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 Nick Arden
VWG
Yeomans Drive
Blakelands
Milton Keynes
MK14 5AN

Agent (if used)

Miss Hannah Dockerty
Northmill Associates Ltd
Clarence House
Clarence Street
Manchester
M2 4DW

Part 1 – Particulars of the application/development

Proposal: Change of use from Class E(a) to Sui Generis (Car Showroom and cafe/bar area), and elevational alterations

Location: 14 - 16 St Ann Street, Manchester, M2 7LF

Date of application: 14 August 2024

Application number: 139998/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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included advice about the information required to be submitted to support the application and to address issues. This has led to an acceptable proposal.

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 have been carried out in accordance with the following drawings and documents:

The drawings referenced:

The Location Plan, Ref: P.L(00)001 REV B, Received 28/08/2024
Proposed Site Plan, Ref: P.L(00)101 REV F, Received 08/10/2024
Proposed Floor Plan, Ref: P.L(01)101 REV C, Received 28/08/2024
Proposed Floor Plan, Ref: P.L(01)102 REV B, Received 28/08/2024
Proposed Elevation Plan, Ref: P.L(02)101 REV D, Received 28/08/2024
Communal Cycle Parking, Ref: P.L(01)105 REV A, Received 24/09/2024

Supporting documents referenced:

Crime Impact Statement, Ref: 14 AUG 2024, Received 28/08/2024
Acoustic Study, Received 14/06/2024
Design and Access Statement, Received 28/08/2024
RAL colour 9005 black email, Received 19/09/2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC1, CC4, EN1, T1 and DM1 of the Core Strategy, saved policies DC10, DC18.1, DC19.1 and DC26.7 of the Unitary Development Plan.

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

Showroom:
Monday to Saturday 08:00 to 18:00,
Sunday and Bank Holidays 09:00 to 16:00

Café and basement bar areas:
Monday to Saturday 08:00 to 23:00,
Sunday and Bank Holidays 09:00 to 23:00

Reason - In the interests of residential amenity in these exceptional circumstances 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 Manchester Core Strategy.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, Sunday and Bank Holiday confined to 10:00 to 18:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation and in accordance with policies SP1 and DM1 of the Core Strategy.

5) a) The premises shall be acoustically insulated and treated to limit the breakout of noise in accordance with the scheme within the Acoustic Study, received 14/06/2024 by the City Council as Local Planning Authority. This scheme shall be implemented in full before the use commences.

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 acoustic 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 agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, in accordance with policies SP1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

6) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the first use of the development hereby approved.

b) Prior to the first use of the development 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 the occupiers of nearby residential accommodation and in accordance with policies SP1 and DM1 of the Core Strategy.

7) a) Externally mounted ancillary 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 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to the first use of the development hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the first use commences.

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 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, in accordance with policies SP1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

8) Prior to the commencement of development, a construction management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority.

The development shall only be carried out in accordance with the approved management plan.

Reason - To safeguard the amenities pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

9) a) Before the first use of the development hereby approved, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as Local Planning Authority. New developments shall have refuse storage

space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

In order to ensure 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.

10) Prior to occupation of the approved use, a scheme of highways works including details of footpath reinstatement in relation to the removal and relocation of the cycle stands as shown on the proposed site plan, Ref: P.L(00)101 REV F, Received 08/10/2024, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Footway reinstatement works to the area where the cycle stands are to be removed
- Method of relocation and specification of new cycle stands

The approved scheme shall be implemented and be in place prior to the use hereby approved commencing and thereafter retained and maintained in situ.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and in accordance with the New Cross Public Realm Strategy.

11) Prior to occupation of the development, the proposed lift as shown on the proposed floor plans, ref: P.L(01)101 REV C & P.L(01)102 REV B, received 28/08/2024 by the City Council as the Local Planning Authority shall be provided and remain in situ whilst the use of the development is in operation.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1 and CC10.

12) The development shall be carried out in accordance with the Crime Impact Statement, ref: 14 AUG 2024 as received by the City Council as Local Planning Authority on the 28/08/2024

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.

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 Coal Authority in Appendix A.

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004) Email -highwaylicences@manchester.gov.uk.

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

In order to discharge condition 10, this will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Date: 9 October 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 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.

Appendix A

The Coal Authority

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024