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 Mudasser & Nadeem Khan
Khan Motors
Unit 5
Longden Road
Manchester
M12 5SJ

Agent (if used)

Mr Graham Jones
Graham Jones Associates Ltd
199 Monton Road
Monton
Manchester
M30 9PN

Part 1 – Particulars of the application/development

Proposal: Retrospective application for use of the premises as a vehicle repair, service and MOT garage (Use Class B2).

Location: Unit 5 , Longden Road, Gorton, Manchester, M12 5SJ

Date of application: 1 March 2012

Application number: 097205/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

On the basis that the proposal is in accord with the City Council's Unitary Development Plan in particular policies H2.2; DC14.3; DC26.1 and DC26.5; and other material considerations of weight including Manchester's Local Development Framework: The Emerging Manchester Core Strategy policy DM1; Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, National Planning Policy Framework Core planning principles, Policies 1, 7, 8 and RSS Policy DP 1 and in that the development would provide and active use for an otherwise vacant building, the impact of which is mitigated against by condition thereby contributing to social and economic sustainability of the locality and the broader community.

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 following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: Location Plan edged red referenced X01 Rev A; Proposed Ground Floor Plann P.01 received 1st March 2012.

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

3) Before the development hereby approved commences a scheme shall be submitted to and approve in writing by the City Council as local planning authority relating to the elevation alterations to the Longden Road elevation of the premises to accommodate the proposed entrances to the building, including the detailed design and specification of roller shutters (which shall be colour coded and perforated) and their means of affixing and the materials to be used in the formation of the central brick column as shown on drawings numbered P.01. The approved details shall be implemented in full unless otherwise agreed in writing.

Reason - In the interests of residential amenity and to ensure appropriate measures to secure the premises pursuant to policies E3.5, H2.2, DC26.1 and DC26.5 of the Unitary Development plan for the City of Manchester and Manchester's Local Development Framework: The Emerging Manchester Core Strategy Policy DM1.

4) The car parking as shown on the approved drawing numbered P.01 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 T2.6 of the Unitary Development Plan for the City of Manchester and Manchester's Local Development Framework: The Emerging Manchester Core Strategy Policy DM1.

5) Before the development hereby approved commences a scheme shall be submitted to and approve in writing by the City Council as local planning authority relating to the measures for the marshalling of vehicles throughout the hours of working to ensure that vehicles awaiting repair and collection are stored within the premises. The approved details shall be implemented in full and remain in place whilst the use is in operation unless otherwise agreed in writing.

Reason - In the interests of residential amenity pursuant to policies E3.5, H2.2, DC26.1 and DC26.5 of the Unitary Development plan for the City of Manchester and Manchester's Local Development Framework: The Emerging Manchester Core Strategy Policy DM1.

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 in order to comply with policy H2.2 of the Unitary Development Plan for the City of Manchester.

7) Before first occupation of the development the building, together with any externally mounted ancillary equipment and machinery associated with the use, 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 and building.

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

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the premises shall be only be used for works associated with motor vehicle repair, including servicing, MOT testing and tyre fitting but shall not be used in conjunction with body work painting and/or re-spraying or any other purpose within Class B2 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 - In the interests of residential amenity pursuant to policies E3.5, H2.2, DC26.1 and DC26.5 of the Unitary Development plan for the City of Manchester and Manchester's Local Development Framework: The Emerging Manchester Core Strategy Policy DM1.

9) No vehicles associated with the use hereby authorised shall be stored outside over night or delivered to the premises outside the authorised hours of working unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the interests of residential amenity pursuant to policies E3.5, H2.2, DC26.1 and DC26.5 of the Unitary Development plan for the City of Manchester and Manchester's Local Development Framework: The Emerging Manchester Core Strategy Policy DM1.

10) No development shall commence until a scheme for the storage and disposal of refuse(including segregated waste for recycling, oil, petrol, tyres and any other waste products) 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 - In the interests of residential amenity pursuant to policy H2.2 of the Unitary Development Plan, Manchester's Local Development Framework: The Emerging Manchester Core Strategy Policy DM1 and the principles contained within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

11) 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 Saturday 9.00 am to 6.00 pm (with no working/opening on Sundays and Bank Holidays).

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, the Emerging Manchester Core Strategy Policy DM1 and the principles contained within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

12) No loading, unloading, servicing, collections or deliveries shall be carried out on the site outside the hours of :

Monday to Saturday - 7.30 am to 6.00 pm;
Sunday and Bank Holidays - No deliveries / waste collections.

Reason - In order to protect the amenity of local residents and in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester, the Emerging Manchester Core Strategy Policy DM1 and the principles contained within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

Informatives

This permission does not grant approval under Building Regulations.

Date: 11 May 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.