

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 Shakeel Ahmed
105-107 Wilmslow Road
Manchester
M14 5SU

Agent (if used)

Mr Ahmed Choudhry
NADA Architects
169 Kingsway
Burnage
Manchester
M19 2ND

Part 1 – Particulars of the application/development

Proposal: Erection of a two storey building, following demolition of existing property, to form shop (Class E) at ground floor level, with associated basement storage and associated office and store and 1 bed self-contained flat at first floor level.

Location: 105 - 107 Wilmslow Road, Manchester, M14 5SU

Date of application: 19 March 2024

Application number: 139571/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 in a positive and proactive way to find solutions for planning problems. The officer had to deal with some small problems while reviewing the application. They talked with the applicant and others involved to find a solution they all agreed on.

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) 2. Specified plans

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

a.	Drawing - Location Plan	19 Mar 2024		THE LOCATION PLAN
b.	Drawing - Existing	19 Mar 2024	(01)001	GA SITE PLAN AND ELEVATIONS
c.	Drawing - Existing	19 Mar 2024	(02)001	GA FLOOR PLAN
d.	Drawing - Proposed	12 Apr 2024	(03)001	PL3 GA SITE PLAN AND ELEVATIONS
e.	Drawing - Proposed	12 Apr 2024	(04)001	PL3 GA FLOOR PLAN
f.	Drawing - Proposed	19 Mar 2024	(05)001	GA DETAILS
g.	Design & Access Statement	19 Mar 2024		DESIGN AND ACCESS STATEMENT
h.	Supporting Information	19 Mar 2024		AIR QUALITY ASSESSMENT
i.	Supporting Information	19 Mar 2024		OUTLINE DEMOLITION PLAN OF WORK
j.	Supporting Information	19 Mar 2024		VENTILATION OR EXTRACTION STATEMENT
k.	Noise assessment or information	19 Mar 2024		NOISE IMPACT ASSESSMENT
l.	Waste Management	19 Mar 2024		WASTE MANAGEMENT STRATEGY

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

3) The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

4) The Class E retail element of the development hereby approved shall not be open outside the following hours

a. 0900 to 2100, Mon-Sun.

Reason - In interests of residential amenity 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 Core Strategy and JP-P1 of Places for Everyone.

5) Deliveries, servicing, and collections, including waste collections to commercial premises shall not take place outside the following hours:

a. 07:30 to 20:00, Monday to Saturday,

b. no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

6) a. Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Wilmslow Road shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises and external equipment.

- i. The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.
- ii. Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved when providing adequate ventilation as defined by Approved Document F of the Building Regulations (whole dwelling ventilation):

Bedrooms (night time - 23.00 - 07.00)	30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00)	35 dB LAeq Gardens and terraces
(daytime)	55 dB LAeq
- iii. An AVO guide is required and also the frequency of LAmax to show individual noise events do not exceed 45 dB LAmax,F by more than 15 times.
- iv. All vents should be fitted with clean air filters that should be changed regularly due being within the AQMA.
- v. Higher internal noise levels than those specified above may be allowed when higher rates of ventilation are required in relation to the overheating condition.
- b. Prior to first occupation of the residential units, a verification report shall 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 the internal 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 internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources to protect future residents from noise disturbance and to reduce the potential for overheating. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

- 7) a. Only equipment detailed in the Noise Impact Assessment by Braiden dated Sept 22, ref: 11047revA may be used, any deviation from this needs to be submitted.
- 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. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

- 8) a. The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.
- 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 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. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

9) a. 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).

b. 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.

i. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out before 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.

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

d. 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 Pursuant to policies DM 1, SP 1, EN 1 & EN 18 of the Core Strategy and JP-S1 of Places for Everyone.

10) a. Prior to commencement of the development, a scheme for a clean air intake shall be submitted to and approved in writing by the City Council as local planning authority.

b. Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy and JP-S1, JP-S5 and JP-P1 of Places for Everyone.

11) a. Before the development commences 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.

i. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

ii. The proforma/ Waste Management Strategy must include the following information:

o Estimated volumes and types of waste produced by the development;

o Details of internal and external stores for both waste and recycling, including any plans and designs;

o Location of the proposed collection point and details of the route the collection vehicle will take;

o Details of how waste will be transferred between stores and to the collection location; and

o Details of number and capacity of bins proposed and collection frequency.

o Other details as per 'Waste Proforma v1.0' - refer to guidance at:

http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy

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.

Reason - In the interests of amenity and public health. Pursuant to policies DM 1, SP 1, EN 1 & EN 19 of the Core Strategy and JP-S1, JP-S6 of Places for Everyone.

12) Prior to the commencement of development, a demolition/construction management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt shall include as a minimum:

i. Measures to control noise and vibration;

ii. Dust suppression measures;

iii. Compound locations where relevant;

iv. Details of an emergency contact telephone number;

v. A community consultation plan; and

vi. Sheeting of construction vehicles.

The applicant should refer to our noise from building sites webpage for further information/guidance and also IAQM/EPUK Construction Guidance on controlling emissions. [Currently January 2024, Version 2.2]

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

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy JP-S1, JP-S6 of Places for Everyone.

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

a. Monday - Friday: 7.30am - 6pm

b. Saturday: 8.30am - 2pm

c. Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy JP-S1, JP-S6 of Places for Everyone.

14) In the event that the residential accommodation be let separate to the commercial premises, the connecting door between residential premises and commercial premises would need to be removed.

Reason - To ensure Secure by Design standards are met and to ensure the residential amenity of potential future occupiers. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

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.

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development.

We recommend the applicant visits our website for further information on how to investigate the existence of water and wastewater pipelines and what to do next if a pipeline crosses or is close to their red line boundary.

United Utilities will not allow building over or in close proximity to a water main. United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. Nb. Proposals to extend domestic properties either above, or in close proximity to public sewer will be reviewed on a case-by-case basis by either by a building control professional or following a direct application to United Utilities.

Any construction activities in the vicinity of United Utilities' pipelines, including pipelines that may be outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines' which can also be found on our website: [standardconditions-for-works-adjacent-to-pipelines-issued-july-2015.pdf](#) ([unitedutilities.com](#))

The level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks, or demolition.

Water supply / water infrastructure: DeveloperServicesWater@uuplc.co.uk

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

Drainage / wastewater infrastructure: SewerAdoptions@uuplc.co.uk

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).

The applicant should follow Secure by Design standards this should include:

Dwelling

- o The apartment should be provided with an intercom system so that residents can vet visitors before opening the door to them. There should be no unrestricted trade access into the building.
- o Lighting to the residential entrance and rear ally fitted with a dusk till dawn sensor.
- o The gate to the rear ally should be checked and replaced if necessary. This gate should be used to prevent unauthorised users having access to the rear of the property.

Retail

- o Personal attack alarms should be provided at all till positions, which activate a loud alarm at the scene.
- o There should be a safe room to the rear of the service counter for the storage of currency and for staff to fall back into in the event of a serious incident. We would recommend that the safe room has the following features:
 - o Solid masonry walls (or reinforced studwork);
 - o No false/suspended ceilings and a solid floor;
 - o A certified doorset (to BS PAS 24, WCL2, or LPS 1175 SR2). The door should be outward opening and have a door viewer;
 - o There should be a landline and panic alarms should be provided.
- o The safe should be security-certified providing adequate capacity and overnight cover. The correct size and category of safe should be determined by an assessment of prospective takings and to meet insurance needs. The safe should have a time delay operation of no less than 5 minutes. Signage should be provided to make potential offenders aware of the time delay safe as a deterrent.
- o A monitored alarm system should be installed to cover the unit, with a signal terminating at a recognized Alarm Receiving Centre (ARC) or security control room. The alarm should have two secure signalling paths (one being GSM radio back-up), so that if either signalling path is tampered with by an intruder, or is faulty, the other continues to monitor for any further alarms and transmits them as 'confirmed activations' - extra confirmation that an intruder is on the premises and that the alarm isn't false.
- o The building should be covered by a comprehensive CCTV system.

Date: 1 May 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