

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 K Patel
Red Bank Service Station
58 - 74 Cheetham Hill Road
Manchester
M4 4EX

Agent (if used)

Mr R Anwar
RA Design & Project Management Ltd
Suite 4 The White House
42-44 Chorley New Road
Bolton
BL1 4AP

Part 1 – Particulars of the application/development

Proposal: Erection of 5 metre high rear boundary wall.

Location: Land To The Rear Of 58-74 Red Bank Service Station, (Fronting Fernie Street) Cheetham Hill Road, Manchester, M4 4EX

Date of application: 19 September 2023

Application number: 137339/FO/2023

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The scheme is considered acceptable and appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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:

-Drawing - Proposed RAD/2872/23/2 REV A PLANS AND ELEVATION
-Supporting Information RAD/2872/23/4/REVA SITE LEVEL SECTIONS
-Supporting Information EQUITONE APPLICATION GUIDE
received by the City Council, as Local Planning Authority, on 19/09/2023

-Design & Access Statement DESIGN AND ACCESS STATEMENT received by the City Council, as Local Planning Authority, on 19/06/2023

-Supporting Information EQUITONE-BROCHURE-DUAL-UK-AND-IRELAND received by the City Council, as Local Planning Authority, on 11/08/2023.

-Tree survey or information TOPOGRAPHIC SURVEY received by the City Council, as Local Planning Authority, on 14/08/2023

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) Prior to the commencement of above ground construction works, details of highways works to Fernie Street shall be submitted to and approved in writing by the City Council as local planning authority. This shall include:

-Dilapidation surveys are requested, this should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

-The details of how the boundary wall will be installed, including equipment to be used, method and depth of excavation and the predicted impact on the footway.

-Identify the measures to protect the footway and footway users.

The approved details shall be implemented as part of the development and will be in place prior to the first occupation of the development.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

4) Notwithstanding the details approved under Condition 2 (Drawing - Proposed RAD/2872/23/2 REV A PLANS AND ELEVATION and Supporting Information RAD/2872/23/4/REVA SITE LEVEL SECTIONS, both received by the City Council, as Local Planning Authority, on 19/09/2023), prior to the commencement of the development hereby approved, full and final details of the boundary wall arrangement shall be submitted to and approved in writing by the City Council, as Local Planning Authority.

These details shall include detailed cross-section at points A, B & C referenced in the approved drawing (Drawing - Proposed RAD/2872/23/2 REV A PLANS AND ELEVATION received by the City Council, as Local Planning Authority, on 19/09/2023). The cross-sections shall include the profile of the land within the property and including the existing road on Fernie Street.

The approved details shall be implemented in full as part of the development and shall remain in situ for the duration of the development.

Reason - in the interest of amenity and road safety pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012)

5) Notwithstanding the details approved under Condition 2, prior to the commencement of the development hereby approved, samples and specifications of the materials to be used on the wall, including fixing details, shall be submitted for approval in writing by the City Council as Local Planning Authority. This includes any of the external materials, including the cement fibre cladding.

The approved materials shall be implemented as part of the development.

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.

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:

http://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: 30 November 2023

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 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 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.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024