

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

Mr Bruce Layzell
Chickens Cabins Ltd
Foston House
25 Riddings Road
Ilkley
LS29 9LU

Agent (if used)

Mr. Adam Beamish
Beamish Planning Consultancy
Apartment 231 River Crescent
Waterside Way
Nottingham
NG2 4RE

Part 1 – Particulars of the application/development

Proposal: Variation of conditions 2 (specified plans), 12 (electric vehicle charging points) and 19 (landscaping) to allow for amendments to the site layout including changes to the access vehicle lane, revision to circulation route, increase in electric vehicle charging points, and to approve details previously agreed to discharge condition nos. 8 (refuse storage), 10 a) (contaminated land), 13 (pedestrian walkway), 14 (drainage), 18 (Secured by Design) and 20 (construction management) attached to planning permission 132835/FO/2022.

Location: Tesco Stores Ltd, Altrincham Road, Manchester, M23 9TJ

Date of application: 10 July 2024

Application number: 140480/JO/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 in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

Condition(s) attached to this decision

1) The development hereby approved shall be carried out in accordance with the following drawings stamped as received on 3 February 2022:

- a) Location Plan
- b) Site Plan
- c) DML-XX-GF-DR-M-5001 P01
- d) 0000/2022/P100

- e) 0000/2022/P101
- f) 0000/2022/P211
- g) 0000/2022/P212

and the following drawings received on 10 July 2024:

- h) 0000/2022/P121 Revision B (proposed site layout plan)
- i) 0000/2022/P123 Revision B (proposed landscaping plan)
- j) 0000/2022/G910 Revision F (working drawing landscaping plan)

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

2) The development hereby approved shall be implemented using the materials detailed on drawing nos. 0000/2022/P211 and 0000/2022/P212, stamped as received on 3 February 2022.

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 Manchester Core Strategy.

3) The premises shall not be open outside the following hours:-

a) 1100hrs to 2300hrs

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved UDP Policy DC26.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

a) 0730hrs to 2000hrs on Mondays to Saturdays

b) 1000hrs to 1800hrs on Sundays and Bank Holidays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved UDP Policy DC26.

5) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with the Mechanical Engineering Specification prepared by Denmech (ref. 1010-DML010-XX-XX-RP-M-5001 P01), stamped as received on 3 February 2022.

Reason - In the interests of the amenities of the occupiers of nearby residential properties, pursuant to Policy DM1 in the Manchester Core Strategy.

6) a) All externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the Noise Impact Assessment (Sharps Redmore, ref. 2120813), stamped as received on 3 February 2022.

b) Prior to the operational phase of the development hereby approved, 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 of the approved impact assessment. 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 report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

7) The storage and disposal of refuse shall be undertaken in accordance with details contained within drawing no. 0000/2022/P100 and "Biffa's Collection Vehicles", received on 10 July 2024. The approved scheme shall remain in situ whilst the development is in operation.

Reason - In the interests of amenity and public health, pursuant to Policy DM1 in the Manchester Core Strategy.

8) a) Any external lighting shall be designed and installed in accordance with the Lighting Assessment (External Lighting document by Liteideas) stamped as received on 3 February 2022.

b) Prior to occupation of the development a verification report will 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 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 - To safeguard the amenities of the occupiers of nearby properties, pursuant to Policy DM1 in the Manchester Core Strategy.

9) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policy DM1 of the Manchester Core Strategy.

10) The car parking hereby approved shall be laid out, demarcated and made available prior to the occupation of the commercial development hereby approved.

Reason - In the interests of pedestrian and highways safety and to ensure the satisfactory development of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

11) The provision of electric vehicle charging points, which shall be a minimum of 7kW, shall be undertaken and thereafter retained in-situ, in accordance with the details shown on drawing no. 0000/2022/P121 Revision B.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

12) The hatched pedestrian walkway, as shown on drawing no. 0000/2022/P121 Revision B, shall be provided and thereafter maintained prior to the development hereby approved becoming operational.

Reason - In the interests of pedestrian and highways safety and to ensure the satisfactory development of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

13) The surface water drainage scheme shall be implemented and thereafter maintained in accordance with the Drainage Strategy (Waterco) and following drawings received on 10 July 2024:

- a) Drainage Strategy (Revision 04 dated July 2024) prepared by Waterco.
- b) Drawing no. 1747-4/1 Rev. H - drainage details (sheet 1 of 2) prepared by Stevenson Calam Associates
- c) Drawing no. 1747-4/2 - drainage details (sheet 2 of 2) prepared by Stevenson Calam Associates
- d) Drawing no. 1747-4/3 Rev. E - external works (sheet 1 of 2) prepared by Stevenson Calam Associates
- e) Drawing no. 1747-4/4 - external works (sheet 2 of 2) prepared by Stevenson Calam Associates
- f) Drawing no. 1747-4/5 Rev. A - foundation details and stanchion setting out plan prepared by Stevenson Calam Associates
- g) Drawing no. 1747-4/6 Rev. A - ground floor slab details prepared by Stevenson Calam Associates
- h) Drawing no. 1747-4/7 Rev. A - roof framing plan prepared by Stevenson Calam Associates
- i) Drawing no. 1747-4/8 Rev. A - section through building & view on grid line 'H' prepared by Stevenson Calam Associates
- j) Drawing no. 1747-4/9 Rev. A - view on grid lines 'A', 'B', 'C', & 'M' prepared by Stevenson Calam Associates
- k) Drawing no. 1747-4/10 Rev. A - elevation details on grid lines 1 & 8 prepared by Stevenson Calam Associates
- l) Drawing no. 1747-4/20 Rev. A - flood exceedance flow routes prepared by Stevenson Calam Associates

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policies EN08 and EN14 in the Manchester Core Strategy and in light of national policies within the NPPF and NPPG.

14) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme

have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) Verification report providing photographic evidence of construction as per design drawings;
- b) As built construction drawings if different from design construction drawings;
- c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to Policies EN08 and EN14 in the Manchester Core Strategy and in light of national policies within the NPPF and NPPG.

15) The cycle parking facilities, as shown on drawing no. 0000/2022/P121A and 123A, stamped as received on 3 February 2022, shall be installed and thereafter remain in situ prior to the commencement of the operational phase of the development hereby approved.

Reason - In the interests of air quality and to encourage the use of transport other than the car, pursuant to Policy EN16 in the Manchester Core Strategy.

16) The development hereby approved shall not be occupied until a detailed Travel Plan has been submitted to and approved by the City Council as local planning authority. The detailed Travel Plan shall be developed in accordance with the Framework Travel Plan (prepared by Mode Transport Planning and stamped as received on 3 February 2022) and implemented in accordance with an agreed timeframe.

Reason - To encourage the use of transport other than single occupancy of a car in accordance with the principles of sustainable transport, pursuant to the provisions contained within policy SP1 in the Manchester Core Strategy.

17) The security measures, as shown on the drawings and documents below, received on the 10 July 2024, shall be incorporated into the development hereby approved, and thereafter retained, prior to the use becoming operational:

- a) Drawing no. 0000/2022/G900 Revision A - proposed ground floor shell plan prepared by Frank Belshaw Building Surveyors
- b) Drawing no. 0000/2022/G902 Revision A - building sections sheet 1 prepared by Frank Belshaw Building Surveyors
- c) Drawing no. 0000/2022/G903 Revision A - building sections sheet 2 prepared by Frank Belshaw Building Surveyors
- d) Drawing no. 0000/2022/G905 Revision A - working elevations sheet 1 prepared by Frank Belshaw Building Surveyors
- e) Drawing no. 0000/2022/G906 Revision A - working elevations sheet 2 prepared by Frank Belshaw Building Surveyors
- f) Drawing no. 0000/2022/G907 Revision A - doors & window schedule prepared by Frank Belshaw Building Surveyors
- g) Letter from Greater Manchester Police (12th October 2022).

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

18) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing nos. 0000/2022/P121 Revision B, 0000/2022/P123 Revision B and 0000/2022/G910 Revision F, shall be implemented not later than 12 months from the completion of the building works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

19) The development shall be undertaken in accordance with the Construction & Environmental Management Plan (Revision B May 2024) The approved plan/statement shall be adhered to throughout the demolition/construction period.

Reason - In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Manchester 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:

www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Date: 1 November 2024

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 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.