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 Gerard Sutcliffe
Chapter 1
2 Exton Street
London
SE1 8UE

Agent (if used)

Mr Lee Cohen
JBH Property Consulting Ltd.
Silverwell Chambers
15 Silverwell Street
Bolton
BL1 1PP

Part 1 – Particulars of the application/development

Proposal: Erection of detached building to form training facility in association with existing use of premises

Location: 76 Daisy Bank Road, Ardwick, Manchester, M14 5GL

Date of application: 29 May 2014

Application number: 105764/FO/2014/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.

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: Application forms; 1630-A-100 Rev B Proposed Site Plan & Location Plan; 1630-A-101 Rev B Proposed Plan; 1630-A-102 Rev A Proposed Elevations; 1630-A-103 Existing Site Plan and JH 1630 Design & Access Statement stamped as received on 21 May 2014 by the City Council as local planning authority.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy SP1, EN3 and DM1 of Core Strategy for the City of Manchester, saved policy DC18 of the Saved Unitary Development Plan and the guidance contained within the National Planning Policy Framework.

3) 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. The development shall be constructed only using the approved materials.

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 SP1, EN3 and DM1 of Core Strategy for the City of Manchester, saved policy DC18 of the Unitary Development Plan and the guidance contained within the National Planning Policy Framework.

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

Monday to Sunday (including Bank Holidays): 9.00 am to 10.00 pm;

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies policy SP1 and DM1 of Core Strategy for the City of Manchester, saved policy DC26 of the Saved Unitary Development Plan and the guidance contained within the National Planning Policy Framework.

5) 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) no part of the residential element of the development hereby approved shall 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 counselling, mentoring and educational training, excluding training for manual trades.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies policy SP1 and DM1 of Core Strategy for the City of Manchester and the guidance contained within the National Planning Policy Framework.

6) Before first occupation of the development the building, together with 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 equipment.

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

7) Before the commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Construction Traffic Management Plan and shall include:

a. The routing of construction traffic;
b. The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
c. Identify measures to control dust and mud on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned; and the sheeting of vehicles entering and leaving the site during the construction period;
d. Specify the working hours for the site;
e. The management of on site construction vehicles and plant machinery in order to reduce emissions;
f. Identify advisory routes to and from the site for staff and HGVs.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policy DM1 of the Core Strategy for Manchester, Saved UDP policy DC26 and the guidance contained within the National Planning Policy Framework.

8) The planning permission hereby granted does not confer consent for the removal of any trees lying outside the application site identified with a red edge on drawing referenced 1630-A-100 Rev B stamped as received on 21 May 2014 by the City Council as local planning authority.

Reason- To safeguard the amenities of the occupiers of nearby residential accommodation and the character of the Victoria Park Conservation Area, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

9) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

10) Prior to commencement of development details of the sewers position which will also include provision of necessary easements to allow future maintenance shall be submitted to and approved in writing by the Council as the Local Planning Authority. The development shall be implemented in accordance with the agreed details and shall be so maintained.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system policies EN8 and EN14 of the Core Strategy for the City of Manchester

Informatives

This permission does not grant approval under Building Regulations.

Date: 15 August 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.