

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

John Sweeney
One Manchester
Lovell House
6 Archway
Manchester
M15 5RN

Agent (if used)

Mr John Sweeney
One Manchester
Lovell House
6 Archway
M15 5RN

Part 1 – Particulars of the application/development

Proposal: Retention of single storey container to be used as a day time nursery (Class E(f))

Location: 38 Meldon Road, Manchester, M13 0TR

Date of application: 15 February 2022

Application number: 131837/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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC26 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only, expiring on 21.10.2028; and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within 6 months ; in accordance with a scheme previously approved, which shall include a timetable of implementation to be submitted to and approved in writing by the City Council local planning authority before this permission expires.

Reason - To enable the local planning authority to review the situation in the interest of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, Saved Unitary Development Plan policy DC26 and the National Planning Policy Framework.

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

Documents and drawings as received by the City Council on the 05.10.2021 and 15.02.2022

Email from John Sweeney (applicant/agent) subject: 2RE: Planning Application: 131837/FO/2021 - 38 Meldon Road Manchester M13 0TR" received 11.04.2022 at 09:24am

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 premises shall not be open outside the following hours:-

Monday to Friday 09:00 - 20:00
Saturday 12:30 - 15:30

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 policies SP1 and DM1 of the Core Strategy.

4) The nursery shall be occupied by no more than 12 children and the required number of educational and support staff at any one time.

Reason - In the interests of residential amenity and to safeguard against the overly intensive use of the site pursuant to policy DC25 of the Unitary Development Plan for the City of Manchester and DM1 of the adopted Core Strategy for Manchester.

5) The premises shall be used for a child care and community facilities only and for no other purposes, including any other purpose in Class E(f) of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason - To prevent potential disamenity issues that are outside the scope of the comments made in relation to the use applied for pursuant to saved policy DC26 of the Unitary Development Plan and policies SP1 and DM1 of the 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

Date: 11 April 2022

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

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.