

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

Ms Al Harby
EAMAR Developments UK Limited
Wilbraham Court
16 - 18 Wilbraham Road
Manchester
M14 6JY

Agent (if used)

Mr Simon Plowman
Plan:8 Town Planning Ltd
M10 Maxron House
Green Lane
Stockport
SK6 3JQ

Part 1 – Particulars of the application/development

Proposal: Variation of condition numbers: 2 (specified plans), 4 (Contaminated Land), 5 (Noise Insulation), 6 (Noise of External Equipment), 8 (Noise Insulation (commercial)), 12 (Opening Hours), 13 (Shutters), 19 (Construction Management Plan) and 21 (Drainage scheme) from planning approval reference 111739/FO/2016/S1 in order to regularise the development undertaken.

Location: 25 - 33 Wilmslow Road, Manchester, M14 5TB

Date of application: 21 September 2023

Application number: 138072/JO/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. In this case, discussions have been undertaken with the applicant's agent that have clarified measure to address the potential impact of historic ground conditions and the submission of drawings that correspond to implemented works. On this basis sufficient information was provided to allow the assessment of the proposals as and no further negotiation was required.

Condition(s) attached to this decision

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:
15009, (0-) 09B Basement

15009, (0-) 10B Lower ground floor
07001, (0-) 11C Ground floor
15009, (0-) 12C First floor
15009, (0-) 13B Second floor
15009, (0-) 14C Third floor
15009, (0-) 15B Lower fourth floor
15009, (0-) 16B Upper fourth floor
15009, (0-) 17B Fifth floor
Wilmslow Road 001 R3 Landscaping Plan
Crime Impact Statement Version B ref 2016/0182/CIS/01 dated 21 March 2016
Landscaping Maintenance Plan by David Keegan Garden Design and Landscaping
Environmental Strategy by Urbane Forms ref 16,03,14-15009,3.01 stamped as received
by the local planning authority on 29 March 2016

06 ROLLER SHUTTERS
07A EAST ELEVATION (ELEVATION C)
08 PART NORTH ELEVATION (ELEVATION H)
P7593-FUT-ZZ-ZZ-DR-M-50-001 P01 MECHANICAL SERVICES
02 ELEVATIONS 1 OF 3
03 ELEVATIONS 2 OF 3
04 ELEVATIONS 3 OF 3
BLUE ROOF ATTENUATION AND OUTFLOW
CONDITIONS 5 AND 6
SITE COMPLETION REPORT
NOISE ASSESSMENT
TECHNICAL MEMORANDUM
CONTINUOUS BEAM ANALYSIS
DRAINAGE DOCUMENTATION
GOOGLE MAP
PRODUCT/SYSTEM SPECIFICATION
PRODUCT/SYSTEM SPECIFICATION
DR-S-300-0001 P01 PROPOSED BLUE ROOF AREAS AND SECTION
DR-S-400 P01 PROPOSED BLUE ROOF RC UPSTAND DETAILS
DR-S-401 P01 PROPOSED BLUE ROOF RC UPSTAND DETAILS

Received 12 Sep 2023

EPG-XX-ZZ-DR-Y-0100 P01 ROOF LEVEL- AREA 1-3 BLUE ROOF SECTIONS
EPG-XX-ZZ-DR-Y-0001 P01 ROOF LEVEL- AREA 1-3 BLUE ROOF LAYOUT

Received 22 Nov 2023

SURFACE WATER DRAINAGE STRATEGY
DR Y 0001 P01 ROOF LEVEL-AREA 1-3, BLUE ROOF LAYOUT
DR Y 0100 P01 ROOF LEVEL-AREA 1-3 BLUE ROOF SECTIONS
DR-C-6200 P01 PROPOSED DRAINAGE LAYOUT

Received 25 Jan 2024

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.

2) The development shall be implemented in accordance with the approved materials and details as set out in CDN/18/0397.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

3) The approved noise insulation scheme (Echo Noise Consultants 12.05.2021 memorandum) shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to Policies DM1 in the Core Strategy Development Plan Document and saved UDP Policy DC26.

4) Externally mounted ancillary plant, equipment and servicing shall remain in situ whilst the use or development is on operation, in line with the submitted Echo Noise Consultants 12.05.2021 memorandum, in order to secure a reduction in the level of noise emanating from the site.

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 Policy DM1 in the Core Strategy Development Plan Document and saved UDP Policy DC26.

5) The commercial premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the submitted Acoustic & Engineering Consultants Limited note dated 31 May 2019 and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of health and safety and residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy.

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

7.30 am to 8.00 pm Monday to Saturday

No deliveries or collections on Sundays or Bank holidays.

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

7) The permitted hours of opening of the ground floor unit are as follows:

Monday to Sunday 07:00 to 23:59

Reason - In order to protect the residential amenity of nearby residential properties, pursuant to Policies SP1 and DM1 of the Core Strategy.

8) Upon the occupation of the shop units, any proposed roller shutters on the frontage of the proposed shop units and food store shall be open/raised from 9.00 a.m. until the business closes in the evening.

Reason - In the interests of visual amenity and order to ensure that the appearance of the building is in keeping with the character of the area pursuant to Policy DM1 of the Core Strategy.

9) The details of the approved waste management scheme (CDN/19/0383) 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 health and safety and residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy.

10) Deliveries and servicing of the units shall be carried out in accordance with the approved strategy as part of CDN/19/0383.

Reason - In the interests of highway safety and residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy.

11) 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) the residential accommodation hereby approved shall not be used for any other purpose (including any other purpose in Class C3 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 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 the purpose(s) of C3(a).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

12) The Travel Plan which was approved by the City Council as local planning authority under CDN/19/0383 shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy.

13) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref; 'Wilmslow Road 001 R3 Landscaping Plan' shall be implemented not later than 12 months from the date the building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

14) The submitted scheme for drainage submitted shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

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:

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.

Date: 26 March 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 their 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.