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 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 Imitaz Khan And Amir Kham
415 Wilbraham Road
Chorlton
Manchester
M21 0UT

Agent (if used)

Part 1 Particulars of the application/development

Proposal: Change of use of former social club (Class D2) to child care day nursery (Class D1), with associated car parking.

Location: Former British Legion Club, 14 Royle Green Road, Northenden, Manchester, M22 4NG

Date of application: 19 March 2013

Application number: 101594/FU/2013/S2

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).

Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application.

Reason(s) for decision

on the basis that the proposal is in accordance with the Core Strategy Development Plan for the City of Manchester, in particular the following policies and there are no material considerations of sufficient weight to indicate otherwise:

Policy DM1 states that the City Council will not normally allow development which will have an unacceptable impact on residential areas. It is not believed that the proposed development will have a detrimental impact in terms of noise, vibration, traffic generation, road safety and air pollution.

Policy EN3 states that the new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance,

including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. It is not believed that this proposal will have a detrimental impact upon the character of the Northenden Conservation Area.

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 the drawings and documents stamped as received on 1st March 2013 and 30th May 2013.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Notwithstanding the details shown on the drawings of the development hereby approved, planning permission is not granted for the boundary treatment shown on those drawings.

Reason - For the avoidance of doubt and in the interests of visual amenity and site security, pursuant to policy DM1 and SP1 in the Core Strategy Development Plan Document for the City of Manchester.

4) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on the external paved areas of the development have been submitted to and approved 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, as specified in policies SP1 and DM1 of the Core Strategy.

5) The premises shall not be open outside the following hours:-

0800hrs to 1800hrs Mondays to Fridays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) Outdoor play sessions within the nursery grounds shall not take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays.

Reason - To ensure an acceptable development and to protect residential amenity within the area, pursuant to policy DM1 of the Core Strategy.

7) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as

local planning authority. The scheme shall be implemented in full before the use commences.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

8) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.

The scheme should 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 noise emanating from the site.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

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

0800hrs to 1800hrs Mondays to Fridays,
no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

10) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

11) New developments should have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required and all new developments should comply with the detailed guidance available from the council.

Please see
http://www.manchester.gov.uk/downloads/file/5814/guidance_for_new_developments for more information.

Reason - In the interests of residential amenity and public health, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

12) Prior to the commencement of the development hereby approved details of a Crime Prevention Plan designed to minimise the risk of crime, in accordance with the principles of "Secured by Design" shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented before the

development becomes operational and thereafter permanently retained. The approved measure shall consist of:

1. The outdoor space to be enclosed by 2.1 metre high boundary treatment with lockable gates to prevent unauthorised access.
2. All new door sets to be accredited to a minimum security standard of PAS 24 or LPS 1175 SR2.
3. All replacement glazing at ground floor level and/or easily accessible from ground floor level to be certified to BS 7950.
4. Lighting to be provided within the site to an adequate and uniform level as defined within BS 5489 so as not to allow any areas of pooling and/or shadowing.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

Informatives

This permission does not grant approval under Building Regulations.

Any vegetation existing or proposed at the site should be kept to a maximum height of 1000mm and any foliage to trees should be at a height exceeding 2000mm so as not to create potential hiding places for would-be criminals to exploit or impede natural surveillance of and from the building or parked vehicles.

Valuable property should be individually marked with a unique identifier.

Portable items should be kept in a lockable storage area and it is imperative that no items of value are left on view when the building is unoccupied.

Date: 18 September 2013

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.