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

Ms Ambreen Jabreem
635 Stockport Road
Longsight
Manchester
M12 4QA

Agent (if used)

Holborow and Ormesher
Station House
Adams Hill
Knutsford
Cheshire
WA16 6DN

Part 1 – Particulars of the application/development

Proposal: Change of use from shop to Hot Food Take away (Class A5) with external flue to rear and associated elevational alterations

Location: 635 Stockport Road, Longsight, Manchester, M12 4QA

Date of application: 12 June 2012

Application number: 099622/FO/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).

Reason(s) for decision

Approve on the basis that the proposal of an A5 Hot Food Take-Away, in a district shopping centre of mixed uses is acceptable and in accordance with policies LL14, LL15, DC10 & E3.3 of the Manchester City Councils Unitary Development Plan, and policies DM1, C10 and S04 of the Manchester Core Strategy Development Plan Document

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 drawing numbered 1212/12/02A stamped as received by the City Council, as Local Planning Authority, on 2 August 2012

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DC10, DC26 and E3.3 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document

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

Sunday to Thursday 10.30am to 11.30pm
Friday and Saturday 10.30am to midnight

Reason - In interests of residential amenity in order to reduce noise and general disturbance, pursuant to policies DC10 and DC26 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document.

4) Deliveries, servicing and collections, including waste collections, shall not take place on Stockport Road, shall be from the side/rear of the premises only and 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 policies DC10 and DC26 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document.

5) The waste management strategy submitted as part of the application and stamped as received by the City Council, as Local Planning Authority, on 24 February 2012 shall be implemented in full before the development is completed 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 DC10 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document.

6) 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 DC10 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document.

7) The roller shutters shall be open/raised from 9.00 a.m. until the business closes in the evening.

Reason - In order to ensure that the appearance of the building is in keeping with the character of the area, pursuant to policy DC10 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document.

8) Notwithstanding the submitted plan, the external extraction flue hereby approved shall be painted a colour to be agreed in writing by the City Council as Local Planning Authority. The agreed colour shall be painted, maintained and retained permanently as such thereafter.

Reason - In the interest of visual amenity, pursuant to policy DC10 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document.

9) A litter bin of a size and type to be approved in writing by the City Council as local planning authority shall be installed on the forecourt of the premises before the use commences and shall remain there for so long as the use is in existence.

Reason - To maintain the quality of the street environment in the locality of the development, pursuant to policy DC10 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document.

10) 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 DC10 of Manchester City Councils Unitary Development Plan and policies DM1, C10 and S04 of Manchesters Core Strategy Development Plan Document.

Informatives

This permission does not grant approval under Building Regulations.

Date: 3 August 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.