MANCHESTER CITY COUNCIL

IMPORTANT

Planning Permission and 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 required to protect trees.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- 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 the Planning Service, Manchester City Council, PO Box 463, Manchester M60 3NY or email planning@manchester.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant	Name and Address of Agent
M Farooq Longsight Garage 80 Greville Street Manchester M13 0YG	Dr Najib Gedal Studio N G 4 Rutters Lane Hazel Grove Stockport Cheshire SK7 5AY

Part I – Particulars of Application

Date of Application	Application ref. no.
8 January 2010	092107/FO/2009/N2

Particulars and location of development:

Erection of garage and MOT station following demolition of existing facility (revised application)

Longsight Garage
80 Greville Street
Longsight
Manchester
M13 0YG

Part II – Particulars of Decision

The Manchester City Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 of the following decision

Decision Approved
Approve in light of the development plan, including policies DC26, E3.5, H2.2, LL1 and I3.1 of the Unitary Development Plan for the City of Manchester (adopted 1995) and Supplementary Planning Document `Guide to Development in Manchester¿ on the basis that the proposal would not have a significant detrimental effect on neighbouring occupiers, visual amenity or highway safety, while replacing an outdated facility, and there are no material planning considerations of sufficient weight to indicate otherwise.
Date of Decision 5 March 2010

for the carrying out of development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

Part III – Conditions and Reasons

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 drawings numbered MOT 01, MOT 02, MOT 03, MOT 04, MOT 05 rev A, MOT 06 rev A, MOT rev A proposed side elevations, and MOT rev A proposed rear elevation, as updated and amended by the email from najibgedalarchitects@hotmail.com 05/03/2010 15:52, the design and access statement and the Martec Environmental Noise Assessment report dated 27th May 2009, Ref. 5233.ManchesterMOT, each date stamped as received by the Local Planning Authority on 16 Dec 2009, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans.

3) The development shall not be occupied until details of the security measures to be incorporated into the development (or phase thereof), which shall be to secured by design specification, have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details, unless otherwise agreed by the City Council, as Local Planning Authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

4) No deliveries, servicing or collections, including waste collections, shall take place on the site on Sundays or Bank Holidays, and all deliveries, servicing or waste collections on other days shall be confined to the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

0730 to 2000 Monday to Saturday

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies H2.2 and DC26.4 and the Unitary Development Plan for the City of Manchester.

5) Before development commences 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 prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

6) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

7) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development 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 E3.5 of the Unitary Development Plan for the City of Manchester.

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 - In the interests of amenity and public health, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (adopted 1995).

9) All external doors and windows shall remain closed while any pneumatic tools or power tools are being used. No pneumatic tools or power tools shall be used outside the garage.

Reason
In order to protect the amenity of nearby residents pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (adopted 1995)

10) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority. The development shall incorporate in entirety those materials referred to in the Martec Environmental Noise Assessment report dated 27th May 2009, Ref. 5233.ManchesterMOT, prior to first occupation of the building hereby approved.

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 policy LL1, and in the interests of residential amenities, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) The premises shall be used for car repairs and MOT testing only and for no other purposes, including any other purpose in Class B2 (including car spraying or panel beating) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, without first obtaining approval in writing from the City Council as local planning authority.

Reason
In order for the City Council to assess the potential for residential disamenity from other general industrial uses that may wish to use the site due to proximity of nearby houses pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (adopted 1995).

12) Prior to commencement of development, specifications and installation details of the proposed roller shutters shall be submitted to and agreed in writing by the local planning authority. The housing for the shutter mechanism, and the shutter guides, shall be designed to sit within the plane of the external brickwork. The approved details shall be implemented as part of the development.

Reason

In the interests of visual amenity, pursuant to policies E3.5, LL1 and I3.1 of the Unitary Development Plan for the City of Manchester (adopted 1995).

13) No consent is hereby implied for the signage shown on the front elevation of the building.

Reason
The signage would require express advertisement consent from the local planning authority, for the avoidance of doubt.

14) All work involving the repair, maintenance and testing of vehicles shall only be carried out within the proposed building, and the premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

Mon-Fri 0800-1830; Sat 1000-1700; Sun/Bank holidays - closed

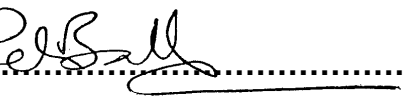
Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

15) Prior to the commencement of the development hereby approved, details of the storage and disposal of oils and lubricants shall be submitted to and be approved by the City Council as local planning authority. The storage facilities and process of disposal shall than be implemented prior to the occupation of the development hereby approved and remain insitu until the use of the site for the servicing, testing and repair of vehicles ceases.

Reason - In the interests of residential amenity, pursuant to Policy H2.2 in the Unitary Development Plan for the City of Manchester.

16) No more than 10 vehicles awaiting repair or MOT to be parked at the site at any one time.

Reason
In the interests of highway safety and In order to protect the residential amenities of the occupiers of adjoining and nearby dwellinghouses, pursuant to policies H2.2 and E3.5 of the Unitary Development Plan for the City of Manchester (adopted 1995).

Signed………

Peter Babb, Head of Planning

on behalf of the Council
Town Hall,
Manchester M60 3NY

NOTES

1. Leaflets attached:

2. 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**.**

3. 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.

4. 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.

5. 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

6. 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.