

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134486/FO/2022

Date registered valid: 19 August 2022

Proposal: Partial retention of ground floor restaurant and alteration to existing shopfront and rear elevations in association with ground floor sub-division to form a retail shop (Class E)

Address: 863-871 Stockport Road, Manchester, M19 3PW

Ward(s): Levenshulme Ward

Applicant: Mr Bahman Samall Faraj

Agent (if any): Mrs Dawn Winterbottom, Plans Drawn

Case officer: Carl Glennon
Tel: 0161 234 4530
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Recommendation: Approve

Date of recommendation: 21 February 2024

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 9 September 2022

Standard consultations:

Printed: 19 October 2022 Expired: 2 November 2022

Neighbour notifications

Printed: 19 October 2022 Expired: 2 November 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This planning application relates to a two storey building with a flat roof concealed by a parapet. It is situated on the eastern side of Stockport Road and within Levenshulme District Centre. To the rear the building incorporates a single storey rear extension within an enclosed yard area accessed via Bankley Street.



Fig. 1 – View of the application site from Stockport Road



Fig. 2 – Views of the application site from Bankley Street

Description of development

The development would involve the sub-division of the existing ground floor unit to facilitate the retention of part of the existing restaurant and formation of a Class E shop unit with an internal floorspace of 98.36 sq. metres. Elevational alterations would involve the formation of a new doorway within the existing glazed shopfront to the new Class E unit. Separate entrances would

be retained to the restaurant and upper floor unit. Bin storage would be accommodated in the rear yard.

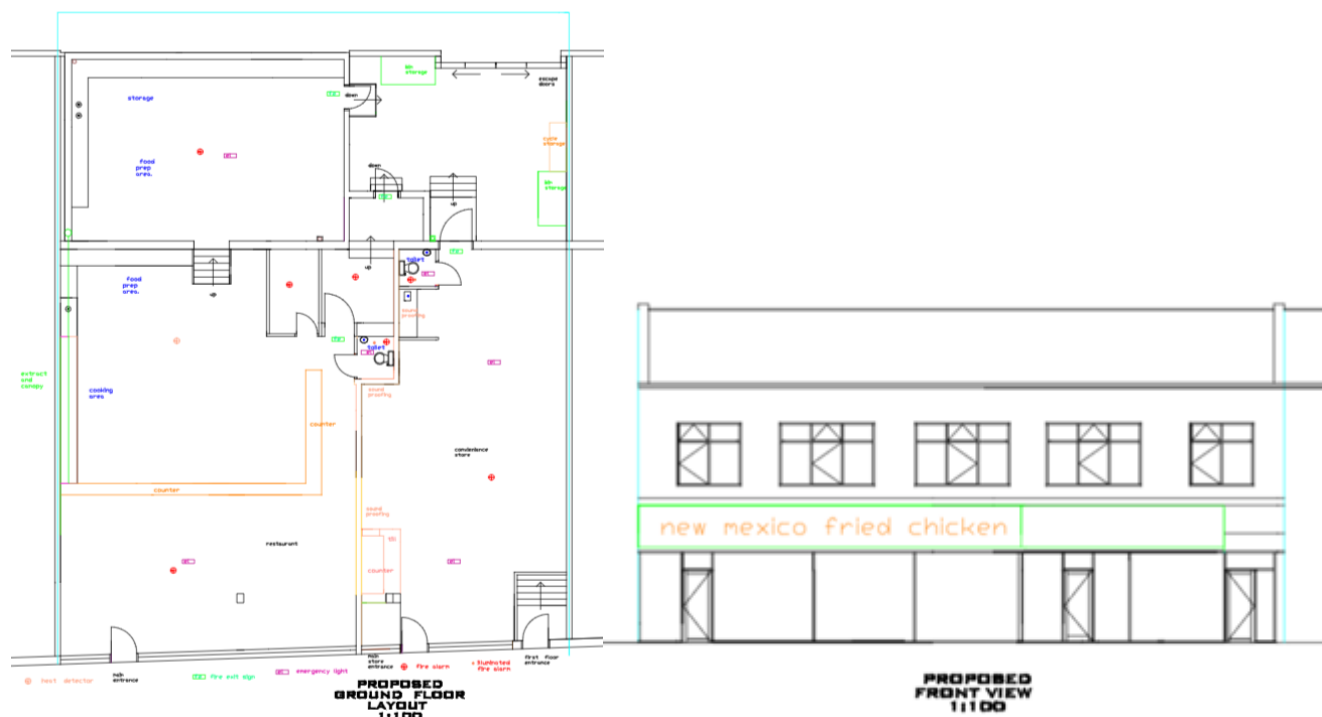


Fig.3 – Proposed layout and elevations

Site History

- i. 118556/AO/2017: Application Approved - 14.02.2018 Retrospective application for the installation of internally illuminated fascia sign to replace existing
- ii. 118821/JO/2018: Approved - 04.05.2018 - Variation of conditions Nos 2 and 3 of planning permission 112528/FO/2016/N2 to allow the entire ground floor to be used as a restaurant (Class A3) with associated internal alterations and installation of new shopfront.
- iii. 119922/JO/2018: Withdrawn - 19.09.2018 - Variation of condition no.6 of planning permission reference 112528/FO/2016/N2 to allow revised hours of opening of 9.00am to 1.00am, Sunday to Thursday and 9.00am to 2.00am on Saturday and Sunday
- iv. 119735/AO/2018: Approved - 29.06.2018 - Retrospective installation of non-illuminated front fascia sign
- v. 112528/FO/2016/N2: Approved - 10.02.2017 - Change of use of ground floor to two units comprising one restaurant and one cafe (Class A3) with 3 apartments above and single storey rear extension and associated elevational alterations
- vi. 049802/FU/CENTL3/96: Approved - 11.07.1996 - Change of use of retail premises to a restaurant (A3 use)
- vii. 053143/FU/CENTL2/97: Approved - 15.01.1998 – Change of use of vacant first floor to a restaurant
- viii. 032535: Approved - 27.10.1988 First Floor, 863-871, Stockport Road, Levenshulme Change of use from offices to pool hall
- ix. 057594/FO/NORTH2/99: Application Approved - 08.11.1999 - Change of use of shop to form a Public House with new front elevation and entrance onto Stockport Road, creation of beer garden at rear, with external alterations to rear including enclosed staircase and service lift.
- x. 051870/FU/CENTL2/97: Application Approved - 12.05.1997 - Unit 1, 863-871, Stockport Road, Levenshulme - Change of use from a clothes shop to a betting shop

Consultations & Notification Responses

Local residents – No comments received.

Highway Services – The following comments have been received:

- i. The application site is in a sustainable location with regard to access to public and other sustainable transport modes.
 - ii. Whilst there is no on-site car parking associated with the development, the site is located in a district centre and, as discussed, in a sustainable location. Associated traffic would be capable of being absorbed into the highway network and other trips would not involve car usage. An absence of car parking is therefore not considered to be an issue.
 - iii. New external doors to the street should be inward opening.
 - iv. Secure and sheltered cycle parking provision should be made within the curtilage of the site. A minimum of two cycles should be provided.
 - v. It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from 600mm above ground level. All gated accesses should be inward opening to avoid on the adopted footway or highway.
 - vi. Bin stores would be located in the rear yard from each of the ground floor units. It would be expected that servicing would take place from Bankley Street. There is some concern that the inside of car parking on Bankley Street may affect the undertaking of servicing and access for collection vehicles. Clarification of these arrangements should be provided.
- The applicant is advised that any requirements for hoarding / scaffolding and any associated temporary traffic management arrangements should be agreed by the Council as local highways authority.

Environmental Health – The following comments have been made:

- i. The development should be supported with a scheme for the extraction of fumes and vapours
- ii. Opening hours should be agreed.
- iii. Servicing and deliveries should be limited to Monday to Saturday 7:30 am to 8:00pm with no deliveries/waste collections on Sundays/Bank Holidays.
- iv. The development should be related to a more comprehensive waste and recycling management scheme.

Greater Manchester Police Design for Security –No objection but the following recommendations have been made:

- i. Any new external fittings should meet Secured by Design standards.
- ii. Any new glazing in external doors and ground floor / easily accessible windows should include at least one pane of laminated glass to and appropriate security specification.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system

is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are considered to be relevant.

- i. Section 7 Ensuring the vitality of town centres - States that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

The development would secure the implementation of a Class E retail use, which would be acceptable and appropriate within a district centre. It would help to deliver a sustainable use that would positively contribute to the viability and vitality of Levenshulme District Centre and its retail offer.

- ii. Section 8: Promoting healthy and safe communities - States that planning decisions should aim to:

- Promote social interaction;
- Achieve healthy, inclusive, accessible and safe places;
- Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs, including the provision of local shops, access to healthier food and layouts that encourage walking and cycling.

The development would maintain the active use of the application property and contribute to the delivery local retail provision, which would be accessible via sustainable transportation modes. Section 8 would thereby be positively accorded with.

- iii. Section 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- Appropriate opportunities to promote sustainable transport modes in relation to the proposed type of development and its location;
- Safe and suitable access to the site can be achieved for all users; and
- Any significant impacts from the development on the transport network (or on highway safety, can be effectively mitigated to an acceptable degree.

It is not considered that the reconfiguration would significantly affect the operation of the site with regard to traffic generation, which would be offset by its sustainable location. The undertaking of servicing and deliveries would also be periodic and capable of being accommodated in the highways network. The proposed development would thereby positively respond to chapter 9.

Planning Practice Guidance (PPG) - On 6 March 2014, the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters;
- ii. Health and well-being;
- iii. Noise.

Necessary local consultation has been undertaken. It is considered that the development accord with the above guidance as any harmful impact would be capable of being managed through the operational conditions set out below.

The Places for Everyone Plan is a Joint Development Plan Document - Provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The following policies are relevant to the consideration of the development:

- JP-S1 - Sustainable Development
- JP-P4 - New Retail and Leisure uses in Town Centres.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

Policy SP 1 Spatial Principles - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

c. Improve access to jobs and services, education, whilst reducing the need to travel and maximising benefits of sustainable transport provision.

The development would accord with policy SP1 due to its contribution to the retail / commercial offer within Levenshulme District Centre and through the continued of an existing building. The development would thereby contribute to the sustainability of both the district centre and positively responds the delivery retail services that can be accessed by local community.

Policy C 1 Centre Hierarchy - States that district centres, such as Levenshulme, have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. It is considered that the development would respond positively to the established character of the district centre and its retail offer. In so doing, it would support its vitality and viability and accord with policy C1.

Policy C2 District centres - States that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail uses. It is considered that the development would accord with the objectives of policy C2.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

The site has the capacity the deliver appropriate arrangements for the storage of segregated waste and recycling within the rear yard thereby according with policy EN19.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport.

Policy T2 (Accessible areas of opportunity and need) - Discusses the relationship of development to transportation routes and the utilisation of sustainable transport modes. It states, amongst other things, that the Council will take account of the circumstances of each proposal to establish what level of parking is appropriate and whether proposals are likely to be access or transport issues.

The application site is located on a radial within access to the public transport links (bus and rail) and cycle routes. As it is in district centre is in a sustainable location and likely to be accessed on foot and the development would be supported with staff cycle storage. Policies T1 and T2 would thereby be accorded with in terms its accessibility via multiple transportation modes and the potential for the site to be accessed without the use of cars.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues, which are considered to be relevant to the consideration of this application:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding area;
- Effects on amenity;
- The accessibility of the building and neighbourhood, in relation to inclusive access and sustainable transport modes.
- Community safety and crime prevention;
- Design for health;

- Refuse storage and collection.

The development would be contained within the existing building without additional built form. The proposal would be appropriately related to Levenshulme District Centre, in terms of its use and related activity. Operational conditions would secure the appropriate future management of the development and provide safeguards to local amenity. Security measures can be incorporated into the implemented development. The development would thereby accord with policy DM1.

Unitary Development Plan (UDP) saved policies -The following saved policies are also considered to be relevant:

Policy E3.3 (Upgrade the appearance of radial and orbital routes) - This policy (E3.3) is relevant given the views of the site from Stockport Road, which is a major radial route to the City Centre. It requires that new development contributes to the improvement of the appearance of such routes. It is considered that the development would significantly affect the appearance of the shopfront and the existing relationship to the streetscene would be maintained. The development would therefore be appropriately related to policy E3.3.

Policy DC26 (Development and Noise) - Is relevant to the proposed development due to its potential to generate noise and disturbance through the operation of the proposed use and any external associated equipment. The following aspects of this policy (DC26) are considered to be relevant to the proposed development.

Policy DC26.1 - Has been related to the proposal potential contribution to the local noise environment, in relation to the operation of associated external equipment and the additional activity that may be generated by customers and traffic movements and the undertaking of servicing and deliveries.

Policy DC26.5 - Has been related to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

It is considered that noise and activity are characteristics of a district centre location. Noise issues are capable of being addressed through the included acoustic attenuation conditions. Compliance with policy DC26 can be achieved subject to the implementation of appropriate and agreed details.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. In this case, sufficient information has been provided to facilitate the appropriate assessment of the development.

Principle of the development - The development would deliver a use that would be expected to be found within a district centre with a diverse retail offer. It is not considered that the proposed sub-division of the premises would affect the operational capacity of the site. To aid the future management of the authorised units, a condition has been included to limit use to two units within Class E with the operation limited to shops, cafes and restaurants and / or the provision of financial and professional services, Class E (a, b and c) uses. In reviewing conditions reference has been made to the conditions that remain undischarged from planning permission ref: 118821/JO/2018. These conditions have been appropriately amended and re-attached. It is not considered that the development would unduly harm residential amenity in a location that is

characterised by noise and activity throughout the day and into the late evening period. The development would also provide small scale employment opportunities and contribution to the local economy. On this basis, the principle of the development would be acceptable.

Management of the future use of the premises - Appropriate site management arrangements would be secure through the recommended operational conditions, including a condition to ensure the return of bins following collection.

Residential amenity - The previous planning permission ref: 118821/JO/2018 permits first floor residential use and potential harm would be managed through the included operational conditions. It is considered that the characteristics of the development would be appropriate within Levenshulme District Centre and would not represent a change to the existing circumstances.

Crime and Disorder – It is not considered that the development would significantly affect the existing circumstances regarding on-site security. The application property would maintain access to the first floor via a separate entrance from Stockport Road thereby securing necessary natural surveillance. The rear yard is enclosed by fencing, which would be retained. An informative has been included recommending the security measures proposed by GM Police.

Highway and servicing issues - The application relates to an existing property within district centre. Securing a new use for the property would make a positively contribution to Levenshulme District Centre. The operation of the development will inevitably generate vehicle activity associated with customer visits and deliveries. The existing traffic regulation order (double yellow lines) would manage the parking of customers vehicles within the vicinity of the adjacent bus stop. Layby parking is also available adjacent the Stockport Road frontage.

In response to the comments of Highways:

- i. The application does not seek to amend the existing rear boundary treatment and there are no proposals to utilise the rear area for car parking.
- ii. Any servicing from the rear of the site would be commensurate with the existing circumstances and, given the configuration it is not apparent how alternative arrangements could be potentially delivered.
- iii. The included site management condition would ensure the return of bins following collection.

On balance, it is not considered that the development would significantly depart from the existing operation of the site.

Cycle parking – A condition has been included to ensure the provision of secure cycle storage in the rear yard area. In order to maintain the security of the yard area, these cycle spaces would be not intended for use by the occupants of the development rather than customers. This provision would encourage the adoption of sustainable transportation modes.

Waste Management - The applicant has indicated the location of bin stores associated with the development relating to the respective Class E units. A condition has been included to ensure that details of suitable and separate enclosures for the respective units are provided to facilitate bins of the required capacities for the storage of segregated waste and recycling. The rear yard has the capacity to accommodate the required bin storage. As stated, the site servicing condition would ensure the return of bins following collection. It is thereby considered that the site has the capacity to deliver appropriate waste management.

Design and impact on the street scene - The proposed interventions to the application premises would be limited to alteration to the existing extensively glazed shopfront. A condition has been included to ensure these alterations match the existing shopfront including details of the specification and colour of the external frame, glazing and doors and fittings. The application property will thereby maintain a satisfactory relationship to the streetscene. For the avoidance of doubt, a condition has been including excluding the implemented rear window enclosures to the rear elevation. The above condition would allow this issue to be revisited.

Opening hours – The following opening hours were related to previous planning permission ref: 118821/JO/2018, continue to be appropriate and have been re-applied:

Monday to Friday: 9.00 am to 10.30 pm;
Saturday: 9.00 am to 11.00 pm;
Sunday and Bank Holidays: 9.00 am to 10 .30 pm.

Servicing hours - A condition has been agreed with the applicant to only allow servicing of the premises within the following hours: 7.30 am to 8.00 pm, Monday to Saturday with no deliveries/waste collections on Sundays/Bank Holidays.

Noise - Notwithstanding the comments of Environmental Health, it has been necessary to consider the potential use of the upper floor for residential occupation. Reference has been made to the previous planning permission ref: 118821/JO/2018. As a safeguard to residential amenity, conditions have been included to ensure that the application building is acoustically insulated against external noise sources and break out of noise from the ground floor to the first floor accommodation . A separate condition has been attached that requires that any externally mounted equipment would be acoustically insulated against noise. With the context of a district centre, it is considered that these attenuation measures would be appropriate.

Fume extrication – A condition has been included to ensure that any requirements for fume and vapour extraction area related scheme to be approved prior to its insulation. This condition is considered to be necessary to safeguard the amenities of the area.

Accessibility – Due to differences between the ground and internal floor levels, the proposed new entrance would have a slightly raised threshold. Given the configuration of the shopfront to the street, it would not be possible to improve upon the proposed access arrangements.

Conclusion - The development would be appropriate and acceptable within the context of Levenshulme District Centre. It would secure a continued and sustainable use for an existing building and would thereby positively contribute to the viability and vitality of the district centre. The recommended operation conditions would ensure the appropriate management of the development and reduce potential harm to the amenities of the area. The development is therefore considered to be acceptable.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

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, sufficient information has been provided to facilitate the appropriate assessment of the development and further negotiation was therefore not required.

Condition(s) to be attached to decision for approval

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 be carried out in accordance with the following drawings and documents received on 25 July 2022, 19 August 2022 and 15 October 2022:

Planning application forms (with description amended by Plans Drawn email of 15 October 2022)

Location plan with red edge

Proposed ground floor layout Ref 23

Proposed side and front view Ref: 24A

Proposed side and rear view Ref: 25A

Proposed site block plan Ref: 26A.

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.

3) The materials to be used in the reconfiguration of the shopfront as shown on drawings referenced Proposed side and front view Ref: 24A shall match the existing shopfront including

details of the specification and colour of the external frame, glazing and doors and fittings. The implemented details shall be maintained in situ thereafter.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the ground floor of the application premises shall be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (as amended), The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than for the operation of the authorised units as retail shops, cafes and restaurants and / or the provision of financial and professional services (Class E (a,b,c) uses).

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

5) The planning permission hereby granted relates to the use of the ground floor of 863-871 Stockport Road as two separate units as shown on drawing referenced: Proposed ground floor layout Ref 23, Proposed side and front view Ref: 24A and Proposed side and rear view Ref: 25A and occupied for purposes within Class E (a,b,c).

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

6) The authorised ground floor restaurant or café and retail units (Class A3) shall not be open outside the following hours:

Monday to Friday: 9.00 am to 10.30 pm;

Saturday: 9.00 am to 11.00 pm;

Sunday and Bank Holidays: 9.00 am to 10 .30 pm.

Reason - In interests of residential amenity and to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

7) Before the commencement of the ground floor restaurant uses, 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, including the external colour treatment of external flues. The approved scheme shall be implemented prior to the first use and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

8) a) Before the occupation of the development, a scheme for acoustically insulating first floor residential accommodation against noise transfer and other identified noise sources, shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the first floor flat, 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 SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

9) a) Before the occupation of the development, any externally mounted ancillary plant, equipment and servicing required as part of the development shall, prior to its installation, be related to a scheme of acoustic insulation to be submitted to and approved in writing by the City Council as local planning authority. The scheme shall achieve a satisfactory typical background noise level at the nearest noise sensitive location and be implemented prior to the occupation of the development.

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 SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

10) Before the occupation of the development, a 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, including details of an agreed contract with a licensed waste removal contractor and detailing the siting, appearance, specification and capacity of bin enclosures to be sited within the rear yard. The approved scheme shall be fully implemented before the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity pursuant to policies SP1, DM1 and EN19 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

11) Before the occupation of the development, a site management scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the arrangements for presenting waste and recycling containers / bins to a designated collection point and their return to the designated bin storage areas and for the sweeping and removal of litter from the frontage of the application site at the end of night-time trading (Monday to Sunday, including Bank Holidays). The approved scheme shall be fully implemented upon first occupation of any part of the authorised development and remain in place thereafter.

Reason - In the interests of residential amenity pursuant to policies SP1, DM1 and EN19 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

12) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing the siting, appearance and specification of secure cycle enclosures for the occupants of the development to be sited within the rear yard. The approved shall be fully implemented before the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to encourage alternatives to private car usage pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

13) Upon occupation of the development, any roller shutters on the frontage of the related unit at 863 – 871 Stockport Road shall be open / raised on days that the business is trading before 9.00 am until the unit closes on that same trading day.

Reason - In interests of residential amenity and to safeguard the appearance and character of Levenshulme District Centre, pursuant to policies SP1, C2, C10 and DM1 of the Core Strategy for the City of Manchester and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

14) The planning permission hereby granted does not confer planning permission for the enclosure of first floor windows within the rear elevation of 863 – 871 Stockport Road.

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.

Informatives

1) Guidance for developers can be found via the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) The following security measures are recommended:

- i. Any new external fittings should meet Secured by Design standards.
- ii. Any new glazing in external doors and ground floor / easily accessible windows should include at least one pane of laminated glass to and appropriate security specification.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services
Greater Manchester Police

Ground Floor, Bankley House, Bankley Street, Manchester, M19 3PP
First Floor, Bankley House, 1 Bankley Street, Manchester, M19 3PQ
Flat 8, 861B Stockport Road, Manchester, M19 3PW
Flat 7, 861B Stockport Road, Manchester, M19 3PW
Flat 6, 861B Stockport Road, Manchester, M19 3PW
Flat 5, 861B Stockport Road, Manchester, M19 3PW
Flat 4, 861B Stockport Road, Manchester, M19 3PW
Flat 3, 861B Stockport Road, Manchester, M19 3PW
Flat 2, 861B Stockport Road, Manchester, M19 3PW
Flat 1, 861B Stockport Road, Manchester, M19 3PW

861A Stockport Road, Manchester, M19 3PW
861 Stockport Road, Manchester, M19 3PW
Ground Floor, The Mill, Bankley Street, Manchester, M19 3PP
Second Floor Right, The Mill, Bankley Street, Manchester, M19 3PQ
Third Floor, The Mill, Bankley Street, Manchester, M19 3PQ
First Floor, The Mill, Bankley Street, Manchester, M19 3PQ
Second Floor, The Mill, Bankley Street, Manchester, M19 3PQ
Bankley Mill, Bankley Street, Manchester, M19 3PQ
960 Stockport Road, Manchester, M19 3NN
958 Stockport Road, Manchester, M19 3NN
873 Stockport Road, Manchester, M19 3PW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA