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 Eli Hysku Apartment 320
3 Stillwater Drive
Manchester
M11 4TE

Agent (if used)

Mr David Bitan
Debtal Architecture
72 Bury New Road
Salford
Manchester
M25 0JU

Part 1 Particulars of the application/development

Proposal: Change of use from car sales (sui generis) to car valet, including hand car wash (B2 use).

Location: Rushtons Car Centre , Gill Street, Manchester, M9 4HA

Date of application: 20 June 2012

Application number: 098607/FU/2012/N1

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 accordance with the policies in the Manchester Core Strategy (in particular policies EC1, C8, SP1, DC26 and DM1) and there are no material considerations of sufficient weight to indicate otherwise.

Condition(s) attached to this decision

1) This planning permission is granted for a limited period expiring on 30th September 2014 and all buildings, works, uses of land or other development hereby permitted shall be removed or discontinued and the land reinstated in accordance with a scheme previously approved within one month of the site being vacated or before the expiration of the period specified in this condition, whichever is sooner.

Reason - In the interest of residential and visual amenity within the vicinity of the site pursuant to policy DM1 and DC26 of the Manchester Core Strategy.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: DA 1207 existing site plan, DA1207 01 Rev A, location plan DA1207 02 stamped as received 12th June 2012, DA1207 03, proposed plan DA1207 04, existing elevations stamped as receieved 7th March 2012, DA1207 05 proposed elevations stamped as received 7th March

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DM1 of the Manchester Core Strategy.

3) The car valeting service hereby approved shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

9:00 am to 18:00 pm seven days a week

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies DM1 and DC26 of the Manchester Core Strategy.

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

Reason - In order to protect the amenity of local residents and in accordance with Policy DM1in accordance with the Manchester Core Strategy.

5) Prior to the development hereby approved commencing, a scheme for the control of water spray generated by the equipment, shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of water spray emanating from the site. Once agreed the measures shall remain in place for the period that the use hereby approved remains on the site.

Reason To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies DC26.1 and DM1 of the Manchester Core Strategy.

6) No additional external lighting to the building or around the application site shall be installed unless specific details of location, type, luminescence and direction are submitted to and approved in writing by the City Council as local planning authority. Any lighting so approved shall be installed in accordance with those details and shall be designed so as to control glare and overspill to nearby residential properties.

Reason - In the interests of residential amenity, pursuant to policy DM1 of the Manchester Core Strategy.

7) No amplified sound or any music shall be played or any form of public address system used in the external areas at any time.

Reason - In the interests of the amenity of the occupiers of nearby residential properties, pursuant to policy DM1 and DC26 of the Manchester 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 ensure that adequate provision is made for the safe and adequate storage and disposal of waste including segregated waste, and in the interest of residential amenity within the vicinity of the site, pursuant to policy DM1 of the Manchester Core Strategy.

9) The premises shall only be used for car valeting and for no other purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any Statutory instrument revoking and re-enacting that Order.

Reason - In the interests of the amenity of the occupiers of nearby buildings pursuant to policy DM1 of the Manchester Core Strategy.

10) Prior to the development hereby approved commencing, the car parking indicated on the approved plans shall be surfaced, demarcated and made available for use. The car parking 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 Policy DM1 of the Manchester Core Stragety.

11) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby approved commences. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with Policy DM1 of the Manchester Core Strategy.

12) No development shall commence until a soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 3 months from the date the buildings are first occupied. If within a period of 2 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agree in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy DM1 of the Manchester Core Strategy.

13) This permission does not relate or give consent to the signs/advertisements as shown on the plans.

Reason - For the avoidance of doubt and in the interests of visual amenity, pursuant to policy DM1 of the Manchester Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 21 September 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.

Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.
Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com