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

Mr Abiola Ojo
250 Chapman Street
Gorton
Manchester
M18 8WQ

Agent (if used)

Mr Ebrahim Karolia
Scheme Designs Ltd
1st Floor
332 Whalley Range
Blackburn
BB1 6NN

Part 1 Particulars of the application/development

Proposal: Change of use of ground floor of public house (A4) to community centre (D1)

Location: Railway Hotel , 250 Chapman Street, Gorton, Manchester, M18 8WQ

Date of application: 21 November 2012

Application number: 101008/FU/2012/N2

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 31 Declaration

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. Dialogue has been entered into with the applicants to regarding nature of the uses. This has established a clear understanding of the potential number of people visiting at the busiest times. It has subsequent been established through consultation with the Head of Highway Services that the generation of car parking can be partially addressed through on site provision and the remainder absorbed satisfactorily in the local highway network. It is therefore considered that the development can be appropriately related to th Core Strategy policies SP1, DM1, T1 and T2 and the guidance contained in the NPPF.

Reason(s) for decision

On the basis that the proposal is in accord with Manchester's Local Development Framework: Core Strategy Policy SP1, DM1, EC9, T1 and T2, including saved policies DC26.1, DC26.4 and DC26.5 and other material considerations of material weight including, the principles contained within Guide to Development in Manchester:

Supplementary Planning Document and Planning Guidance, the guidance contained within the National Planning Policy Framework and RSS policy DP 1 in that the development would positively contribute to the local environment by securing an active use for part of building and a sustainable development which would be beneficial to the broader community thereby promoting the continuing regeneration of the locality and social inclusion.

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 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 referenced: 0381/002 received 20 November 2013.

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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the ground floor of the building shall only be used as a community centre, including worship facility, as hereby approved shall not be used for any other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of D1 use.

Reason - For the avoidance of doubt and to safeguard the amenities of the area pursuant to policy SP1 and DM1 of Manchester's Local Development Framework: Core Strategy

4) The car parking as shown on the approved drawings shall be suitably demarcated prior to the commencement of the Class D1 use hereby authorised and shall only be used by visitors to the community centre and residential use above and shall not be leased or otherwise made available as commuter car parking.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

5) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of residential amenity pursuant to Policies SP1, DM1 and EN19 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

6) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy SP1 and DM1 of Manchester's Local Development Framework: Core Strategy.

7) Before any use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

8) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policy DM1 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

9) There shall be no operation or use of external loudspeakers, bells, tannoys, public address systems or any other form of amplified internal or external sound equipment in association with the authorised educational use.

Reason - In the interests of the amenity of the occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for Manchester and Saved Unitary Development Plan Policy DC26.

10) The ground floor premises shall not be open outside the following hours:-

Monday To Sunday: 9.00 am to 10.00pm

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.

Informatives

This permission does not grant approval under Building Regulations.

Date: 25 April 2013

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.