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 Philip Isherwood
Aldi Stores Limited
C/O Agent

Agent (if used)

Mr Keith Jones
HOW Planning
40 Peter Street
Manchester
M2 5GP

Part 1 – Particulars of the application/development

Proposal: Erection of a single storey front extension to the existing foodstore providing a total gross internal area of 1,522 sq m together with amendments to car parking layout to provide a total of 64 car parking spaces

Location: Aldi , 580 Altrincham Road, Baguley, Manchester, M23 9SR

Date of application: 8 September 2015

Application number: 110012/FO/2015/S2

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

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The application raised objections on public consultation which have been taken into consideration in the assessment of this application. The application meets the above policy framework and appropriate conditions have been appended to the Local Planning Authority's decision.

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:

The application form; Location Plan (Ref: 0938MID-100 Rev B); Site Plan as Existing (Ref: 0938MID-101Rev B); Site Plan as Proposed (Ref: 0938MID-102 Rev C); Existing GA Plan (Ref: 0938MID-103 Rev B); Proposed GA Plan (Ref: 0938MID-104 Rev C); Existing Elevations (Ref: 0938MID-105) and Proposed Elevations (Ref: 0938MID-106 Rev D) stamped as received by the City Council as Local planning Authority on the 8 September 2015;

Planning Statement prepared by How Planning dated August 2015 stamped as received by the City Council as Local planning Authority on the 8 September 2015.

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3) The premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Saturday 08:00 to 22:00
Sunday 10:00 to 17:00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policy DM1 of the Manchester Core Strategy (2012) and policy DC26 and the Unitary Development Plan for the City of Manchester (1995).

4) 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 policy DM1 of the Manchester Core Strategy (2012).

5) The servicing of the development hereby approved shall be carried out in accordance with the servicing strategy outlined in Transport Assessment prepared by Axis (JW/1105-01r.001) stamped as received by the City Council, as Local Planning Authority, on the 30 November 2010 and the waste management strategy statement as received by the City Council, as Local Planning Authority, on the 8 February 2011. For the avoidance of doubt this shall mean:

1. No more than two deliveries by Heavy Goods Vehicles (HGV) per day between the hours of 07:00 to 09:00 Monday to Saturday and 08:00 to 09:00 Sundays and no more than two deliveries by HGV per day between the hours of 09:01 to 20:00 Monday to Saturday and 09:01 to 18:00 on Sundays. No more than one HGV delivery present at the site at any one time;

2. No more than 4 refuse collections per week;

3. No reversing warning sounds, radios or revving of engines within the service yard;

4. All other servicing, other than by HGV and refuse collection, must be carried out within the curtilage of the store car park.

No loading or unloading, within both the service yard and at the front entrance of the store, shall be carried out on the site outside the hours:

Monday to Saturday 07:00 to 20:00

Sunday 08:00 to 18:00

Reason - In order to protect the amenity of local residents and in accordance with Policy DM1 of the Manchester Core Strategy (2012) and DC26 of the Unitary Development plan for the City of Manchester (1995) and the National Planning Policy Framework.

6) Any additional or relocated externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating noise level of 5dB (LAeq) below the existing background (LA90) at the nearest noise sensitive location.

The scheme should be 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 site.

Reason - To secure a reduction in noise in the interests of residential amenity in accordance with saved UDP policy DC26 and policies SP1 and DM1 of the Core Strategy.

7) Construction / demolition works shall be confined to the following hours:

Monday to Friday - 8am to 6pm
Saturday - 8.30am to 2pm
Sunday / Bank Holidays - No work

Workforce may arrive on site 30minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour.

Reason - To safeguard the amenities of neighbouring residential occupiers during the construction phase pursuant to saved UDP policy DC26 and to policies SP1 and DM1 of the Core Strategy for Manchester.

Informatives

This permission does not grant approval under Building Regulations.

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Drainage Conditions
United Utilities will have no objection to the proposed development provided that the following conditions are attached to any approval:

o This site must be drained on a separate system, with only foul drainage connected into the foul sewer unless otherwise agreed in writing by the Local Planning Authority. Surface water should discharge to the surface water sewer located within the site.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

The applicant can discuss further details of the site drainage proposals with Developer Engineer, Neil O'Brien, by email at wastewaterdeveloperservices@uuplc.co.uk. For further information regarding Developer Services and Planning, please visit our website at http://www.unitedutilities.com/builders-developers.aspx.

Justification for Pre-commencement condition

If a 'Pre-commencement' condition has been requested in this correspondence, please consider the following information as justification of this request.

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 6, we have been asked to provide written justification for any pre-commencement condition we may have recommended to you in respect of surface water disposal.

The purpose of the planning system is to help achieve sustainable development. This includes securing the most sustainable approach to surface water disposal in accordance with the surface water hierarchy.

It is important to explain that the volume arising from surface water flows can be many times greater than the foul flows from the same development. As a result they have the potential to use up a significant volume of capacity in our infrastructure. If we can avoid and manage surface water flows entering the public sewer, we are able to significantly manage the impact of development on wastewater infrastructure and, in accordance with Paragraph 103 of the NPPF, minimise the risk of flooding. Managing the impact of surface water on wastewater infrastructure is also more sustainable as it reduces the pumping and treatment of unnecessary surface water and retains important capacity for foul flows.

As our powers under the Water Industry Act are limited, it is important to ensure explicit control over the approach to surface water disposal in any planning permission that you may grant.

Our reasoning for recommending this as a pre-commencement condition is further justifiable as drainage is an early activity in the construction process. It is in the interest of all stakeholders to ensure the approach is agreed before development commences.

Water Comments
Each individual unit will require a separate metered supply at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains/public sewers.

Should this application be approved the applicant must contact our water fittings section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.

General comments
o According to our records there is a 4m easement/building over agreement (Z3944) crossing the eastern side of the development. United Utilities would advise that the developer obtains a copy of the deed and conforms to the provisions set out within it.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

All glazing should incorporate at least one pane of laminated glass.
The glazed elevation should be protected by anti-ram bollards.
Any new external fittings should be certified to Secured by Design standards.

Date: 29 October 2015

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.