

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Simon Wong
TTS Trading Ltd
32 Kempster Garden
Salford
M7 1AD

Agent (if used)

Mr Kevin Ma
TADW Architects
6 St Petersgate
Stockport
SK1 1HD

Part 1 – Particulars of the application/development

Proposal: Conversion of existing first floor vacant commercial unit into snooker / pool hall with bar and dining area (sui generis) for a temporary period of 5 years

Location: First Floor Of 3 - 9 Hyde Road, Manchester, M12 6BQ

Date of application: 8 February 2023

Application number: 135862/FO/2022

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. In particular lengthy negotiations were held to ensure that sufficient parking was provided to meet the needs of the development. In addition, the applicant has confirmed their acceptance of pre-commencement conditions.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only, expiring on 31 July 2028 and the works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued and the premises shall be reinstated to its former condition.

Reason - As the permission hereby granted is for a temporary period only, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

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

Drawings numbered 221318-06-P5
Design and Access Statement, SCP Transport Statement and Waste Management Strategy dated December 2022
Operating Schedule/Management Strategy
stamped as received by the City Council, as Local Planning Authority, on 28 December 2022.

Odour Impact Assessment and AEC Noise Assessment Report dated 6 January 2023 (ref: P4659/R1a/NRS) and stamped as received by the City Council, as Local Planning Authority, on 6 January 2023.

Drawings numbered NWQ2891-01 rev A and 221318-07-P3, stamped as received by the City Council, as Local Planning Authority, on 18 January 2023.

Drawing numbered 221318-01-P3, stamped as received by the City Council, as Local Planning Authority, on 8 February 2023.

Drawing numbered 221318-05-P7, stamped as received by the City Council, as Local Planning Authority, on 22 March 2023.

Drawing numbered SCP/220457/ATR01 SCP/220457/ATR03 rev A
SCP Technical Support Note dated 12 May 2023
stamped as received by the City Council, as Local Planning Authority, on 12 May 2023.

Car Parking Operation/Management Strategy, stamped as received by the City Council, as Local Planning Authority, on 22 May 2023.

Email from Kevin Ma, dated 23 May 2023, confirming that a 5 year temporary permission is sought.

Letter from Opac Letting, dated 14 July 2023 and accompanying drawing numbered 221318-10-P1 stamped as received by the City Council, as Local Planning Authority, on 18 July 2023.

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

3) The premises shall not be open outside the following hours:

12 Noon to 4.00am;

Reason - In interests of residential amenity in order 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 for the City of Manchester

4) Deliveries, servicing and / or waste collections shall be undertaken outside the hours of:

Monday to Saturday - 7.30 am to 8.00 pm;
Sunday and Bank Holidays - No deliveries, servicing and / or waste collections

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 Unitary Development Plan.

5) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences. This should include further details of the system to be installed, which should be based on the information provided in the submitted Odour Impact Assessment. The additional information should include a plan layout of the system and manufacturer data for the equipment installed.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

6) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the recommendations contained within the AEC Noise Assessment Report dated 6 January 2023 (ref: P4659/R1a/NRS) and stamped as received by the City Council, as Local Planning Authority, on 6 January 2023. The scheme shall be implemented in full before the use commences.

Prior to occupation of the development a verification report will 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 Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

7) a) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to 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 Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

8) The development shall be carried out in accordance with the Waste Management Strategy dated December 2022, stamped as received by the City Council, as Local Planning Authority, on 28 December 2022, and indicated on drawing numbered 221318-05-P7, stamped as received by the City Council, as Local Planning Authority, on 22 March 2023. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

9) The car parking indicated on drawing numbered 221318-05-P7, stamped as received by the City Council, as Local Planning Authority, on 22 March 2023 shall be made available for use prior to the use hereby approved becoming operational. The car park shall then be available at all times whilst the use is operation and operate in accordance with the Car Parking Operation/Management Strategy, stamped as received by the City Council, as Local Planning Authority, on 22 May 2023. and the letter from Opace Letting, dated 14 July 2023 and accompanying drawing numbered 221318-10-P1 stamped as received by the City Council, as Local Planning Authority, on 18 July 2023.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies DM1 and T2.6 of the Manchester Core Strategy.

10) The development hereby approved shall be completed in accordance with the scheme for the provision of space and facilities for bicycle parking as shown on drawing numbered 221318-05-P7, stamped as received by the City Council, as Local Planning Authority, on 22 March 2023. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

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

11) Prior to the first use of the development hereby approved, the proposed electric vehicle charging points indicated on drawing numbered 221318-05-P7, stamped as received by the City Council, as Local Planning Authority, on 22 March 2023, shall be fully implemented in accordance with the approved scheme and be available thereafter, whilst the use is in operation.

Reason - In the interests of the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity

of nearby residents from air pollution, pursuant to policies SP1, EN16 and DM1 of the Manchester Core Strategy and Greater Manchester Air Quality action plan 2016.

12) Within 3 months of occupation of the premises, a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The travel plan shall relate to the activities being carried out at the site, and shall include:

- i) Measures proposed to be taken to reduce dependency on the private car by those [attending or] 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 12 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 Manchester Core Strategy.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

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

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

The proposed opening hours are quite late and it is recommended that there should be a security presence in the evening and until closing.

Developments of this nature are often the scene of criminal and antisocial behaviour, therefore it should be considered essential that a comprehensive CCTV system is installed.

The building should be covered with an intruder alarm system.

Any new external doors/windows/glazing/shutters should be to Secured by Design standards.

Date: 7 August 2023

Signed: 

Julie Roscoe

Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024