

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 B Smith
Sunseekers Sunbeds Ltd
9-11 Library Street
Wigan
WN1 1NN

Agent (if used)

Mr Dave Winstanley
Peter Dickinson Architects Ltd
169 Appley Lane North
Appley Bridge
Wigan
WN6 9DX

Part 1 – Particulars of the application/development

Proposal: Change of use from tanning salon (Sui Generis) to retail (Class E)

Location: 435B Barlow Moor Road, Manchester, M21 8AU

Date of application: 3 July 2023

Application number: 136979/FO/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 collaborated with the applicant in a positive and proactive manner. The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. No significant problems have arisen during the consideration of this application.

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

a. Drawing - Site Plan, BLOCK PLAN OF THE SITE, received 15 May 2023

- b. Drawing - Location Plan, THE LOCATION PLAN, 3864-23-11, received 15 May 2023
- c. Drawing - Existing & Proposed, FLOOR PLANS, 3864-23-11, received 15 May 2023
- d. Waste Management, Proforma for Planning Applications, received 05 June 2023

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.

3) The authorised development relates the use of the ground floor of 435B Barlow Moor Road for Class E (Commercial, business and service) with the following hours of operation.

- a. Mon - Sat: 07:30 - 22:00
- b. Sunday and Bank Holidays: 08:30 - 2100

Reason - For the avoidance of doubt and in the interests of local amenity, pursuant to policies SP1, EC 2, EC 9, C2, C6, C 10, and DM1 of the Core Strategy for the City of Manchester.

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

- a. 07:30 to 20:00, Monday to Saturday,
- b. no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation and to reduce noise and general disturbance in accordance with policies SP 1 and DM 1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan

5) In the event new plant or machinery (including refrigeration, chillers, and HVAC) the following applies

- a. 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 and to reduce noise and general disturbance in accordance with policies SP 1 and DM 1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan

6) a. Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The proforma/ Waste Management Strategy must include the following information:

- i. Estimated volumes and types of waste produced by the development;
- ii. Details of internal and external stores for both waste and recycling, including any plans and designs;
- iii. Details of how waste will be transferred between stores and to the collection location; and
- iv. Details of number and capacity of bins proposed and collection frequency.
- v. Other details as per 'Waste Proforma v1.0' - refer to guidance at:
http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy

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

b. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP 1, EN 19 and DM 1 of the Core Strategy for the City of Manchester.

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

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Contact Manchester (Tel: 0161 234 5004 / Email: highwaylicences@manchester.gov.uk).

Date: 15 August 2023

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

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.