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

Kacoo Investments Ltd
269 Great Ancoats Street
Manchester
M4 7DB

Agent (if used)

Mr L Chowdhury
159 Great Norbury Street
Cheshire
SK14 1HU

Part 1 – Particulars of the application/development

Proposal: Erection of a two storey building comprising 3no. wholesale cash & carry units (sui generis) with associated alterations to car parking layout.

Location: Commerce House, 54 Derby Street, Manchester, M8 8HF

Date of application: 10 October 2023

Application number: 138284/FO/2023

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. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as

Local Planning Authority. The development shall only be implemented in accordance with the approved materials.

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 development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings referenced PL.01, PL.06A, PL10, PL.07, PL.08 and PL.09, received by the City Council as Local Planning Authority on 10 October 2023 and drawing referenced PL.05B, received by the City Council as Local Planning Authority on 4 December 2023.

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.

4) Prior to the commencement of development, a construction management plan outlining working practices during development and demolition shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

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

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

5) Notwithstanding details submitted, no development shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be constructed and completed in accordance with the approved details.

The scheme shall include:

-Surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events;

-Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required;

-Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice;

-Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;

-Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment. Provide at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within
Conurbation Core Critical Drainage Area;

-An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;

-Hydraulic calculations to support the drainage proposal, including all engineering parameters;

-Details of how the scheme shall be maintained and managed after completion.

To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Manchester Core Strategy.

6) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as Local Planning Authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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 policies EN18, DM1 and SP1 of the Manchester Core Strategy.

7) When the development 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 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 policies DM1 and EN18 of the Manchester Core Strategy.

8) Any externally mounted ancillary plant or equipment shall be selected and/or acoustically insulated in accordance with a scheme designed so as to achieve a rating noise level of 5dB (LAeq) below the existing background (LA90) at the nearest noise sensitive location. Details of the scheme should 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 prior to installation of any plant. The approved scheme shall be fully implemented prior to first use and in accordance with the details agreed and a verification report shall be submitted and approved in writing in order to validate the works undertaken conform to the requirements within the report.

Reason - To safeguard the amenities of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

9) None of the units hereby approved shall not be open outside the following hours:

09.00 to 18.00 hrs Monday to Saturday;
09.00 to 17.00 hrs Sundays and Bank Holidays.

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

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

07.30 to 20.00 hrs Monday to Saturday;
10.00 to 18.00 hrs on Sundays and Bank Holidays.

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

11) Notwithstanding details submitted, prior to the commencement of above ground works, full details of any proposed roller shutters shall be submitted to and agreed in writing by the City Council as Local Planning Authority. Details shall include colour, security specification, level of perforation and the design of any shutter housing.

Reason - In the interests of security and visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) Notwithstanding details submitted, prior to the first occupation of the units hereby approved, a Servicing Management shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The strategy shall include details of:

-Servicing times for loading/deliveries.

-Servicing location;

- Details of how deliveries are coordinated between all units;

-Maximum size of delivery vehicles;

- Details to ensure deliveries by larger vehicle (unable to utilise the proposed large vehicle bays) are undertaken when the site/car park is closed to the public to remove potential conflict with pedestrians and car park operation;

-Safety arrangements.

The agreed Strategy shall be implemented as part of the development and remain in use so long as the approved development is operational.

Reason - To ensure safe and accessible servicing arrangements are in place and to ensure on site car parking is not affected by deliveries/collections, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

13) The car parking area indicated on drawing referenced PL.05B, received by the City Council as Local Planning Authority on 4 December 2023 shall be surfaced, demarcated and made available for use prior to any of the units hereby approved being occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

14) Prior to the first occupation of the development hereby approved, full details of the electric car charging provision shall be submitted for approval in writing by the City Council, as Local Planning Authority. Details shall include the specification of the charger. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the units and retained thereafter.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy.

15) No part of the development hereby approved shall be occupied until space and facilities for bicycle parking have been provided in accordance with the details to be submitted to and approved in writing by the City Council as Local Planning Authority. The approved space shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

16) Notwithstanding details submitted, no development hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of any boundary treatment to be erected. The boundary treatment shall be completed before the development is occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply policies SP1 and DM1 of the Manchester Core Strategy.

17) Prior to first occupation of the development hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

18) Notwithstanding details submitted, no above ground development shall commence until a more detailed scheme for the storage (including segregated waste recycling) and disposal of refuse, has been submitted to and approved in writing by the City Council as Local Planning Authority. 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.

Reason - Further details of pulpable waste capacity is required and in the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

19) Notwithstanding the details contained within the Framework Travel Plan submitted, a detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupancy of the units hereby approved. In this condition a Travel Plan means a document which includes:

(1) The measures proposed to be taken to reduce dependency on the private car by those attending or employed in the development;
(2) A commitment to surveying the travel patterns of staff and customers during the first three months of the development and thereafter from time to time;
(3) Mechanisms for the implementation of the measures to reduce dependency on the private car; and
(4) Measures for the delivery of specified travel plan services; and measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (2) above shall be submitted to the City Council as local planning authority for approval. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To reduce dependency on the car travel and to promote alternative means of transport, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

20) The apartments hereby approved shall not be occupied until details of the security measures to be incorporated into the development have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be carried out in accordance with these approved details which shall be retained thereafter.

Reason - To reduce the risk of crime, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

21) Prior to above ground development commencing, an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The statement shall demonstrate measures to be incorporated into the development to achieve energy efficiency and approved measures shall be implemented in the construction of the approved development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and 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.

Culvert investigation completed; no evidence of a culvert structure was found. MCC records highlighted an underground culverted watercourse (Fairy Lane Brook) located on site, while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, it is requested that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted
immediately.

Any new signage or advertisements may require a separate application for advertisement consent.

Date: 5 January 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