

# NOTICE OF APPROVAL OF PLANNING PERMISSION

Town and Country Planning Act 1990  
Town and Country Planning (General Development Procedure) Order 1995

**Correspondence Address:**

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**Applicant:**

Mr Z Akhtar  
294-296 Manchester Street  
Oldham  
OL9 6HB

**Application Number:** PA/332588/12

**Date of Application:** 8 November, 2012

**Location:** 294-296 Manchester Street, Oldham, OL9 6HB

**Proposal:** 1) Change of use from retail shop to a mixed use retail and car repair garage 2) Erection of single storey car repair garage extension.

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the amended plans and specifications, received on the 1st November 2012 which are referenced as Z-PP-01-Car, and AZ-PP-04, AZ-PP-05 unless otherwise agreed in writing by the Local Planning Authority.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason - To ensure that the appearance of the existing building is not

detrimentally affected by the proposed extension.

4. The mixed use retail and car repair garage shall not be open to the public, and the servicing and repairs outside the following times:-

Monday to Saturday - 09.00 to 18.00 Monday to Friday;

09.00 to 16.00 on Saturdays; and

at no times on Sundays and Bank Holidays

Reason - To protect the amenities of occupiers of nearby properties.

5. No development shall take place until a site investigation of the nature and extent of any land instability has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any land instability issues are found resulting from, for example past mining activity, during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any unexpected hazards are found which have not been identified in the site investigation, additional measures for their remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure that risks from land instability and mining related hazards to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and the general public in accordance with the NPPF.

6. The roller shutter doors hereby approved shall be powder coated in a colour to be agreed in writing with the Local Planning Authority prior to their installation or otherwise painted in situ within a period of 3 months of their installation, and then kept so coloured unless otherwise agreed in writing by the Local Planning Authority.

Reason - To protect the visual amenity of the area within which the site is located.

7. The development hereby approved shall not be brought into use unless and until the car parking spaces have been provided in accordance with the approved plan received on 1st November 2012 (Ref: Dwg No. AZ-PP-01-Car) and thereafter the

parking spaces shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure that adequate off-street parking facilities are provided for the development so that parking does not take place on the highway to the detriment of highway safety.

8. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's written report and recommendation have been submitted to and approved by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - In order to protect public safety, because the site is located within 250 metres of a former landfill site.

## **Applied Policies:**

The decision has been taken having regard to the policies and proposals in the Oldham Metropolitan Borough Development Plan, and to all relevant material considerations including Supplementary Planning information, and any representations made as a result of the notification and consultation process. This advice is only intended as a summary of the reasons for the decision. For further details please see the report in the application file.

Policy 9 Local Environment  
Policy 14 Supporting Oldham's Economy

## **Statement and Informative Notes:**

1. **Statement in accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)**

The proposed development complies with the Local Development Framework which would improve and maintain the economic, social and environmental conditions of the area. It therefore comprises sustainable development which is conditioned accordingly to enhance the quality of development and where necessary the Local Planning Authority offered proactive and positive solutions during the decision making process. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

**Signed on behalf of the Council**

**Dated:**

**5 February, 2013**