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 Adel Hamdi
Polar Bear Properties
Flat 1
Park Lane Court
31 Parsonage Road
Withington
Manchester
M20 4PS

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Change of use from hair salon (Class A1) to property letting/management agency (retrospective), and coffee shop (sui generis)

Location: 28 Burton Road, West Didsbury, Manchester, M20 3EB

Date of application: 2 April 2012

Application number: 098800/FU/2012/S1

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

on the basis that the proposal is in accord with the City Council's Unitary Development Plan H2.2, and policy SP1 and DM1 of the emerging Core Strategy of the Local Development Framework for the City of Manchester and the principles for sustainable development set down in the National Planning Policy Framework and there are no material considerations of sufficient weight to indicate otherwise.

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 premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Coffee shop - 7.00 a.m. - 5.00 p.m. Monday - Friday. 7.00 a.m. - 7.00 p.m. Saturday, and 9.00 a.m. - 5.00 Sunday and Bank Holidays.

Office Use - 9.00 a.m. - 5.00 p.m. Monday to Friday, 9.00 a.m. - 5.00 p.m. Saturday. Will not be open Sunday or Bank Holidays.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.
Policy SP1 and DM1 of the emerging Core Strategy of the Local Development Framework for the City of Manchester and the principles for sustainable development set down in the National Planning Policy Framework.

3) 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 ensure that there are satisfactory arrangements for the storage of refuse, pursuant to policies H2.2, of the Unitary Development Plan, policy DM1 of the Core Strategy of the Local Development Framework and the Guidance contained in the National Planning Policy Framework.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

07.30 a.m. to 8.00 p.m. Monday to Saturday, no deliveries/waste collections on Sunday or Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester. Policy DM1 of the Core Strategy of the Local Development Framework and the Guidance contained in the National Planning Policy Framework.

Informatives

This permission does not grant approval under Building Regulations.

Date: 25 May 2012

Signed: 

Julie Roscoe
Head of Planning

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.