

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 Aljanabi
SA Property Services Ltd
60A Oldham Street
Manchester
M4 1LE

Agent (if used)

Rebecca Thompson
23 Whitehall Road
Didsbury
M20 6RY

Part 1 – Particulars of the application/development

Proposal: Creation of a bar/music venue (Sui Generis) together with associated elevational alterations following subdivision of existing commercial unit into two units

Location: Ground And Basement 60A Oldham Street, Manchester, M4 1LE

Date of application: 8 November 2021

Application number: 131795/FO/2021

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 to seek solutions to problems arising in relation to dealing with the planning 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:

Received by the City Council as Local Planning Authority on 01 October 2021:

- Location Plan
- Existing Floor Plans
- Proposed Front Elevation

- Waste Strategy Drawing
- Proposed Floor Plans
- Design & Access Statement
- Crime Impact Statement ref. 2014/0891/CIS/04

Received by the City Council as Local Planning Authority on 08 November 2021:

- Waste Management Proforma
- Email from Agent
- Proposed Section/Access

Received by the City Council as Local Planning Authority on 20 May 2022:

Noise Assessment prepared by AEC ref. P4406/R1e/NRS

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) a) Before any use hereby approved commences, the premises shall be acoustically insulated and treated fully in accordance with the recommendations within the Noise Assessment prepared by AEC ref. P4406/R1e/NRS stamped as received by the City Council as local planning authority on 20 May 2022. The approved scheme of acoustic treatment shall be maintained for the duration of the use hereby approved.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties in accordance with Core Strategy Policy DM1 and Saved UDP policy DC26.

4) The scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed in the Waste Management Proforma stamped as received by the City Council as local planning authority on 08 November 2021 and email from Rebecca Thompson dated 14 February 2022 stamped as received by the City Council as local planning authority on 13th October 2015 shall be fully implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policy DM1 and EN19 of the Core Strategy for the City of Manchester.

5) The proposed use hereby approved shall not be operated outside the following hours:-

Monday to Wednesday 08.30-23.00
Thursday to Saturday: 08.30 to 02.30

There shall also be no bottle emptying between the hours of 22:00 to 09:00

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 policy DM1 of the Core Strategy.

6) No loading or unloading shall be carried out on the site outside the hours of:

-09.00-15.00hrs daily

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy and saved Unitary Development Plan policies DC10.1-10.4, DC10.4, DC26.1 and DC26.5 and to prevent a negative impact on the highway network in accordance with policies SP1, T1, T2 and DM1 of the Core Strategy.

7) No part of the development shall be occupied details of staff bicycle parking have been submitted and approved by the City Council as Local Planning Authority.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying the development have a range of options in relation to transport mode, pursuant to policies CC10, T1 and T2 of the City of Manchester Core Strategy.

8) The access measures for disabled people to gain access into and throughout the premises, as set out in the Proposed section / access drawing and email from agent dated 08 November 2021 shall be fully implemented before the use hereby approved commences and shall be maintained for the duration of the use hereby approved.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policies SP1 and DM1 of the Adopted Core Strategy for the City of Manchester.

9) The proposed development should be designed and constructed in accordance with the recommendations contained within sections 3 and 4 of the document referenced: Crime Impact Statement ref. 2014/0891/CIS/04 received by the City Council as Local Planning Authority on 01 October 2021.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

10) Prior to the first use of each of the commercial unit, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. The shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each commercial units and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

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.

Date: 30 June 2022

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/planning-inspectorate. 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

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/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

This Standing Advice is valid from 1st January 2021 until 31st December 2022