MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Chris Lowe
Ford Retail Limited
2 Charter Court
Colchester
CO4 9YA

Agent (if used)

Tom Robinson
JLL
One Piccadilly Gardens
Manchester
M1 1RG

Part 1 – Particulars of the application/development

Proposal: Variation of condition no. 2 (specified plans) ,no. 3 (materials), no.9 (cycle parking) and no.10 (electric vehicle charging points) to enable alterations to elevations (including revisions to the type and design of roller shutters) approved as part of planning permission ref:126080/FO/2020

Location: 35 Garratt Way, Manchester, M18 8HE

Date of application: 23 September 2020

Application number: 128089/JO/2020

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

Condition(s) attached to this decision

0) Policy Framework as well as the development plan, national planning policy and other material considerations and recommends approval the application for the reasons outlined in this report. 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. The original submission raised initial concerns regarding colouration of the roller shutters. Officers worked in a positive and proactive manner with the applicant to agree appropriate measures in this regard. The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy and saved UDP policy DC26.

1) The development must be begun not later than the expiration of 2 years 7 months 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:
Plan ref: 9-0062/SK03 rev.B (proposed Quick Lane site plan);19-0062/SK04 (existing elevations); 19-0062/SK05 (existing location plan);19-0062/SK06 (existing site plan);GBS/1737/001(existing layout) ; Design and Access Statement; Planning Statement ; Transport Note; stamped as received 3rd February 2020

Planning Noise Impact Assessment (ref: RK2941/20067/Rev.0); waste management strategy date stamped received 5th March 2020;

Email from planning agent 5th March 2020 in relation to hours of operation
Email from planning agent 6th March 2020 in relation to waste storage
Email from planning agent 22nd April 2020 in relation to operational matters and highways impacts.
Email from planning agent 28th April 2020 in relation to security measures.
Email from planning agent 30th April 2020 in relation to waste oils.
Email from planning agent 15th May 2020 in relation to removal of palisade fencing, and confirmed of recessed shutter boxes

Plan ref: 3649 101(Landscape layout); 3649 201(Planting Plan)received by email on 14th May 2020.

Plan refs: QLG-001 rev.C (Proposed Quick Lane layout) QLG 002 rev.C (Proposed Quick Lane elevations) received on 23rd September 2020.

Emails (x2) from planning agent 01.20.2020 confirming roller shutter colouration , and brick type.

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 brick used for the infilled wall areas shall be Ibstock 65mm Stratford Red Dragfaced bricks , and the insulated roller shutters shall have a RAL 9006 factory paint finish.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) The development herby approved shall be implemented in accordance with the submitted waste management strategy and contents of the email dated 6th March 2020 from the planning agent in relation to waste storage, and shall remain in situ whilst the use or development is in operation.

Reason -To protect the amenity and public health of the occupiers, once the development hereby approved is occupied, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester

5) The premises shall not be open outside the following hours:-

Mondays to Saturdays: 7am to 8pm,
Sundays and Public Holidays 8am to 5pm.

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.

6) All operational work associated the uses hereby approved, taking place between the hours of 8am to 10am on Sundays , shall be undertaken with the vehicular and pedestrian access doors closed.

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.

7) No loading or unloading to the Class B2 and A1 development (including waste collections) , outside the following hours: 07:30 to 20:00, Mondays to Saturdays, and 10:00 to 17:00 Sundays/Bank Holidays.

Reason - In the interests of residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Core Strategy for Manchester.

8) The reconfigured parking spaces shall be surfaced, demarcated and made available for use scheme prior to the first occupation of the development, in accordance with approved plan ref: 19-0062/SK03 rev.B. The car parking spaces shall then be available at all times whilst the building is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

9) Bicycle parking shall be implemented in accordance with the details on have been provided in accordance with details on plan ref: 19-0062/SK03 rev.B; QLG-001 rev.C (Proposed Quick Lane layout) and QLG 002 rev.C (Proposed Quick Lane elevations) prior to the first occupation of the development. These facilities shall then be permanently retained and reserved for bicycle parking whilst the building is occupied.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport, pursuant T1 and DM1 of the Core Strategy for Manchester.

10) The Electric charging point in the location shown on plan ref: 19-0062/SK03 rev.B; QLG-001 rev.C (Proposed Quick Lane layout) and QLG 002 rev.C (Proposed Quick Lane elevations) shall be implemented prior to the first occupation of the development. This facility shall then be permanently retained whilst the building is occupied.

Reason - In the interest of the residential amenity of nearby residents , due to the air quality surrounding the development, and to secure a reduction in air pollution from

traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Core Strategy for Manchester.

11) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on Landscaping Plan ref: 3649 101(Landscape layout); 3649 201(Planting Plan), shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

12) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no part of the premises shall be used for any purposes other than a Tyre and Auto Centre in Class B2, and Class A1 Retail use.

Reason - The other uses in Class B2 are unlikely to complement the wider regeneration objectives of the area and the role of the District Centre in this part of Manchester, pursuant to policies EC2 and C2, of the Core Strategy for Manchester and the National Planning Policy Framework.

13) The development shall be carried out in accordance with the security measure detailed in emailed dated 28th April 2020. The development shall only be carried out in accordance with these approved details.

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.

14) No vehicle testing, vehicle repairs or servicing of vehicles shall take place outside the building.

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

15) No materials, parts, equipment, tools or waste shall be stored outside the building.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

16) Prior to the occupation of the building details of non- illuminated signage to be erected within the car park in order to clearly identify which spaces are for use of the Tyre and Auto Centre shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved design .

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for 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.

Date: 23 October 2020

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.