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

Millhouse Developments Ltd
C/o Agent

Agent (if used)

Mr Thomas Relph
Russell Construction Ltd
13 Westpoint Enterprise Park
Trafford Park
Manchester
M17 1QS

Part 1 – Particulars of the application/development

Proposal: Variation of condition number 2 (specified plans) and condition 10 (hours of opening) attached to planning approval reference 121021/FO/2018 to allow for amendments to the site access from Leestone Road and to extend the opening hours on Monday to Fridays from 0700-1900 to 0700-2000; and Saturdays from 0900-1700 to 0700-1800

Location: Land Off Leestone Road, Manchester, M22 4RN

Date of application: 6 March 2019

Application number: 122900/JO/2019

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

The application has been determined in a positive and proactive manner. Issues that have arisen during consideration of the application s have been discussed with the applicants agent.

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 planning permission reference 121021/FO/2018 that date being 5th December 2018.

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:
'Proposed roof plan AS615-06 Rev A' , Crime Impact Statement all received by the City Council as local planning authority on the 17th August 2018

Drainage strategy HC-18205-(30)-01 prepared by Healey Consulting;
Proposed Cycle Store details AS615-08 prepared by CUBE; Materials schedule AS615-CP01 prepared by CUBE all received by the City Council as local planning authority on 10th October 2018

Remediation and Geotechnical Enabling Works Strategy E3P Report: 12590-r2 received by the City Council as local planning authority on 16th October 2018

Construction Management Plan prepared by Russells Construction Rev O (October 2018) received by the City Council as local planning authority on 19th October 2018

'Proposed ground floor plan AS615-05 Rev D and Proposed elevations AS615-07 Rev E received by the City Council as local planning authority on the 23rd October 2018

Ground Gas Addendum Report prepared by EP3 dated 6th November 2018 as received by the City Council as local planning authority on 7th November 2018

027-L-201 dated 23.05.2019 Landscape Proposals - Planting Plan prepared by Hannah Low as received by the City Council as local planning authority on the 23rd May 2019

'Proposed site plan AS615-04 Rev J as received by the City Council as local planning authority on the 16th May 2019

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 construction of the development hereby approved shall be undertaken in accordance with the approved Construction Management Plan prepared by Russells Construction (October 2018).

Reason - In the interests of public amenity and highway safety pursuant to policy DM1 of the Core Strategy.

4) No works to any of the buildings on site should be undertaken in the main bird breeding season (March-July inclusive), unless nesting birds have found to be absent, by a suitably qualified person.

Reason - All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended)

5) When the development commences, it shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in

writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

6) The hereby approved development shall be carried out using the details of materials to be used on the external elevations of the development set out on the 'Materials samples' reference AS615-CP01 prepared by CUBE as received by the City Council as local planning authority on the 9th October 2018.

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.

7) The details of the cycle store contained within the approved drawings reference AS615-08 received by the City Council on 10th October 2018 shall be installed prior to the first occupation of the development hereby approved and shall be retained in situ which the development is in use.

Reason - To ensure that adequate cycle store provision is in place to serve the development pursuant to policy DM1 of the Core Strategy.

8) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on the approved drawings ref
027-L-201 dated 23.05.2019 Landscape Proposals - Planting Plan prepared by Hannah Low as received by the City Council as local planning authority on the 23rd May 2019 and AS615-04 Rev J 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.

9) The car parking as set out on the approved site plan AS615-04 Rev J shall be laid out and demarcated prior to the first use of the development hereby approved and be retained in use thereafter.

Reason - To ensure that adequate car parking is made available for the development pursuant to policy DM1 of the Core Strategy.

10) The premises shall not be open outside the following hours:-
Monday to Friday : 07:00 - 20:00hrs
Saturday: 07:00 - 18:00hrs
Sunday and Bank Holidays: 09:00 - 17:00hrs

Reason - In interests of 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.

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

Bats are mobile in their habits and can turn up in the most unlikely places. If bats are found or suspected at any time during the works, work should cease immediately and advice sought from a suitably qualified bat worker.

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

The proposed widened vehicular access and alterations to the highway would be required through a Section 278 agreement between the developer and MCC as the Highways Authority

Date: 24 May 2019

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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.

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.