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

WM Morrisons
Hilmore House
Gain Lane
Bradford
BD3 7AL

Agent (if used)

Mr Chris Creighton
Peacock and Smith
Suite 9C Josephs Well
Hanover Walk
Leeds
LS3 1AB

Part 1 – Particulars of the application/development

Proposal: Sub division of A1 retail unit to form MOT car servicing centre B2 including external elevational alterations

Location: 271 Palatine Road, Northenden, Manchester, M22 4ET

Date of application: 30 May 2012

Application number: 099475/FO/2012/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).

Reason(s) for decision

Approve on the basis that the proposal is in accordance with the City Council's Unitary Development Plan and emerging Core Strategy, in particular the following policies and there are no material considerations of sufficient weight to indicate otherwise. In coming to this conclusion the Head of Planning has taken into account the Information provided with the application.

Policy SP1 'Spatial Principles' One of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The proposal will add choice and additional services within the district centre.

Policy T2 'Accessible areas of opportunity and needs' states that all new development should provide appropriate car parking facilities. There is adequate parking available to support the development and being located within a district centre will also mean that good public transport links can be accessed by staff.

Policy EC10, Wythenshawe, states that development proposals and planning applications should have regard to ensuring that employment opportunities are made accessible to local communities. The proposal will provide for 5 full time jobs which will be a welcomed addition to the local employment market.

Policy C1 'Centre Hierarchy' states that district centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. The proposal will add to the vitality and viability of Northenden district centre.

Policy 'District Centres' states that development will support thriving district centres, with distinct local character, providing a good range of accessible key services. The proposal will contribute the character and mixture of uses available within the centre.

Policy C7 'Wythenshawe District Centre' states that in Northenden, additional food retail will be supported, although this will be limited in scale, within the boundaries of the existing centre. The proposal will facilitate the creation of a new food outlet within the centre.

EN19 'Waste' states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy. Refuse arrangements will be agreed by planning condition.

Policy DM1 'Development Management' the proposals elevational alterations are acceptable along with the manner in which the use operates in respect of noise output and car parking and servicing arrangements.

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:

Drawing 020412-03 stamped as received by the City Council, as Local Planning Authority, on the 28 May 2012.

Planning statement prepared by Peacock and Smith stamped as received by the City Council, as Local Planning Authority, on the 28 May 2012.

Drawing AL01 stamped as received by the City Council, as Local Planning Authority, on the 29 June 2012.

Acoustic statement prepared by Sharps Redmore Partnership stamped as received by the City Council, as Local Planning Authority, on the 19 July 2012.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (July 2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

3) No development that is hereby approved shall commence unless and until specifications, including colour, of all materials and the roller shutters to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. 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 DM1 of the Manchester Core Strategy (July 2012).

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

Monday to Saturday 08:30 to 17:30
Sundays 10:00 to 16:00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance policy DM1 of the Manchester Core Strategy (July 2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

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

Monday to Saturday: 07.30 - 20.00
Sunday and Bank holidays: no deliveries

There shall be no reversing warning sounds, radios or revving of engines within the parking area.

Prior to the first use of the building, a detailed servicing management strategy shall be submitted and agreed in writing by the City Council, as Local Planning Authority. This shall include detail of the type, size and times of servicing vehicles including use of a banksman. The agreed management strategy shall then be implemented and thereafter retained as long as the development remains in use.

Reason - In interests of residential amenity in order to reduce noise and general disturbance and to ensure management of car parking availability in accordance policy DM1 of the Manchester Core Strategy (July 2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

6) The permission hereby granted is for the change of use of the existing building to a centre for car servicing and MOT testing, with associated use of the parking servicing area, only and for no other purpose (including any other purpose within Use Class B2 of 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) and shall not be used for the retail sales of cars or spare parts or the dismantling of cars for scrap.

Reason - Other uses may have a detrimental effect on the neighbourhood and the restriction of the use proposed will enable the Local Planning Authority to consider any further change of use on its merits, pursuant to policy DM1 of the Manchester Core Strategy (July 2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

7) Unless otherwise agreed in writing with the City Council, as Local Planning Authority, all vehicle servicing, MOT testing and any associated repairs must be done inside the building.

Reason - To protect residential amenity, pursuant to policy DM1 of the Manchester Core Strategy (July 2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

8) The repair works of vehicles at this site shall be restricted to minor fault remedy and no other works such as body repair work, i.e. panel beating, or paint spraying shall be carried out on this site without the express grant of planning permission.

Furthermore, there shall be No remote telephone ringers or tannoys or other system of public address, loudspeaker, amplifier, relay or other audio equipment shall be operated in any building or otherwise on any part of the subject land.

Reason - To protect residential amenity, pursuant to policy DM1 of the Manchester Core Strategy (July 2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

9) There shall be no external placement of machinery / equipment such as generators, compressors or extraction units without the prior written consent of the City Council, as Local Planning Authority.

Reason - To protect residential amenity, pursuant to policy DM1 of the Manchester Core Strategy (July 2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

10) The car parking layout, as indicated on drawing AL01 stamped as received by the City Council, as Local Planning Authority, on the 29 June 2012 shall be surfaced, demarcated and made available for use prior to the first use of the building and use hereby approved. The car park shall then be available at all times whilst the site is occupied and the markings retained and maintained for as long as the use remains.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies T2 and DM1 of the Manchester Core Strategy (July 2012).

11) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council, as Local Planning Authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T2 and DM1 of the Manchester Core Strategy (July 2012).

12) Prior to the first use of the building, details of the location and elevations of a suitable refuse area (including submission of waste management strategy) shall be submitted and agreed in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and remain in situ for as long as the use remains.

Reason - To ensure that suitable refuse arrangements are put in place at the application site pursuant to policy EN19 and DM1 of the Manchester Core Strategy (July 2012).

Informatives

This permission does not grant approval under Building Regulations.

Date: 28 August 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.