

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 Faisal Al-Badri
645 Stockport Road
Manchester
M12 4QA

Agent (if used)

Mr Ahmed Choudhry
Nada Architects
169 Kingsway
Manchester
M19 2ND

Part 1 – Particulars of the application/development

Proposal: Change of use from retail (Class E) to hot food takeaway (sui generis) with new shop front and erection of extraction flue

Location: 645 Stockport Road, Manchester, M12 4QA

Date of application: 31 August 2022

Application number: 134556/FO/2022

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, officers have engaged in discussion with the applicant's agent regarding identified issues relating to fume extraction, noise attenuation and opening hours. These discussions have enabled the appropriate assessment of the development and informed the detail of agreed operational conditions.

Condition(s) attached to this decision

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 1 August 2022 and 31 August 2022:

Planning application forms
Location plan with a red edge
Existing and proposed GA floor plans Ref: (02)001(PL2)
Proposed general site plans & elevations Ref: (03) 001 (PL2)

Design and Access Statement Ref: (96) 001 PL0 by NADA Architects dated 20 June 2022.

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 for the City of Manchester.

2) The development relating to the installation of new shopfront to the ground floor elevation of 645 Stockport Road shall be implemented in accordance the materials and specifications detailed in drawings and documents referenced:

Planning application forms

Existing and proposed GA floor plans Ref: (02)001(PL2)

Proposed general site plans & elevations Ref: (03) 001 (PL2)

Design and Access Statement Ref: (96) 001 PL0 by NADA Architects dated 20 June 2022.

The implemented details shall be maintained in situ at all times 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 and DM1 of the Core Strategy for the City of Manchester.

3) Notwithstanding the detail of drawings referenced: Existing and proposed GA floor plans Ref: (02)001(PL2), Proposed general site plans & elevations Ref: (03) 001 (PL2) and Design and Access Statement Ref: (96) 001 PL0 by NADA Architects dated 20 June 2022, the planning permission hereby granted does not confer consent for the installation of roller shutters and associated housing boxes and fittings.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) The development hereby approved relates to the ground floor use of 645 Stockport Road as a hot food take-away with ancillary seating (within the ground floor customer areas and ancillary basement storage) as shown on approved drawings referenced: Existing and proposed GA floor plans Ref: (02)001(PL2).

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) Within two months of the date of the permission hereby granted, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall include details of the appearance of the extraction flue and its colour treatment and shall be implemented prior to occupancy and shall remain operational 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 policies DC10 and DC26 of the Unitary Development Plan.

6) a) Within two months of the date of the permission hereby granted, a scheme submitted to and approved in writing by the City Council as local planning authority to

secure a reduction in the level of noise emanating from the equipment any externally mounted ancillary equipment required in support of the development. The scheme shall be related to an acoustic report to secure appropriate attenuation of noise affecting noise sensitive uses and include measures detailing acoustically insulation.

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. The development shall be maintained in accordance with the approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

7) a) Within two months of the date of the permission hereby granted, a scheme comprising an acoustic report shall be submitted to and approved in writing by the City Council as local planning authority, including an assessment of potential noise impacts from noise break out from the authorised hot food take away (sui generis) on immediate residents of upper floor residential accommodation. The scheme shall and set out appropriate measures for noise attenuation and acoustic insulation.

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. The development shall be maintained in accordance with the approved details.

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 policies DC10 and DC26 of the Unitary Development Plan.

8) Within two months of the date of the permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, relating to the proposed opening hours of the authorised ground floor hot food take away. The opening hours shall be related to the detail of an approved acoustic assessment and shall be implemented upon commencement of the authorised use and maintained in situ thereafter.

Notwithstanding the opening hours agreed, as part of the approved noise survey, the authorised hot food take away shall not open to the public between 3.00 pm and 5.30pm on weekdays.

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, saved policies DC10 and DC26 of the Unitary Development Plan and policy 3 Hot Food Takeaways and Schools of Hot Food Takeaway Supplementary Planning Document March 2017.

9) No loading, unloading shall be carried out on the site, including waste collection, outside the hours of:

Monday to Saturday - 7:30 am to 8:00 pm;
No deliveries/waste collections on Sundays/Bank Holidays.

Reason - To protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester.

10) The authorised development shall be fully implemented in accordance with the submitted scheme for waste and recycling management comprising: Existing and proposed GA floor plans Ref: (02)001(PL2); Proposed general site plans & elevations Ref: (03) 001 (PL2) and Design and Access Statement Ref: (96) 001 PL0 by NADA Architects dated 20 June 2022. The approved scheme shall be in place upon commencement of the authorised hot food take away use and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 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 Coal Authority in Appendix A.

Guidance for developers can be accessed via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

It is recommended that the development incorporates the following security measures:

- 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. A CCTV system should be included within these premises and should be capable of monitoring the following areas: external doorways, all internal spaces.
- 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.

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance 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).

Date: 25 April 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 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