

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 Bilal Ashraf
94 Longford Road West
Stockport
SK5 8EH

Agent (if used)

Mr Colin Williams
Alpha Design
11 Gilda Crescent Road
Salford
M30 9AG

Part 1 – Particulars of the application/development

Proposal: Change of use of ground floor from public house (sui generis) to retail store (Class E) with associated elevational alterations

Location: 548 Gorton Lane, Manchester, M18 8EH

Date of application: 17 March 2022

Application number: 133158/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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, additional details relating to the proposed layout of the development, including arrangements for the provision of waste storage enclosures, has been provided. On the basis of the submitted and supplementary details, the appropriate assessment of the proposed development has been undertaken.

Condition(s) attached to this decision

1) 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 9 March 2022, 14 March 2022 and 20 December 2022:

Planning application forms
Site location plan with a red edge
Floor layouts and elevations (proposed) Ref: 2A.

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

2) 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 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 a retail shop within the ground floor of 548 Gorton Lane Manchester M18 8EH.

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

3) The premises shall not be open outside the following hours:
Monday to Sunday (including Bank holidays): 7.00 to 23.00.

Reason - In interests of residential amenity and 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.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:
Monday to Saturday: 7.30 am to 8.00 pm
Sunday and Bank Holidays - No deliveries / 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.

5) a) Within 3 months of the date of the planning permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to a scheme of acoustic attenuation to prevent noise transfer from the ground floor retail use (Class E) to the residential accommodation above based on the findings of a related noise survey report. The approved scheme shall be implemented in full and to a timescale to be agreed in writing by the City Council as a local planning authority.

b) Following the implementation of the scheme of acoustic attenuation, a verification report shall be submitted to the City Council as local planning authority to a previously agreed timescale, confirming the undertaking of the recommendations and requirements in the approved noise survey report. 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. The agreed details of the verification report shall be approved in writing by the City Council as local planning authority and implemented to an agreed timescale.

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

6) Within 3 months of the date of the planning permission hereby granted, the waste management details shown on drawings referenced Floor layouts and elevations (proposed) Ref: 2A, shall be supplemented with a scheme to submitted to and approved in writing by the City Council as local planning authority detailing the provision and capacities of bins for the storage of segregated waste and recycling. The agreed details shall be implemented in accordance with and agreed timescale and maintained in situ at all times thereafter.

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.

7) External gates to the bin storage enclosure as shown on drawings referenced Floor layouts and elevations (proposed) Ref: 2A shall be maintained with an inward opening mechanism at all times.

Reason - In the interests of residential amenity and highway safety pursuant to policy SP1 And DM1 of the Core Strategy for the City of Manchester.

8) The planning permission hereby granted does not confer consent for the display of advertisements as shown on drawings referenced Floor layouts and elevations (proposed) Ref: 2A or the installation of external air conditioning units.

Reason - For the avoidance of doubt and the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC14 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

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.

The following security measures are recommended:

- i. Any new external fittings should be certified to Secured by Design standards.
- ii. If cash is to be kept within the property overnight, a time delay safe certified to LPS 1183 should be installed and kept within a secure room that is only accessible by the members of staff.
- iii. Any staff areas that are to be included within the property should be access controlled and restricted to members of staff only.
- iv. An intruder alarm should be installed with contacts on all external doors and with movement detectors. The alarm should be monitored by an appropriate body.
- v. A CCTV system should be included within these premises with capacity to monitor external doorways and all internal spaces.

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

Date: 5 July 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