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 |
|---|---|
| Mr Sarfraz Chaudury<br><br>1122 - 1136 Stockport Road<br>Levenshulme<br>Manchester<br>M19 2TJ | Mr Nicholas Mills<br>Lambert Smith Hampton<br>79 Mosley Street<br>Manchester<br>M2 3LQ |

## Part I – Particulars of Application

| Date of Application | Application ref. no. |
|---|---|
| 2 November 2009 | 091598/FO/2009/N2 |

**Particulars and location of development:**

Erection of single storey extension to form MOT garage (Class B2) and reception with 4 associated car parking spaces to operate in addition to existing car wash facility

1122 - 1136 Stockport Road
Levenshulme
Manchester
M19 2TJ

## 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**
on the basis that the development is in accordance with Regional Spatial Strategy, and policies LL1, LL6, LL14, LL15, H2.2, E3.3, DC13.1 and DC26 in that the proposed building and use would not have a detrimental impact on the character of the area and would not adversely affect the residential and visual amenities of occupiers of neighbouring properties, and there are no material considerations of sufficient weight to indicate otherwise.
**Date of Decision 14 January 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 L07-030/PL01, L07-030/PL02, L07-030/PL03a, L07-030/PL04 and L07-030/PL05a and the Hepworth Acoustics noise report, stamped as received by the Local Planning Authority on 2nd November 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, pursuant to Policies LL1, LL6, LL14, LL15, H2.2, E3.3, DC13.1 and DC26 of the Unitary Development Plan for the City of Manchester.

3) 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.

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, pursuant to policies H2.2 and E3.3 of the Unitary Development Plan for the City of Manchester.

4) The premises shall not be open outside the following hours, and shall be closed on bank holidays, unless otherwise agreed in writing by the City Council as local planning authority:-

08.00 to 18.00 Monday to Friday
09.00 to 17.00 on Saturdays
10.30 to 16.00 on Sundays

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.

5) The permission hereby granted is for an extension to the existing buildings at the site which is to be used for an MOT vehicle testing station, and associated reception area, only and for no other purpose (including any other purpose within Use Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - Other uses within the same use class may have a detrimental effect on the neighbourhood and the restriction of the use proposed will enable the

Local Planning Authority to consider any further change of use on its merits, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester

6) No body work to any vehicles is permitted within the new extension and all MOT testing and any associated repairs must be done inside the extension with all doors (including roller shutter doors) closed at all times, except for access and egress.

Reason - To protect residential amenity, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

7) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies H2.2 and T2.4 of the Unitary Development Plan for the City of Manchester.

8) Before the building hereby approved is first occupied it shall be 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 property.

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

9) Before first occupation of the development 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 Unitary Development Plan for the City of Manchester.

10) 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, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

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

Monday to Saturday: 07.30 - 20.00

Sunday and Bank holidays: no deliveries

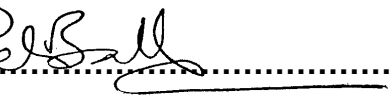
Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

12) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved 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. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

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".

13) The only openings to be created in the proposed extension are to be those indicated on the proposed front elevation on drawing number L07-030/PL03a, stamped as received by the City Council, as Local Planning Authority, on 2nd November 2009, and No windows/doors or other openings shall be created in the side or rear elevation of the extension at any time, unless otherwise agreed in writing with the City Council, as Local Planning Authority.

Reason
In the interests of the amenities of nearby residential occupiers, pursuant to policies H2.2 of the Unitary Development Plan for the City of Manchester.

**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.