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 Guzanfar Ali
Treadstop Ltd
20 Cromwell Avenue
Gatley
Stockport
SK8 4BS

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Use of premises for MOT testing without motor vehicles repairs and the retention of existing for tyre fitting business.

Location: 3 Willesden Avenue, Longsight, Manchester, M13 0ZN

Date of application: 16 October 2013

Application number: 103948/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 to ensure that the proposed development responds to previously expressed concerns regarding the potential impact on residential amenity as related in discussions with the applicant. This current application was subsequently submitted with reference to a limited and specific Class B2 use with support information, which is intended to address the expressed concerns of the LPA regarding the operation of the site and its potential impact of the development on residential amenity.

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: Site location plan with red edge; Layout Plan 1;

Layout Plan 2; Letter from applicant dated 14 October 2013 all received 15 October 2013.

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 for the City of Manchester.

3) The premises shall not be used for any purpose except, the fitting of tyres to motor cycles, cars and light goods vehicles, for the purpose of carrying out MOT testing, parking and other ancillary uses which are necessary for the purpose of tyre fitting and MOT testing.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

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

Monday to Saturday: 9.00 am to 5.00 pm;
Sunday and Bank Holidays: CLOSED.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) No servicing (including the collection of waste and recyclable materials), deliveries, loading or unloading shall be carried out on Sundays or Bank Holidays and no such activity shall take place outside the following hours:

Monday to Saturday: 7.30 am to 6.30 pm, with no deliveries or waste collections on Sundays or Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester.-

6) Within 28 days of the planning permission hereby granted, a scheme for the storage and segregation of waste for recycling and for the disposal of refuse shall be submitted to the City Council as local planning authority for approval in writing. The approved scheme shall be implemented in full within 28 days of written approval and shall continue to be implemented at all times when the development hereby approved is in use.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policies DM1 and EN19 of the Core Strategy for the City of Manchester and the guidance contained within the National Planning Policy Framework

7) Within 28 days of the planning permission hereby granted, a scheme for the provision of noise insulation of the buildings and of any mechanical, electrical or hydraulic equipment to be used on the site shall be submitted to the City Council as local planning authority for approval in writing. The approved scheme shall be implemented in full within 3 months of written approval and shall continue to be implemented at all times when the development hereby approved is in use.

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

8) Within 28 days of the planning permission hereby granted, a scheme for the removal of the water tank mounted to the roof of a container situated in the south west corner of the site and for the provision of an alternative water tank, including details of the appearance design and siting of the replacement water tank shall be submitted to the City Council as local planning authority for approval in writing. The approved scheme shall be implemented in full within 3 months of written approval and shall continue to be implemented at all times when the development hereby approved is in use.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policies DM1 and EN19 of the Core Strategy for the City of Manchester and the guidance contained within the National Planning Policy Framework.

9) Within 28 days of the planning permission hereby approved, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the management of external parking areas, including: the demarcation of parking spaces; the stewardship customer vehicle parking whilst awaiting the undertaking of MOT testing, tyre fitting and collection and the provision of parking for staff vehicles and other vehicles associated with the business within the curtilage of the site. The approved scheme shall be implemented in full within 3 months of written approval and shall continue to be implemented at all times when the development hereby approved is in use.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1, DM1 and T1 of the Core Strategy for the City of Manchester.

10) No razor wire shall be located on the boundary treatments of the site.

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

Informatives

This permission does not grant approval under Building Regulations.

Date: 24 December 2013

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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.