21 August 2025. This includes concealed fixings for the frame, roof and aluminium panels and frameless glass.

The approved materials shall then be implemented as part of the development.

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 and DM1 of the Core Strategy.

4) Prior to the installation of the replacement windows to the existing building, final details including product specifications and samples shall be submitted for approval in writing by the City Council as Local Planning Authority.

The approved details shall then be implemented as part of the development.

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 and DM1 of the Core Strategy.

5) Prior to the removal of the roller shutter, a product specification and samples for the new door and infill brick work as shown on drawing no. South Elevation: B-0257-1306-Proposed South Elevation Rev P1, shall be submitted for approval in writing by the City Council as Local Planning Authority.

The approved details shall then be implemented as part of the development.

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 and DM1 of the Core Strategy.

6) (a) The development shall be acoustically insulated in accordance with the Noise Impact Assessment ref 50-894-R1-7 received by the City Council, as Local Planning Authority, on the 28 July 2025.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

The limiter will need to be set accordingly with strict low-level limits applied automatically if doors or roof sections are opened.

(b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition (including that the setting and validating of the limiter). The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

7) The bifold doors and retractable roof, as indicated on drawings B-0257-1305-Proposed North Rev P1, B-0257-1306-Proposed South Rev P1, B-0257-1308-Proposed East Elevation Rev P1 and B-0257-1110-Proposed Roof Plan Rev P1, received by the City Council, as Local Planning Authority, on the 21 August 2025 shall be closed at 22:00 Monday to Sunday and shut at all times when music is played in the rooftop extension. For the avoidance of doubt this would not preclude background music being played when the doors are open.

Reason - In the interest of residential amenity and to prevent unacceptable noise outbreak pursuant to policy DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

8) The rooftop extension hereby approved shall not operate outside the following hours:

- o Monday to Thursday 8:00 to 23:00
- o Friday and Saturday 8:00 to 23:30
- o Sunday 8:00 to 23:30

For the avoidance of doubt, this excludes the use of external areas where the hours are controlled under condition 6.

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

9) Notwithstanding the Noise Impact Assessment ref 50-894-R1-7 received by the City Council, as Local Planning Authority, on the 28 July 2025, prior to the installation of internally (where required to extract externally) and externally mounted plant, equipment and servicing, final details shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt, any plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 dB (L_{aeq}) below the typical background (LA₉₀) level at the nearest noise sensitive location.

b) Prior to the first use of any internally (where required to extract externally) and externally mounted plant, equipment and servicing, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition.

The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

10) Prior to the first occupation of the development hereby approved, details of the number, siting and appearance of bird and bat boxes at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the rooftop extension hereby approved and shall thereafter be retained and maintained in situ.

Reason - In the interest of providing habitats for birds and bats and to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

11) Prior to the first use of the rooftop extension hereby approved, a building and site lighting scheme and scheme for the illumination of external areas during the period between dusk and dawn shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the development 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 and to minimise impact on local bats in order to comply with the requirements of policies SP1, EN15 and DM1 of the Core Strategy.

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

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Mining Remediation Authority.

1. You must seek ecological advice should you find or suspect that the proposals will impact on protected species (e.g. bats).
2. Work that will impact on habitats where nesting birds may be present (for example building works), should not be undertaken in the main bird nesting season (March - August) unless suitable checks for active bird nests have been undertaken.
3. The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk
4. The applicant is required to discuss and agree any requirements for temporary pedestrian and traffic management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk

Date: 22 August 2025

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/appeal-planning-decision 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.



STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk)

Standing Advice valid from 1st January 2025 until 31st December 2026