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 Jon Benson
Mosscare Housing Ltd
101 Great Western Street
Manchester
M14 4AA

Agent (if used)

Mr Nicholas Mathews
Appleyard & Trew LLP
Oriel Court
Ashfield Road
Sale
Cheshire
M33 7DF

Part 1 – Particulars of the application/development

Proposal: Variation of Condition 1 of planning permission 103453/FO/2013/N2 to allow the temporary use of land for a period expiring 31 July 2014 in connection with a contractors compound with retained gates and fencing and associated access from Stopford Street.

Location: Silverlace Avenue, Openshaw, Manchester, M11 1GN

Date of application: 23 December 2013

Application number: 104558/JO/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 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 permission hereby granted is for a limited period only, expiring on 31 July 2014 and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within 2 months in accordance with a scheme previously approved, which shall include tree planting, and timetable of implementation to be submitted to and approved in writing by the City Council local planning authority before this permission expires.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
Site location plan received 15th January 2014 and site compound latout, site traffic management plan and storage/staff welfare/office container drawings received 12 September 2013 (submitted in relation to planning permission 103453/FO/2013/N2).

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.

3) 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 policies SP1 and DM1 of the Core Strategy.

4) The premises shall not be open or servicing of the site undertaken outside the following hours:

Monday to Friday: 7.00 am to 5.00 pm;
Saturday: 8.00 am to 4.30 pm;
CLOSED on Sundays and Bank Holidays.

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.

5) Externally mounted plant, equipment and servicing shall be acoustically treated to achieve a noise level of 5dB below the existing background (La90) in each octave band at the nearest sensitive location.

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

6) The development hereby approved shall be undertaken in accordance with the waste management arrangements as specified on the Site Traffic Management plan drawing received 12 September 2013 and detailed in the applicant's email dated 9 October 2013 (submitted in relation to planning permission 103453/FO/2013/N2).

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 City of Manchester Core Strategy and the guidance contained within the National Planning Policy Framework

7) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily from the first commencement of works on the site.

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

8) The development hereby approved shall be undertaken in accordance with the vehicular arrangements as specified on the Site Traffic Management plan drawing and schedule received 12 September 2013 and detailed in the applicant's email dated 9 October 2013 (submitted in relation to planning permission 103453/FO/2013/N2).

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policies SP1, DM1 and T1 of the City of Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

9) The development shall incorporate and be implemented in accordance with the security arrangements detailed in the applicant's email dated 9 October 2013 (submitted in relation to planning permission 103453/FO/2013/N2).

Reason - In order to ensure the security of the site and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

Date: 10 February 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.