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 £97 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 Riaz Ahmad
Kingston Estates
202 Deane Road
Bolton
BL3 5DP

Agent (if used)

Mr Frank Summerfield
Torplan Ltd
216 Heaton Moor Road
Heaton Moor
Stockport
SK4 4DU

Part 1 Particulars of the application/development

Proposal: Change of use of public house to Class D1 educational establishment

Location: 936 - 938 Stockport Road, Levenshulme, Manchester, M19 3NN

Date of application: 30 January 2013

Application number: 101442/FU/2013/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).

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. In this case, efforts have been made to secure an appropriate level of car parking in an arrangement that would allow appropriate and aces arrangements. Whilst there has been a reduction to the proposed number of spaces its arrangement has not been resolved requiring that this issue is resolved by condition. Further dialogue has strengthened to the applicant's commitment to a travel plan. It is considered that dialogue and the resulting conditions will secure compliance with Core Strategy policies SP1, DM1 and T1.

Reason(s) for decision

On the basis that the proposal is in accord with Manchester's Local Development Framework: Core Strategy Policy DM1, EC9, T1 and T2, including saved policies DC26.1, DC26.4 and DC26.5 and other material considerations of material weight including, the principles contained within Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the guidance contained

within the National Planning Policy Framework and RSS policy DP 1 in that the development would positively contribute to the local environment by securing an active use for part of building and a sustainable development which would be beneficial to the broader community thereby promoting the continuing regeneration of the locality and social inclusion.

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: Layout drawings: Site location plan received 22 January 2013; 01; 02; 03; 04;05; 06; 07 Rev A; 08 Rev A and 09 Rev. A received 22 January 2013 and 12 February 2013.

Reason - In the interests of residential amenity pursuant to policy DM1 of Manchester's Local Development Framework: Core Strategy.

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

Monday to Saturday 8.00 am to 10.00 pm,

Closed Sunday and Bank Holidays.

Reason - In the interests of residential amenity and in order to reduce noise and general disturbance pursuant to policy DM1and saved policies DC26.1, DC26.4 and DC26.5 of Manchester's Local Development Framework: Core Strategy.

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

Monday to Saturday 7.30 am and to 8.00 pm, with no deliveries and collections on Sundays and Bank Holidays;

Reason - In the interests of residential amenity and in order to reduce noise and general disturbance pursuant to policy DM1and saved policies DC26.1, DC26.4 and DC26.5 of Manchester's Local Development Framework: Core Strategy.

5) The planning permission hereby granted does not confer consent for the display of external signage and/or advertisements.

Reason - In the interests of residential amenity pursuant to policy DM1 of Manchester's Local Development Framework: Core Strategy.

6) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T1 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

7) 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 building shall only be used as an educational institution with associated administrative facilities as hereby approved shall not be used for any other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of D1 use.

Reason - For the avoidance of doubt and to safeguard the amenities of the area pursuant to policy SP1 and DM1 of Manchester's Local Development Framework: Core Strategy.

8) Before the commencement of the authorised use a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to measures to secure the building and its ancillary external areas, including access controls, security lighting and CCTV cameras.

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.

9) Notwithstanding the details of the approved drawings, before the commencement of the authorised use a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing the formation of a staff car park with a maximum of 3 spaces for staff only, indicative details showing manoeuvring areas and

vehicle tracking within the site to allow access and egress in forward gear and the provision of staff and student cycle car parking. The approved scheme shall be implemented in full prior to the commencement of the use.

Reason - In the interests of pedestrian and highway safety pursuant to policies SP1, DM1, T 1 and T 2 of the Core Strategy and the guidance contained within the NPPF.

10) The development hereby approved shall be undertaken in accordance with the waste management scheme received on 27 January 2013 and drawing referenced: 09 Rev A received 25 March 2013. The approved details shall be fully implemented as part of the development full prior to the first occupation of the building hereby authorised and shall remain in place whilst the use is undertaken unless otherwise approved in writing.

Reason - In the interests of residential amenity pursuant to Policies SP1, DM1 and EN19 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

11) There shall be no operation or use of external loudspeakers, bells, tannoys, public address systems or any other form of amplified internal or external sound equipment in association with the authorised educational use.

Reason

In the interests of the amenity of the occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for Manchester and Saved Unitary Development Plan Policy DC26.

12) No demolition works shall be undertaken until a demolition methodology statement (including mitigation measures) has been submitted to and approved in writing by the City Council as local planning authority. The demolition methodology statement strategy shall be implemented in full throughout the demolition period.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

Informatives

This permission does not grant approval under Building Regulations.

Date: 22 April 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 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.