

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

Mr David Farrington
R.A. Fisk & Associates Ltd
20 Chorley Road
Salford
M27 5AJ

Agent (if used)

Mr David Farrington
R. A. Fisk & Associates
20 Chorley Road
Salford
M27 5AJ

Part 1 – Particulars of the application/development

Proposal: Variation of Condition Number 5 (opening hours) attached to planning permission referenced 125973/FU/2020 to allow opening 7am to 8.30pm Monday to Saturday

Location: Droylsden Road Dental Practice, 117-119 Droylsden Road, Manchester, M40 1NT

Date of application: 22 January 2024

Application number: 139056/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. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) attached to this decision

- 1) The development must be begun not later than 27 May 2023.

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:

3419/02 and 3419/06, stamped as received on the 20 January 2020;

3419/03 Rev B, stamped as received on the 12 May 2020;

Location Plan and the Design and Access Statement, stamped as received on the 20 January 2020;

The Acoustic Report by AB Acoustics, stamped as received on the 3 April 2020;

The Statement on Waste Management Strategy and the Waste Management Proforma, stamped as received on the 12 February 2020;

Transport Statement and Transport Plan by Vectos Transport Planning Specialist, stamped as received on the 24 February 2020;

The emails from David Farrington Associates dated 20 April 2020 and the 20 March 2020.

3419/07 Acoustic Fence Detail, stamped as received on the 12 May 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) (a) The development hereby approved shall be carried out in accordance with the noise survey and acoustic design advice prepared by AB Acoustics, stamped as received by the City Council, as Local Planning Authority, on 3 April 2020.

(b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason: To secure a reduction in noise disturbance for residents pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

4) Prior to the first use of the development hereby approved details of any externally mounted ancillary equipment shall be submitted for approval 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 details shall be implemented and be in place prior to the first use of the development.

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

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

Monday to Saturday 7.00am to 8.30pm;
Closed 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 adopted Unitary Development Plan for the City of Manchester and policy DM1 of Manchester Core Strategy.

6) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/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 and policy DM1 of Manchester Core Strategy.

7) The development hereby approved shall be carried out in accordance with the Statement on Waste Management Strategy received by the City Council on 12 February 2020. The agreed arrangement, including the associated bin storage structures, shall be implemented in full prior to the first use of the development and maintained in situ thereafter.

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 Manchester Core Strategy.

8) Prior to the first use of the development hereby approved a travel plan framework shall be submitted for approval in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy and the Guide to Development in Manchester SPD (2007).

9) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of a secure, covered space and facilities for bicycle parking for both staff and visitors shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented prior to the first use of the development and there after retained and permanently for bicycle parking for as long as the development remains in use.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development hereby approved shall be used for any purpose other than the for the following purpose(s) of contained within Schedule 2, Part A, Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification):

E(e) Medical services not attached to the residence of the practitioner;

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

11) Notwithstanding drawing 3419/03 Rev B, stamped as received by the City Council, as Local Planning Authority, on the 12 May 2020, prior to the first use of the development hereby approved, details of a hard and soft landscaping treatment scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented prior to the first use of the development. 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 Manchester Core Strategy.

12) Notwithstanding the details contained on drawing referenced 3419/03 Rev B, received by the City Council, as Local Planning Authority on 12 May 2020, details of the siting, scale and appearance of the vehicular access gates shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of visual amenity and security of the car parking area pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

13) Prior to the first use of the development hereby approved, the boundary treatment to the boundary with 121 Droyslden Road shall be implemented in accordance with drawings 3419/03 Rev B and 3419/07 Acoustic Fence Detail, received by the City Council, as Local Planning Authority on 12 May 2020.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

14) Prior to the first occupation of the development, details and specification for fitting an agreed number of the car parking spaces with a 7kw electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy.

15) Prior to the first use of the development hereby approved, the car parking spaces, as indicated on drawing 3419/03 Rev B, received by the City Council, as Local Planning Authority on 12 May 2020 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy.

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: 4 March 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.