

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 Shiraz Haider
4 Mitre Road
Manchester
M13 0NU

Agent (if used)

Dr Kanadi Jagafa
Mason and Marlowe Ltd
Colony
5 Piccadilly Place
Manchester
M1 3BR

Part 1 – Particulars of the application/development

Proposal: Erection of a single storey infill extension and single storey side extension to form new retail unit and retained offices to ground and first floor (Class E) with associated elevational alterations, installation of roller shutters and formation of a two space car parking area accessed via Dencombe Street

Location: 4 Mitre Road, Manchester, M13 0NU

Date of application: 21 November 2022

Application number: 134266/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, which was submitted following the withdrawal of application ref: 129985/FO/2021. The application has sought to address previously expressed concerns regarding the design, height, scale and massing of the proposed extension. The submitted and supplementary details that respond to consultation comments have facilitated the appropriate assessment of the proposed development.

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 received on 21 November 2022, 22 December 2022 and 5 January 2023:

Planning application forms

Site location plan with a red edge

Proposed ground floor plan and existing first floor plan ref AR/CS/R4/01 dated 05/01/2023

Proposed elevations (west, east, south and north) Ref: AR/CS/R5/02 dated 05/01/2023

Proposed roof plan Ref: AR/CS/R3/03 dated 21/12/2022

Roller shutter detail Ref: AR/CS/R3/04 dated 21/12/2022

Proposed elevations (with open roller shutters) ref AR/CS/R2/05 dated 05/01/2023

Email from Mason and Marlowe dated 5 January 2023 confirming materials comprising the revised shopfront.

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.

3) The materials to be used in the construction of the extension hereby approved, including bricks and roof tiles, together with the method of coursing and pointing, shall match the existing building, in terms of colour, texture and appearance.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) The development relates to the formation of one ground floor unit (Class E) with a maximum floorspace of 56 sq. metres.

Reason - For the avoidance of doubt and in the interest of residential amenity , pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) 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 ground floor 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 2015 (as amended), 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 the authorised units for the purposes of: Class E(a) shop other than for the sale of hot food, (b) food and drink which is mostly consumed on the premises and (c) financial services, professional services (other than health or medical services) or any other services which it is appropriate to provide in a commercial, business or service locality.

Reason - To safeguard the amenities of the 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.

6) Before the commencement of the use of the premises as a café / restaurant (permitted under Class E(b), a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the extraction of fumes, vapours

and odours. The approved scheme shall be implemented prior to the commencement of the café or restaurant use and at all times thereafter whilst the use is in operation.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with for the City of Manchester and policies SP1 and DM1 of the Core Strategy of the City of Manchester and saved policy DC10 of the Unitary Development Plan.

7) Before its installation any externally mounted equipment required to facilitate the ground floor operation of the authorised Class E use shall be related to a scheme to 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 from any such ancillary plant, equipment and servicing, including details of acoustic attenuation. Any externally mounted equipment installed as part of the authorised development shall be installed in accordance with the specifications of the agreed and subsequently maintained in situ.

Reason - To safeguard residential amenity by minimising the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester and saved Unitary Development Plan policy DC26.

8) The development shall be fully implemented in accordance with the arrangements for the storage and collection of waste and recycling bins as specified in the following document and drawing:

- i. Waste Management Proforma attached to email from Mason and Marlowe dated 22 December 2022
- ii. Drawing ref: Proposed ground floor plan and existing first floor plan ref AR/CS/R301 dated 21/12/2022.

The approved details shall be implemented upon occupation of the development (including arrangements for the same day return of bins to the storage area following collection) 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.

9) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, relating to the specification of roller shutters and housing boxes, including perforation and colour treatment, in the position shown on drawing referenced: Roller shutter detail Ref: AR/CS/R3/04 dated 21/12/2022. The approved details shall be implemented upon first occupation of the development and maintained in situ at all times thereafter.

Reason- In the interests of the visual amenity and the character of Longsight District Centre and the wider streetscene, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

10) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, relating to the colour and specification of the gates to be formed to the service yard accessed via Dencombe Street as shown on drawings ref: Drawing ref: Proposed ground floor plan and existing first floor plan ref AR/CS/R3/01 dated 21/12/2022 and Proposed elevations ref AR/CS/R5/02 dated 05/01/2023, including confirmation of their fitting with an inward

opening mechanism. The approved details shall be implemented upon first occupation of the development and maintained in situ at all times thereafter.

Reason- In the interests of the visual amenity and the character of Longsight District Centre and the wider streetscene and the security of the site pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

11) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, relating to the specification of secure cycle racks to be located in the position shown on drawing ref: Proposed ground floor plan and existing first floor plan ref AR/CS/R3/01 dated 21/12/2022. The approved details shall be implemented in accordance with the approved details upon occupation of the development and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles, pursuant to policies SP1, T1 and DM1 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.

It is recommended that the applicant should design and construct a drainage system to prevent the increased risk of flooding, to improve and protect water quality with measures to ensure its future maintenance.

Hardstanding covering more than 5 square metres, should be constructed of permeable materials where feasible, in accordance with government guidance that can be accessed via:
<https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardensguidance>

It is recommended that all new door, locks, lighting CCTV cameras and other security measures fitted as part of the development should accord with Secured by Design standards.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with MCC Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Date: 10 January 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