MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr O Adetola
The Bridge Manchester Ltd
273 Clayton Lane
Manchester
M11 4SS

Agent (if used)

Mr V Alyas
Architek
916 Stockport Road
Levenshulme
Manchester
M19 3AB

Part 1 – Particulars of the application/development

Proposal: Creation of restaurant (Class E) to first floor, erection of a single storey side extension, elevational alterations and creation of roof terrace with associated balustrade.

Location: 273 Clayton Lane, Manchester, M11 4SS

Date of application: 17 December 2024

Application number: 141276/FO/2024

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 in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

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:

- Location Plan (Planning Portal Reference PP-13488605v1; 18/10/2024)
- 1266 A101 Rev P4: Location and Site Plan (Received 25/02/2025)
- 1266 A104 Rev P1: Proposed Basement Plan (Received 22/11/2024)
- 1266 A105 Rev P3: Proposed Ground and First Floor Plans (Received 07/02/2025)
- 1266 A109 Rev P5: Proposed Elevations 1 (Received 06/03/2025)
- 1266 A110 Rev P5: Proposed Elevations 2 (Received 06/03/2025)
- 1266 A115 Rev P3: Existing & Proposed Section (Received 01/05/2025)
- 1266 A116 Rev P1: Canopy Extraction Duct Plan (Received 23/01/2025)
- Batimet - Window Specification TA35 SL (Received 06/03/2025)
- Design and Access Statement (Prepared by Architek; Dated 12/10/2024; Received 18/10/2024)
- Extraction. Odours and Noise Statement Rev B (Prepared by Architek; Dated 22/02/2025; Received 25/02/2025)
- Noise Impact Assessment (Prepared by Acoustic Solutions; Reference number AS24-63.V1; Dated 10/11/2024; Received 22/11/2024)
- Planning Statement (Prepared by Architek; Dated 12/10/2024; Received 18/10/2024)
- Risk Assessment: Protection of the Canal During Proposed Works (Prepared by Architek UK; Dated & Received 23/01/2025)
- Transport Statement (Prepared by i-Transport; Dated 07/11/2024; Received 22/11/2024)
- Waste Management Plan (Received 21/02/2025)
- Waste Management Strategy Proforma (Received 23/01/2025)

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.

3) Prior to the commencement of any of the following works hereby approved, exact details regarding the following aspects of the development, including material samples where applicable, shall be submitted to and approved in writing by the City Council as Local Planning Authority:

a. Insertion of new door and any proposed door surround works
b. Installation of new windows
c. Installation of new roof structure with reclaimed tiles
d. Installation of flue shroud
e. New rendered finish

The development shall then proceed in accordance with the approved details.

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 first occupation of the use hereby approved, a scheme confirming the proposed hours of operation shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved hours shall then be implemented and be the approved hours for the duration of the proposed use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

5) Prior to the first occupation of the use hereby approved, a scheme confirming the proposed hours of operation of the site's external areas shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved hours shall then be implemented and be the approved hours for the duration of the proposed use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

6) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the submitted Noise Impact Assessment (Prepared by Acoustic Solutions; Reference number AS24-63.V1; Dated 10/11/2024; Received 22/11/2024) and then be implemented as part of the development.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the verification report shall be detailed along with any measures required to be undertaken prior to operation of the scheme to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

7) a) Fumes and odours shall be extracted from the premises in accordance with the submitted Extraction, Odours and Noise Statement Rev B (Prepared by Architek; Dated 22/02/2025; Received 25/02/2025).

b) Prior to commencement of the use hereby approved, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Manchester Core Strategy, and Saved Unitary Development Plan Policy DC26.

8) Prior to the completion of the development, exact details of the car parking arrangements on site shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall then proceed in accordance with the approved details and all car parking spaces shall be demarcated prior to first use.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

9) Prior to the completion of the development, a scheme for the provision of bird and bat boxes on site, and any other biodiversity net gain measures, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved measures shall be implemented prior to the completion of the development and shall thereafter be retained and maintained for the lifetime of the development.

Reason - In the interest of securing a biodiversity net gain on site in accordance with Core Strategy Policies DM1 and EN15, and the National Planning Policy Framework.

10) a) Before the use hereby approved commences, external lighting shall be designed and installed in accordance with a scheme approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties and the adjacent canal.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall be submitted to and approved in writing by the City Council as Local Planning Authority. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - In the interests of amenity, crime reduction, the personal safety of those using the proposed development and minimising ecological harm, in order to comply with the requirements of policies SP1, EN15 and DM1 of the Core Strategy.

11) The development shall proceed in accordance with the submitted Risk Assessment for the protection of the adjacent Ashton Canal (Prepared by Architek UK; Dated & Received 23/01/2025) which shall then be adhered to at all times during the construction phase of the development.

Reason - To protect the structural stability of the canal infrastructure which could be adversely affected by the development pursuant to Core Strategy Policy EN18.

12) The restaurant hereby approved shall be used for Class E (b), excluding convenience retail and gym use, and for no other purpose (including any other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 No.757) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - The use of the premises other than in accordance with the approved use would require further consideration by the Local Planning Authority and may not be appropriate in this locality in accordance with Core Strategy Policies SP1, EC2 and DM1, and the National Planning Policy Framework.

13) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

14) All alterations to the property hereby approved shall be completed to secured by design standards.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

15) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage 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 the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

16) The development hereby approved shall include level access off of Clayton Lane which shall be made available prior to the first use of the development and thereafter be maintained and retained for its lifetime.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

17) The use hereby approved shall dispose and store its waste and recycling in accordance with the following documents:

- Waste Management Strategy Proforma (Received 23/01/2025)
- Waste Management Plan (Received 21/02/2025)

The approved details shall be adhered to for the lifetime of the development.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

Informatives

Building Regulations 2010
This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements
Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to

addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:
http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

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.

Date: 9 May 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 of 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

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