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

Rapleys LLP
1st Floor
Pall Mall Court
61-67 King Street
Manchester
M2 4PD

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Demolition of existing petrol filling station (PFS) and redevelopment to provide a new petrol filling station facility comprising of canopy/forecourt, ancillary sales building with ATM, underground storage tanks, associated parking and other ancillary works.

Location: 418A Wilbraham Road, Chorlton, Manchester, M21 0SA

Date of application: 10 December 2013

Application number: 104424/FO/2013/S1

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

The application was determined in a positive and proactive manner. No significant problems have arisen during the consideration of this application.

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) No development that is hereby approved shall commence unless and until samples and specifications of all materials 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.

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:

Drawing numbered 859/11/6_SLP01 stamped as received by the City Council as Local Planning Authority on 9th December 2013 and revised drawings numbered 131163-PLG3 D and 131163-PLG4 D received by e-mail dated 31st January 2014.

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 shall take place, including any works of demolition, until a Construction Management Plan with detailed method statements of construction, including details of an position of any proposed cranes to be used on site, a detailed programme of the works and risk assessments, has been submitted to, and approved in writing by the City Council as Local Planning Authority. The approved Construction Management Plan shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and ahll be adhered to throughout the construction period. The Construction Management Plan shall provide for: the parking of vehicles of site operatives and visitors, loading and unloading plant and materials, storage of plant and materials during construction, construction and demolition methods used, the erection and maintenance of security hoarding.

Reason - In the interests of highway safety, residential amenity and to meet the safety requirements of working in close proximity to the Metrolink system, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

5) The development must be drained on a separate system with only foul drainage connected to the foul sewer. Surface water should discharge to the nearby watercourse. No surface water from the development shall be discharged either directly or indirectly to the combined sewer network.

Reason - In order to meet the requirements of the National Planning Policy Framework.

6) The details of an emergency telephone contact number for the site contractor shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with polices DM1 and SP1 of the Manchester Core Strategy.

7) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in

accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

8) The development hereby approved shall not allow the use of a jet wash or any other power wash system at any time.

Reason - To safeguard the amenity of nearby residential occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

9) Before first occupation of the development, full details shall be provided of any external plant equipment or external ancillary equipment to be used. The building, together with any externally mounted plant/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. The approved measures shall remain in effect at all times.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

10) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of any boundary treatment or gates to be erected. The boundary treatment or gates shall be completed before prior to first occupation of the building hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with policies SP1 and DM1 of the Core Strategy.

11) No development shall take place until full specification details have been submitted to and approved in writing by the local planning authority of the acoustic fence to be installed, as shown on drawing 131163-PLG3 S received by e-mail dated 31st January 2014. The acoustic fence shall be completed before prior to first occupation of the building hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance and specification of the acoustic fence is acceptable to the City Council as local planning authority and in the interests of the visual and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) No development shall commence until a soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the

opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

13) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse 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 and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

14) No development shall commence until a full servicing strategy (including details of hours) has been submitted to and approved in writing by the City Council. Details shall include details of any deliveries, servicing and collections, including fuel deliveries, waste collections and servicing of the ATM. The approved details shall remain in operation in perpetuity.

Reason - To safeguard residential amenity and highway safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

15) The proposed car parking spaces shall be demarcated and be made available for use prior to first operation of the development hereby approved.

Reason - To ensure adequate provision of off-road car parking, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

16) Notwithstanding details submitted, no development shall commence until an updated site investigation and risk assessment
is submitted and approved in writing by the City Council as Local Planning Authority.

The preliminary risk assessment shall fully identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the preliminary risk assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

17) The wheels of contractor's vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

A S.278 agreement will be required for the design and construction of the proposed access and egress points and the possible relocation of services and other licensed networks situated in the Wilbraham Road footway. The S.278 should also cover the reinstatement of the Buckingham Road footway across the disused vehicle access/exit points..

Date: 13 March 2014

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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.