

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

Tesco Stores Ltd
Shire Park
Kestrel Way
Welwyn Garden City
AL7 1GA

Agent (if used)

Mr. Daniel Botten
Rok Planning
16 Upper Woburn Place
London
WC1H 0AF

Part 1 – Particulars of the application/development

Proposal: Variation of condition 17 (opening hours) attached to planning permission referenced 083957/FO/2007/N1 to allow the commercial units at ground, mezzanine and first floors to open 06.00-23.00 hrs Monday to Sunday

Location: 6 Oldham Road, Manchester, M4 5DB

Date of application: 16 March 2022

Application number: 133162/JO/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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Condition(s) attached to this decision

1) The development hereby approved shall be carried out in accordance with the drawings numbered PL01, PL02, PL03, PL04, PL05, PL06, PL07, PL08, PL09, PL10, PL11q, PL13, PL14, PL15 and PL16 and the Planning Statement and Appendix A each date stamped as received by the local planning authority on 23 July 2007, and drawing no. pl2p date stamped as received by the Local Planning Authority on 23 August 2007, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policies E3.3, DC7, DC9 of the Unitary Development Plan for the City of Manchester (adopted 1995) and policies DM1, EN3, H1, H3, T2 of the Manchester Core Strategy.

2) The car parking indicated on the approved plans shall be surfaced, demarcated and made available at all times whilst the development is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

3) Any externally mounted ancillary equipment shall be acoustically insulated in accordance with a scheme 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 equipment.

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

4) The development hereby approved shall only be implemented in accordance the waste management strategy detailed on drawing referenced OldhamRdManchester# (bin plan) and accompanying waste management pro forma, received by the City Council as Local Planning Authority on 17 May 2022. The details of the approved scheme shall remain in place whilst the use or development is in operation. No bins shall be stored outside the curtilage of the premises at any time, other than the day of collection.

Reason - In the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

5) The commercial units hereby approved at ground, mezzanine and first floors shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as Local Planning Authority:-

06.00-23.00 hrs daily

Deliveries, servicing and collections associated with the commercial units shall not take place outside the following hours, unless otherwise agreed in writing by the City Council as Local Planning Authority:

07.30-20.00 hrs Monday to Saturday;
1000-1800 Sundays and bank holidays.

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 DM1 and SP1 of the Manchester Core Strategy.

6) For so long as the use hereby approved is in operation, the City Council as Local Planning Authority shall be provided with information as specified in the previously agreed Travel Plan that can improve the effectiveness, implementation and monitoring of the Travel Plan. The agreed measures shall be implemented within a timescale agreed in writing by the City Council as Local Planning authority.

Reason - In order to promote sustainable travel to and from the development, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

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: 18 May 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 their 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.