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 G Foster
812 Wilmslow Road
West Didsbury
Manchester
M20 6UH

Agent (if used)

Mr A Lodge
306 Milnrow Road
Rochdale
OL16 5BQ

Part 1 Particulars of the application/development

Proposal: Installation of extraction flue, with associated GRP shrouding, and additional air conditioning unit to rear elevation

Location: 812 Wilmslow Road, West Didsbury, Manchester, M20 6UH

Date of application: 14 June 2012

Application number: 099647/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).

Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application. Pre-application discussions were held with the agents and no significant problems have arisen.

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

a) its impact upon the surrounding area in terms of design, scale and appearance.

b) it's impact upon amenity, including noise.

c) it's impact upon community safety and crime prevention.

Condition(s) attached to this decision

1) The development must be begun not later than the expiration of three months 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 GRP shroud to be used to encase the flue hereby approved, shall be erected within 3 months of the flue being installed and shall remain so in perpetuity.

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.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

a) Site plan stamped as received on 14th June 2012
b) Drawing no. 1101.001A, stamped as received on 14th June 2012
c) Email from applicant regarding GRP shroud, dated 6th December 2012

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.

4) No development that is hereby approved shall commence unless and until samples and specifications of the GRP shroud to be used to encase the flue hereby approved 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) 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. The submitted scheme shall include details of the following:

- filtration methods and specifications (pre-filters, electrostatic precipitators, carbon filters, odour counteractant or neutralising system - where proposed/existing, system operation extract rate (m3/s), access points to permit adequate cleaning of ductwork, rain resistant terminal specification, velocity of final discharge and a schedule of maintenance).

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, as specified in policies SP1 and DM1 of the Core Strategy.

6) 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 premises.

Externally mounted ancillary plant, equipment and servicing shall be 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.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, as specified in policies SP1 and DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. It describes a method of risk assessment for odour, guidance on minimum requirements for odour control, and advice on equipment selection. It is recommended that any scheme should make reference to this document.

Date: 9 July 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.