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 of £85 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

Mr Shakeel Ahmed 172-174 Hollyhedge Road
Wythenshawe
Manchester
M22 9UE

Agent (if used)

Part 1 Particulars of the application/development

Proposal: Variation of condition no.4 attached to planing permission ref: 094624/FU/2010/S2 to allow extended opening hours of 11am until 10pm Sunday, 8am to 10pm Monday to Friday and 9am to 10pm Saturday

Location: Bonus Stores , 172-174 Hollyhedge Road, Wythenshawe, Manchester, M22 9UE

Date of application: 23 October 2012

Application number: 100602/JO/2012/S2

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).

Reason(s) for decision

Approve on the basis that the proposal is in accordance with the Manchester Core Strategy (July 2012), in particular policies SP1 and DM1and the extant policies in the Unitary Development Plan for the City of Manchester (1995), in particular the following policies DC10 and DC26, The Guide to Development in Manchester SPD, and the National Planning Policy Framework and there are no material considerations of sufficient weight to indicate otherwise. In coming to this conclusion the Head of Planning has taken into account the Information provided with the application.

Condition(s) attached to this decision

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

Monday to Friday 08:00 to 22:00
Saturday 09:00 to 22:00

Sunday 11:00 to 22:00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

2) There shall be no loading or un-loading, deliveries, servicing or collections, including waste collections, taking place outside the following hours:

Monday to Saturday 07:30 to 20:00

No deliveries or waste collections on Sundays

Reason - In the interest of amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

3) The bin storage area (as indicated on ASR1), and the waste management strategy (both approved as part of planning permission 094624/FU/2010/S2) shall remain in sit u for as long as the development remains in use.

Reason - To ensure satisfactory refuse arrangements pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

4) Notwithstanding drawing ASR 2 stamped as received by the City Council, as Local Planning Authority, on the 5 November 2010 as part of planning permission 094624/FU/2010/S2, within two months of the date of this planning permission a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented within two months of approval and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Manchester Core Strategy (2012).

5) Notwithstanding drawing ASR 2 stamped as received by the City Council, as Local Planning Authority, on the 5 November 2010 submitted as part of planning permission 094624/FU/2010/S2, within two months of the date of this planning permission details of the externally mounted ancillary equipment shall be submitted and approved in writing by the City Council, as Local Planning Authority, in order to ensure that the equipment is appropriately sited on the building and to secure a reduction in the level of noise emanating from the equipment. Within two months of these details being approved, the plant shall be implemented in accordance with these details and thereafter retained and maintained.

Reason - To safeguard the visual amenity of the area and to ensure there are no unacceptable levels of noise from the equipment, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

Informatives

This permission does not grant approval under Building Regulations.

Date: 23 November 2012

Signed: 

Julie Roscoe
Head of Planning
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, he may appeal to the First 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 Appeals area of the Planning Portal www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he 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 of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.