

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138577/FO/2023

Date registered valid: 1 December 2023

Proposal: Change of use from bar (sui generis) to retail (Class E) together with associated elevational alterations

Address: 936 - 938 Stockport Road, Manchester, M19 3NN

Ward(s): Levenshulme Ward

Applicant: Mr Riaz Ahmad Kingston Estates UK Ltd

Agent (if any): Mr Ahmed Choudhry NADA Architects

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 January 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 29 November 2023

Standard consultations:

Printed: 6 December 2023 Expired: 27 December 2023

Neighbour notifications

Printed: 6 December 2023 Expired: 27 December 2023

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

The application site is situated at the junction of Stockport Road and Albert Road and is thereby within the Levenshulme district Centre. The application site relates to a white painted, 2-storey former public house (No 936) with a rear service yard accessed via Albert Road and an adjoining former charity shop and upper floor accommodation at No 938, which forms part of a distinctive but unlisted parade of shops characterised by an ornate canopy. The service yard is enclosed by high brick walls and a recessed gate. The site is situated on the pedestrian route to Levenshulme Railway Station and is close to the district centre car park. Refurbishment works, including external alterations, have been implemented in association with planning permission ref: 124089/FO/2019 (approved 18 December 2019), which allowed the use of the property as a restaurant. Although the restaurant use did not commence the previous planning permission still facilitates a Class E use.



Fig.1 – Location of the planning application site



Fig.2 – Views of the application site from Stockport Road and Albert Road

Description of development

The proposed development involves the formation of a butcher shop (Class E) over two storeys with opening hours of: 8.00 am to 10.00 pm Monday to Sunday (including Bank Holidays). The development would retain the composition of the elevations approved under planning permission ref: 124089/FO/2019. Proposed elevational alterations relate to the installation of external air conditioning units to the southern elevation.



Fig.3 – Proposed elevations

Internally, the development would involve:

- Ground floor - Customer service and food display areas, meat preparation areas, storage and staff facilities;
- First floor - Customer service and food display areas, ancillary offices and WCs;
- Internal stairwells linking the ground and first floor.



Fig. 4 – Proposed layout of ground and first floor

Site history

- 138578/AO/2023 - Installation of two internally illuminated projecting signs to street elevation
- 124089/FO/2019: Approved - 18.12.2019

Proposed change of use from Class A1 charity shop at 938 Stockport Road and Class A4 Wine Bar at 936 Stockport Road to a restaurant (Class A3) with associated elevational alterations and the installation of 2 no. extraction flues to rear elevations

iii. 124090/AO/2019: Approved - 27.12.2019

Proposed installation of an internally illuminated wrap around fascia sign to Stockport Road and Albert Road elevations, 1 no. fascia level internally illuminated projecting box signs to front (Stockport Road) elevation and 1 no. fascia level internally illuminated projecting box signs to side (Albert Road) elevation.

iv. 108430/FO/2015/N2: Withdrawn - 15.09.2016

Change of use from offices/retail to a restaurant with dessert and shisha area, the erection of a single storey rear extension and associated elevational alterations

v. 106301/FO/2014/N2: Application Refused - 10.04.2015

External alterations incorporating insertion of bi-folding doors and associated works

vi. 101442/FU/2013/N2: Approved - 22.04.2013

Change of use of public house to Class D1 educational establishment

vii. 073374/OO/2004/N2: Refused - 06.12.2004

OUTLINE APPLICATION for the siting, means of access and design for a part six, part five storey building to form offices and retail space

viii. 065490/FO/NORTH2/02: Refused - 12.12.2002

Conversion of existing public house into four retail units at ground floor level and three self-contained flats above, with elevational alterations to form new doorways

ix. 050178/AO/CENTL3/96: Refused - 26.07.1996

Illuminated free-standing double sided 6 sheet advertising unit sited under canopy.

Consultations & Notification Responses

Local residents - 13 emails of objection have been received and summarised below:

i. The application has not been supported with an adequate delivery strategy and the impact of customer car parking demand has not been satisfactorily addressed. The associated demand for customer car parking will increase pressure on the district centre car park and may undermine its use as a venue for Levenshulme Market.

ii. The frequency of deliveries and their undertaking in close proximity to the busy light controlled junction of Stockport Road and Albert Road are significant concerns due to the potential adverse impact of highways safety. The adjacent footpaths are particularly narrow and the parking of delivery vehicles outside the premises would potentially obstruct pedestrian movement. Appropriate site servicing has not been demonstrated.

iii. The arrangement for the storage on collection of general, food and animal bi-product waste is an expressed concern, particularly regarding impacts on public health, including air quality.

iv. It is considered that the district centre has an over proliferation of butchers shops and the development will undermine the diversity of the retail offer. The amount floorspace involved would be excessive.

v. The proposed opening hours would be commensurate with a retail food use.

vi. Ethical concerns regarding the display of meat products have been expressed.

Highway Services – The following comments have been received:

- i. The development has the potential to generate significant on-street parking demands. The business should promote the use of sustainable modes and encourage car-sharing to lessen vehicular dependency. It is noted that on-site cycle parking will be provided.
- ii. Waste management – Clarification of refuse storage and collection arrangements are required.
- iii. Site servicing – If servicing is to be undertaken from Albert Road, it should accord with loading time restrictions on both sides of Albert Road from Stockport Road. All servicing vehicles should load at an appropriate distance away from the signals on Albert Road. It is recommended that the development is related to a site servicing plan.

Environmental Health – The following comments have been received:

- i. Opening hours should be conditioned as applied for.
- ii. Servicing hours should be restricted to Monday to Saturday 7:30 am to 8:00 pm with no deliveries/waste collections on Sundays/Bank Holidays.
- iii. A condition should be included requiring the acoustic insulation of external equipment required in support of the development.
- iv. A condition has been requested the breakout of noise from the premises, which would otherwise potentially harm the residents of neighbouring first floor residential accommodation.
- v. The revised waste management strategy is considered to be acceptable subject to its full implementation, including the management of animal bi-products.

Flood Risk Management Team – The site is in Flood Zone 1 and has low risk of flooding. A condition requiring drainage improvements has not been requested. An informative has been requested recommending improvements to the drainage system. A separate informative has been requested to advise of the existence of a culverted watercourse within the vicinity of the site and requirements for working in close proximity to it.

Greater Manchester Police Design for Security – No comments received.

Network Rail – No comments received.

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. The property has been affected by periods of vacancy and the development would 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 bring the application property into active use 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.

Notwithstanding the above, chapter 9 also states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

The site is located at busy junction. Any impact would be related to the undertaking of servicing and deliveries, which would be managed through existing TROs and waiting restrictions. A servicing management condition has been included to ensure the inclusion of appropriate arrangements for servicing and deliveries. These arrangements would help to ensure that the development on the highway would have a predictable impact on the operation of the existing highway. The site is located in district centre that is readily accessed by public transport (buses and trains). Furthermore, traffic generated by the use could be accommodated through public parking provision within Levenshulme District Centre. The development would be supported with staff cycle storage to reduce reliance on private car usage. 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 re-use 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 incorporates an enclosed yard area with the capacity to provision enclosures for the storage of segregated waste with collection via Albert Road. It is considered that satisfactory waste management is capable of being delivered and policy EN19 would thereby be accorded with.

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 will have been incorporated into the previously undertaken refurbishment works. 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 bring a vacant unit back into active use, which would be beneficial to the appearance of the streetscene and contribute to the on-going regeneration of the high street. It would thereby accord with the objectives of 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, particularly with regard to the potential future use of accommodation above neighbouring retail units for residential purposes.

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.

On the basis of the comments of Environmental Health, it is considered that noise issues are capable of being addressed through the noise attenuation condition and its requirement for an acoustic report; this will determine noise attenuation and inform appropriate opening hours. 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, officers have engaged with the applicant's agent and ensured that sufficient information has been made available to ensure the satisfactory assessment of the development.

Principle of the development - In considering planning application for Class E retail use, the type of retail activity cannot be taken into consideration. Furthermore, the development would deliver a use that would be expected to be found within a district centre with a diverse retail offer. Regarding the impact of the development on amenity, it is considered that that the future levels of activity would be comparable to the previously approved restaurant use but this activity would cease much earlier due to a reduction in the proposed operating hours. 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 secure a sustainable use for a property that has notable periods of vacancy. The relationship of the site to a busy junction has acknowledged and related issues are capable of being addressed through the recommended site servicing plan. The development would also provide small scale employment opportunities and contribution to the local economy. On this basis, 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. In addition, a condition has been recommended to ensure that the development operates as a single business. This condition is necessary to address future site management issues that may arise should the application property be sub-divided into separate Class E units.

Materials – To ensure the appropriate completion of external works, a materials condition has been included.

Residential amenity - The impact of the proposed use on residential amenity has been assessed in relation to the busy character and nature of the district centre. The impact of noise would reflect the characteristics of the district centres and would not unduly affect the residents of a pair of houses on Albert Road. The potential impact on residential amenity would be related to the transfer of noise to potential upper floor apartments with the adjoining shopping parade. It is considered that this impact could be managed through conditions relating to the acoustic attenuation of external equipment and the application property. Activity associated with the use would be commensurate with the characteristics of Levenshulme District Centre and would not represent a change to the existing circumstances.

Crime and Disorder - The application site is located at a prominent junction that secures significant natural surveillance. The applicant has not proposed external roller shutters. The proposals would secure a sustainable use for two properties that might otherwise fall into disrepair and become the locations for vandalism and or anti-social behaviour. Security measures were incorporated into the external works related to the implementation of planning permission ref: 124089/FO/2019. It is considered that satisfactory consideration has been given to crime and disorder issues and the future management of the site can be delivered.

Highway and servicing issues – The application relates to an existing property within district centre. Securing a new use for the property would make a positive 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 site and the availability of public transport and accessibility of the site by pedestrians would reduce the necessity to travel to the site by car. A site servicing plan has been submitted and is conditioned and details arrangements for:

- i. The presentation of waste and recycling bins to an identified collection point and return to the designated bin storage area;
- ii. Frequency of refuse collection and deliveries;
- iii. Loading location of all servicing vehicles;
- iv. Estimated size of all service vehicles.

Highways have confirmed that bin collection from Albert Road would be acceptable. The undertaking of food deliveries would also be appropriate within the service yard. In order to ensure that the yard area would be available for servicing and to prevent undue traffic generation around the site, a separate condition has been included to prevent the use of the service yard for customer and staff car parking. On this basis, it is considered that appropriate site management would be achieved.

Cycle parking - The applicant has indicated a secured cycle storage area for 4 cycles in the rear yard area for use by staff. A condition has been included to ensure that the details cycle storage is approved and implemented upon commencement of the development. This provision would encourage the adoption of sustainable transportation modes.

Travel plan – The development has been related to a staff travel plan to ensure that adoption of sustainable transportation modes and reduce potential traffic generation.

Waste Management - The applicant has provided a detailed site and waste management plan that shows the following bins arranged in a secure enclosure:

General waste – 1 x 1100 litre bin

Mixed recycling – 1 x 1100 litre

Food waste – 2 x 240 litre

The plan sets out the arrangements for the collection of food and animal bi-product waste. These arrangements are acceptable to Environmental Health. The management plan also sets out the arrangements for the presentation, collection and return of bins to the storage area via the site access on Albert Road. The proposed arrangements are considered to be acceptable.

Design and impact on the street scene - The development would maintain the implemented elevational details of planning permission ref: 124089/FO/2019. Proposed elevational alterations, involving the installation of air conditioning units, would be presented to the enclosed yard area and would have no impact on the streetscene.

Opening hours – The following opening hours are considered to be acceptable within the context of a district centre and have been related to the development by condition: Monday to Sunday (including Bank Holidays) - 8.00 am to 10.00 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 – The authorised restaurant use was related to the following operating hours:

- i. Opening hours: 11.00 am to 1.30 am Monday to Sunday (inclusive);
- ii. Operational activity shall cease within the premises and its external areas by 2.00 am. (Monday to Sunday (inclusive)).

Proposed would be related opening hours that would result in the cessation of activity at an earlier at an earlier time, thereby reducing the potential for noise and disturbance. As the development would include retail activity at the first floor, involving refrigeration units, an acoustic condition to mitigated against noise break out has been recommended, along with a condition to ensure noise attenuation of external plant. It is thereby considered that noise impacts can be satisfactorily managed.

Accessibility - Access to the building has been informed by the existing configuration of the host building. The main Stockport Road entrance would be maintained and incorporates a low threshold. The absence of a forecourt would prevent the formation of and external access ramp. The ground floor would achieve satisfactory circulation spaces within the public sales area. The benefits of delivering a sustainable use for the building would outweigh the constraints to the delivery of fully inclusive access for customers.

Conclusion – The development would be appropriate and acceptable within the context of Levenshulme District Centre. It would secure a new 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, officers have engaged with the applicant's agent and ensured that sufficient information has been made available to ensure the satisfactory assessment of the development.

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 stamped as received by the City Council as local planning authority on 16 November 2023 and 5 January 2024:

Planning application forms

Location plan with red edge

Proposed GA site plan & existing floor plan Ref: 23-1181(04) 001 Rev. PL1

Proposed GA Elevations Ref: 23-1181(05) 001 Rev. PL1

Proposed GA Elevations Ref: 23-1181(06) 001 Rev. PL0

Proposed GA Floor plans Ref: 23-1181(07) 001 Rev. PL2

Design & Access Statement Ref: (96) 001Rev. PL0 dated 6 November 2023 by NADA Architects.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

3) 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 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 approved details shall be implemented in full prior to the occupation of the development and maintained in situ thereafter.

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

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 premises (at 936-938 Stockport Road) 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 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 one retail unit (Class E) without sub-division into separate retail units.

Reason - To safeguard the amenities of the occupiers of nearby residential properties pursuant to policies SP1, C1, C2, C10 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

5) a) Before any use hereby approved commences, 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.

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.

6) 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.

7) The rear yard area as shown on drawing s referenced: Proposed GA site plan & existing floor plan Ref: 23-1181(04) 001 Rev. PL1 shall only be used for site servicing and shall not be used for customer and/or staff car parking at any time.

Reason – In the interests of pedestrian and highways safety pursuant to policies SP1, DM1, T1 and T2 of the Core Strategy for the City of Manchester.

8) Before the occupation of the development, the submitted scheme for site, waste and recycling management, comprising document referenced: Site servicing and deliveries and waste collection attached to email from NADA Architects received 10 January 2024 and drawing referenced Proposed GA site plan & existing floor plan Ref: 23-1181(04) 001 Rev. PL1 shall be fully implemented and remain in situ whilst the use or development is in operation.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

9) Before the occupation of the authorised development, details of the capacity, design and appearance of the cycle store and bin store as on drawing referenced: Proposed GA site plan & existing floor plan Ref: 23-1181(04) 001 Rev. PL1 shall be submitted to and approved in writing by the City Council and local planning authority. The approved details shall be fully implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles and waste and recycling bins, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

10) The premises shall not be open outside the following hours:
Monday to Sunday (including Bank Holidays) - 8.00 am to 10.00 pm.

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 for the City of Manchester.

11) No deliveries, servicing or waste collection shall take place outside the following hours:

Monday to Saturday: 7.30 am to 8.00 pm, with no deliveries and collections on Sunday and Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Core Strategy for the City of Manchester.

12) Before the development hereby approved is first occupied a staff travel plan shall be submitted to and agreed in writing by the City Council as local planning authority. In this condition a Travel Plan means a document which includes:

- i. The measures proposed to be taken to reduce dependency on the private car by those employed in the development
- ii. A commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii. Mechanisms for the implementation of the measures to reduce dependency on the private car
- iv. Measures for the delivery of specified travel plan services
- v. 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 (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. 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 assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

13) The planning permission hereby granted does not confer consent of the display of advertisements.

Reason - For the avoidance of doubt and in the interests of residential amenity and the appearance of Levenshulme District Centre, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester and saved policy E3.3 of the Unitary Development Plan.

14) Before first occupation the ground and first floor WC window in the southern elevation shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with 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) Any deliveries and servicing from Albert Road should observe no loading at any time restrictions (double kerb blips) that are applicable on both sides of Albert Road from Stockport Road for a distance of 40 metres. From that point (40 metres from Stockport Road) a peak period loading restriction (single kerb blips) is applicable which prevents loading from Mon-Sat 8am-9.30am and Mon-Fri 5pm-6.30pm. In addition, all servicing vehicles should load at an appropriate distance away from the signals on Albert Road.

3) It is recommended that the developer designs and constructs a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system.

4) Council records highlight an underground culverted watercourse (Fallowfield Brook) in close proximity to the site (approximately 60m north of the site). The applicant should inform the on-site contractors 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 Council should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Network Rail
Highway Services

Flat 4, 2A Albert Road, Manchester, M19 3PJ
Flat 3, 2A Albert Road, Manchester, M19 3PJ
Flat 2, 2A Albert Road, Manchester, M19 3PJ
Flat 1, 2A Albert Road, Manchester, M19 3PJ
950 - 956 Stockport Road, Manchester, M19 3NN
2B Albert Road, Manchester, M19 3PJ
2 Albert Road, Manchester, M19 3PJ
930 Stockport Road, Manchester, M19 3AB
932 Stockport Road, Manchester, M19 3AB
Adjacent 936 -938, Stockport Road, Manchester, M19 3NN
3 Albert Road, Manchester, M19 3PJ
Flat 1, 8 Albert Road, Manchester, M19 3PJ
Flat 2, 8 Albert Road, Manchester, M19 3PJ
Top Flat, 950 - 952 Stockport Road, Manchester, M19 3NN
Flat 2, 6 Albert Road, Manchester, M19 3PJ
Flat 1, 6 Albert Road, Manchester, M19 3PJ
Flat Above, 936 - 938 Stockport Road, Manchester, M19 3NN
Flat Above, 954 - 956 Stockport Road, Manchester, M19 3NN
853 Stockport Road, Manchester, M19 3PW
845 Stockport Road, Manchester, M19 3PW

942 Stockport Road, Manchester, M19 3NN
4A Albert Road, Manchester, M19 3PJ
Flat 2, 26 Bankley Street, Manchester, M19 3PP
24 Bankley Street, Manchester, M19 3PP
934 Stockport Road, Manchester, M19 3AB
Unit 1, 4 Farm Yard, Manchester, M19 3NL
847 - 849 Stockport Road, Manchester, M19 3PW
855 Stockport Road, Manchester, M19 3PW
4 Albert Road, Manchester, M19 3PJ
940 Stockport Road, Manchester, M19 3NN
948 Stockport Road, Manchester, M19 3NN
946 Stockport Road, Manchester, M19 3NN
944 Stockport Road, Manchester, M19 3NN

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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA