

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Motor Fuel Group Ltd
10 Bricket Road
St Albans
AL1 3JX

Agent (if used)

Mr Graham Adcock
Adcock Associates
Elta House
Birmingham Road
Stratford Upon Avon
CV37 0AQ

Part 1 – Particulars of the application/development

Proposal: Variation of Condition 7 (Hours of Opening) attached to planning permission 090253/FO/2009/N2 to allow 06.00 hrs to 23.00 hrs daily on Saturdays and Sundays

Location: Morrisons, 1216 Ashton Old Road, Manchester, M11 1ND

Date of application: 7 June 2024

Application number: 140218/JO/2024

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 35 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. In this case, the application was supported with sufficient information to facilitate the assessment of the planning application. The applicants, through their appointed representative, were also advised of requirements to address outstanding conditions relating to the original planning permission ref: 090253/2009/N2.

Condition(s) attached to this decision

1) Within two months of the date of the planning permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, detailing samples and specifications of all materials used on all external elevations of the development. The development shall be maintained in accordance with 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 policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy E3.3 of the Unitary Development Plan.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents agreed in writing by the City Council as Local Planning Authority on the specified dates:

Application forms for the removal or variation of a condition received 7 June 2024, Location plan with a red edge Ref: 24960-10 / PA01 received 7 June 2024, The application form (relating to planning permission ref: 090253/FO/2009/N2, the Design and Access Statement, the Site Waste Management Plan and the plans numbered PL100 Rev C, PL101 Rev A, PL103 Rev A, PL104 Rev A, PL105 and D1/P3, stamped as received by the Local Planning Authority on the 2nd June, 3rd June and the 24th June 2009, and the amended drawings numbered PL102 Rev L and PL106 Rev A, stamped as received by the Local Planning Authority on the 28th August 2009.

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 and saved policy E3.3 of the Unitary Development Plan.

3) The development shall be implemented in accordance with the following documents:

- i. Letter report from J Wilson for Sirius, Former PFS, Land off Stanley Street, Reference: C2776A/JW/3687, Dated: 2nd February 2010.
- ii. Letter from J M Hirst for Sphinx Commercial Limited, Demolition of Former PFS, Ashton Old Road, Reference: 9/157/09, Dated: 8th January 2010.
- iii. Addenda to Specification for Remedial Works for Land off Stanley Street, Sirius, Report Reference: C2776A, Dated: September 2009.

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 within two months of the date of the planning permission hereby granted.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, was found to be present on the site at any time before the development is occupied, then a report outlining what measures, if any, were required to remediate the land (the Revised Remediation Strategy) shall be submitted to and approved in writing by the City Council as local planning authority. The approved any remediation strategy or amendments to it.

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 for the City of Manchester.

4) Within two months of the date of the planning permission hereby granted details of the measures incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation has been achieved, including written confirmation of its attainment, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be maintained in accordance with the approved details.

Reason - To reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

5) The proposed boundary treatment around the development hereby approved shall be completed in accordance with the drawings numbered PL102 Rev L and PL106 Rev A in relation to the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the operation is brought into use. 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, EN1 and DM1 of the Core Strategy for Manchester and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

6) The petrol station kiosk and pumps shall not be open outside the following hours:

Monday to Sunday (including Bank Holidays): Friday 06.00 hrs to 23.00 hrs.

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

7) The proposed car washing/vacuuming/air pressure facilities shall not be used outside the following hours:

Monday to Saturday 08:00 hrs to 20:00 hrs
Sundays 10:00 hrs to 18:00 hrs

The use of a tannoy system on this site shall only be used in the event of an emergency and the provision of any such services shall be sited away from residential properties, in accordance with a scheme to be submitted to and approved in writing by the City Council as Local Planning Authority.

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

8) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 hrs to 20:00 hrs
No deliveries/waste collections on Sundays/Bank Holidays.

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

9) Within two months of the date of the planning permission hereby granted, written confirmation of the full implementation of the surfacing and demarcation of the petrol station forecourt and surrounding hardstanding areas in accordance with the approved

plans, shall be submitted to and approved in writing by the City Council as local planning authority. These areas shall remain available and maintained in accordance with the approved details at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied and to comply with policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

10) Within two months of the date of the planning permission hereby granted, written confirmation that the redundant vehicular crossing onto Ashton Old Road has been closed and the lowered kerb and footway must be reinstated to full height, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - In the interests of highway safety, pursuant to policies SP1, DM1 and T1 of the Core Strategy for the City of Manchester and saved policy DC23 and H2.2 of the Unitary Development Plan.

11) Within two months of the date of the planning permission hereby granted, details of installed external lighting or CCTV cameras shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be maintained in situ.

If lighting is installed and if when illuminated, it causes undue glare or light spillage to the detriment of adjoining and nearby residential properties, baffles and/or cut-offs shall be installed on the units and adjustments made to the angle of the lighting units and the direction of illumination, and shall thereafter be retained in accordance with details which have received the prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights and CCTV cameras on the occupiers of nearby residential accommodation, pursuant to with policies SP1 and DM1 of the Core Strategy for the City of Manchester.

12) Within two months of the date of the planning permission hereby granted, 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 to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

13) Within two months of the date of the planning permission hereby granted, an acoustic report shall be submitted to and approved in writing by the City Council and local planning authority, detailing measures to secure acoustic attenuation of installed external plant and equipment. The report shall demonstrate a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location shall be achieved. The approved acoustic scheme shall be fully implemented in accordance with a timescale agreed by the City Council as local planning authority and maintained in operation thereafter.

Reason - In interests of residential amenity and in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Core Strategy for the City

of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 29 July 2024

Signed: 

Julie Roscoe
Director 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, they may appeal to the 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 gov.uk website – www.gov.uk/appeal-planning-decision . The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they 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 their 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 Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.