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

Nawaab Restaurant
1008 Stockport Road
Levenshulme
Manchester
M19 3WN

Agent (if used)

Mr Nadir Khan
DK Architects
Sovereign House
Stockport Road
Cheadle
Lancashire
SK8 2EA

Part 1 – Particulars of the application/development

Proposal: Change of use to hotfood takeaway (A5), with associated elevational alterations, including installation of fume extraction flue to rear elevation

Location: 955-957 Stockport Road, Levenshulme, Manchester, M19 3NP

Date of application: 23 December 2011

Application number: 098101/FO/2011/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

Condition(s) attached to this decision

0) On the basis that the proposal is in accord with the City Council's Unitary Development Plan in particular policies E3.3; E3.5; H2.2; S2.1; S2.5; DC10.1; DC10.2; DC10.3; DC10.4; DC24.1; DC24.2; DC24.3 and DC24.4 and other material considerations of weight including Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance policies 2.48; 2.57 and 4.11; PPS1 and PPG24 and in that the development would: positively contribute to the local economy by providing an active use for a prominent premises within the district centre and along a major radial route to and from the City Centre to the benefit of the social and economic sustainability of the locality and the broader community thereby promoting its continuing regeneration.

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 following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: Location plan edged in red NK.217.00A received 23 December 2011, Existing and Proposed Ground Floor Plan and Elevations NK.217.01A received via email 14 February 2012 and Design and Access Statement received 13 December 2011.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies E3.3, E3.5, H2.2, S2.1 and S2.5 of the Manchester Unitary Development Plan.

3) Before the commencement of the authorised development a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to security measures to be incorporated into the building and its external alterations, including the provision of any new roller shutters, with their specification and colour treatment, which shall be approved in writing prior to their installation. The approved scheme shall be implemented in full unless otherwise agreed in writing 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) The development hereby approved shall be undertaken in accordance with the submitted a scheme for the extraction of any fumes, vapours and odours from the premises comprising of Existing and Proposed Ground Floor Plan and Elevations NK.217.01A received via email 14 February 2012 and supporting technical details received 13 December 2011 unless otherwise agreed 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 and DC10.4 of the Unitary Development Plan for the City of Manchester.

5) Before the commencement of the development a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing the painting of the authorised flue, including details of colour and the future maintenance of its external alterations and a timescale for the implementation of the scheme. The scheme shall then be fully implemented in accordance with the approved details, unless otherwise agreed in writing.

Reason - In the interests of residential amenity pursuant to policy H2.2, S2.1, S2.5 and DC10.1 of the Unitary Development Plan for the City of Manchester.

6) Before first commencement of the use hereby authorised the ground floor of the premises, 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 - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy H2.2 and DC10.4 of the Unitary Development Plan for the City of Manchester.

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

Monday to Friday: 10.00 am to 11.00 pm
Saturday: 10.00 am to 12 midnight
Sunday and Bank Holidays: 10.00 am to 11.00 pm

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2, DC10.4 and DC26.1 and the Unitary Development Plan for the City of Manchester.

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

Monday to Saturday: 7.30 am to 8.00 pm;
Sundays / Bank Holidays: No deliveries or waste collections.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2, DC10.4 and DC26.1 and the Unitary Development Plan for the City of Manchester.

9) The development shall be undertaken using the materials and specifications of all materials to be used on all external elevations of the development as shown on the drawings hereby approved drawings referenced Existing and Proposed Ground Floor Plan and Elevations NK.217.01A received via email 14 February 2012. 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, as specified in policy E3.3, H2.2, S2.1 and S2.5 of the Unitary Development Plan for the City of Manchester.

10) The development is to be undertaken in accordance with the waste management strategy supplemented by drawings: NK.217.01A received on 14th February 2012 and WASTE MANAGEMENT PLAN: NK.217.02A received 22nd December 2012, unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the interests of residential amenity pursuant to policy H2.2 of the Unitary Development Plan and policies 2.57 and 4.11 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

Informatives

This permission does not grant approval under Building Regulations.

Date: 17 February 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.