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	Agent (if used)
British Overseas Bank Nominees Limited & WGTC Nominees C/o Agent	Ms Carly Hinde Turley 10th Floor 1 New York Street Manchester M1 4HD

Part 1 – Particulars of the application/development

Proposal: Variation of condition nos. 2, 5, 7, 10, and 11 of planning permission ref: 107667/FO/2014/S1 to allow amendments to car parking layout, increased car parking numbers, and revision of pedestrian crossing points, and surface water drainage scheme

Location: Land Within The Asda Car Park, Greenheys Lane West, Hulme, Manchester

Date of application: 4 April 2016

Application number: 111735/JO/2016/S1

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 issues arising from the consideration of this application.

Condition(s) attached to this decision

1) The development must be begun not later than 25th February 2019.

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:
drawings 1000 rev B (Rendered Elevations)(for clarification the approval of drawing 1000 rev B relate only to the changes to the ground floor plan and no changes that may be shown on the drawing in respect of other aspects of the proposed development),

1001 rev A (proposed Ground Floor) and 1002 rev A (proposed first and roof) stamped as received on 3rd March 2016, drawing 306 rev G, stamped as received on 16th May 2016 and drawing 3013 rev D, stamped as received on 16th May 2016, KFC Green Travel Plan stamped as received on 17th December 2014, Waste Management Strategy prepared 17 March 2016 , Acoustic report ref. 20222R02aPKrmw by Environoise ANC stamped as received 17th December 2014, Planning statement prepared by Turley dated December 2014 stamped as received on 17th December 2014, Good neighbour Guide prepared by KFC stamped as received on 17th December 2014, Crime Impact Statement ref 2006/0382/CIS/02 stamped as received on 17th December 2014, Transport Statement dated December 2014 and Technical Note dated April 2015 by Croft Transport Solutions.

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) The development hereby approved shall be constructed using the following materials:
KINGSPAN CURVE WALL KS1000 CW, small profile as per email of 2nd August 2016, RAL 2073
Silicone Based white through Render
Polyester powder coated Louvres in aluminium colour RAL 7023
The Siberian Larch timber cladding ,
The RAL 2073 Matt curtain walling and window frames,
The RAL 7022 Matt for the door sets and main entrance door
The Trespa Carmine Red rainscreen cladding feature panels.

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.

4) Before the development hereby approved is first occupied a completion report shall be submitted to and approved in writing by the City Council. The report is required to validate the findings of the watching brief in respect of ground contamination in accordance with the email from Ramboll, titled KFC conataminated land site investigation dated 29th May 2015, the report should also include any waste transfer documents for any spoil removed from the site.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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.

5) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref 15147/306 rev G stamped as received on 16th

May 2016.shall be implemented not later than 12 months from the date of commencement of works. 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 Core Strategy.

6) The development shall incorporate the measures identified in the Crime Impact Statement version A:24.10.14 ref 2006/0382/CIS/02. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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

7) The development shall be carried out in accordance with the drainage scheme outlined in the Report by Hydrock Consulting Limited, dated 1st March 2016 and drawing number C151360-C030.

Reason - To ensure that the site is drained in a sustainable manner pursuant to Core Strategy Policies EN14 and DM1 and to meet the requirements of the National Planning Policy Framework and to ensure that full details of the drainage scheme are provided to and approved before construction works relating to the development have commenced.

8) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with the recommendations of the acoustic report by Environoise, dated 5 November 2014 in order to secure a reduction in the level of noise emanating from the proposed development.

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

9) The restaurant and outside seating areas shall not be open or available for use outside the following hours:-

Monday-Sunday (including bank holidays) 6.00am to 11.00pm

The drive through shall not be open outside of the following hours :-

Monday-Sunday (including bank holidays) 6.00am to midnight

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.

10) Before the development hereby approved commences operation the proposed alterations to the car park, including traffic calming measure shown on drawing306 rev G shall be implemented in full and shall be retained at all times thereafter.

Reason - to ensure that the car park can function in a safe manner when the use hereby approved commences pursuant to Core Strategy policy DM1.

11) The restaurant and drive through hereby approved shall be serviced, including the collection of refuse between the hours of 5.00am and 6.00pm seven days a week.

Reason - To protect the amenity of the occupiers of nearby residential accommodation and to ensure the safe operations of the car park during delivery periods pursuant to Core Strategy Policy DM1.

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

Date: 20 September 2016

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.