

## **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](mailto:planning@manchester.gov.uk)

## **Town & Country Planning Act 1990 (as amended)**

### **Planning Permission**

#### **Applicant**

Mr Adrian Flint  
Casey Group  
Rydings Road  
Rochdale  
OL12 9PS

#### **Agent (if used)**

Mr Elliot Denby  
BTP Architects  
Elizabeth House  
486 Didsbury Road  
Stockport  
SK4 3BS

### **Part 1 – Particulars of the application/development**

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**Proposal:** Variation of Conditions 2 (specified plans) and 5 (boundary treatment) attached to planning permission reference 123541/FO/2019 to allow alterations to boundary treatment

**Location:** Site At Former Alfred Morris Court, Fellpark Road, Manchester, M23 0EX

**Date of application:** 16 September 2021

**Application number:** 131676/JO/2021

### **Part 2 – Particulars of decision**

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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**

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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. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the policies within the Development Plan

### **Condition(s) attached to this decision**

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1) The development must be begun no later than the expiration of three years from the date of the original permission (Reference 123541/FO/2019 approved 08.10.2019).

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:

8340 WML 00 XX DR DR C 1001 Rev P3  
Location Plan AM-BTP-00-LP-DR-A-3321\_100  
Site Clearance Plan AM-BTP-00-SP-DR-A-3321\_103.3 stamped as received by the City Council as Local Planning Authority, on the 08.07.2019  
Proposed Site Plan AM-BTP-00-ZZ-DR-A-3321\_106.9 stamped as received by the City Council as Local Planning Authority, on the 04.10.2019  
Proposed Boundary Details AM-BTP-00-DR-A-3321\_206.4 stamped as received by the City Council as Local Planning Authority, on the 19.10.2021  
Flat Block Floor Plans AM-BTP-05-ZZ-DR-A-3321\_110 Rev 2 stamped as received by the City Council as Local Planning Authority, on the 09.03.2021  
Flat Block Elevations Sheet 1 AM-BTP-05-E-DR-A-3321\_111 Rev 1 stamped as received by the City Council as Local Planning Authority, on the 09.02.2021  
Flat Block Elevations Sheet 2 AM-BTP-05-E-DR-A-3321\_112 Rev 1 stamped as received by the City Council as Local Planning Authority, on the 09.02.2021  
3B5P House Typical Plan AM-BTP-01-ZZ-DR-A-3321\_114  
3B5P House Typical Elevations AM-BTP-01-E-DR-A-3321\_115 Rev 1 stamped as received by the City Council as Local Planning Authority, on the 09.02.2021  
3B5P House Typical Plan Semi 1 AM-BTP-03-ZZ-DR-A-3321\_117  
3B5P House Typical Elevations Semi 1 AM-BTP-03-E-DR-A-3321\_118 Rev 1 stamped as received by the City Council as Local Planning Authority, on the 09.02.2021  
3B5P House Typical Plan Semi 2 AM-BTP-03-ZZ-DR-A-3321\_120  
3B5P House Typical Elevations Semi 2 AM-BTP-03-E-DR-A-3321\_121 Rev 1 stamped as received by the City Council as Local Planning Authority, on the 09.02.2021  
4B8P House Typical Plan AM-BTP-06-ZZ-DR-A-3321\_123  
4B8P House Typical Elevations AM-BTP-06-ZZ-DR-A-3321\_124  
Street Elevations AM-BTP-00-E-DR-A-3321\_126.3 stamped as received by the City Council as Local Planning Authority, on the 08.07.2019

ARB/3885/Y/500 stamped as received by the City Council as Local Planning Authority, on the 11.07.2019

Crime Impact Statement REPORT REF: 24228/03-19/6598 REV A

Transport Statement REPORT REF: 24228/03-19/6598 REV A

Phase 1 Desk Study and Preliminary Geo-Environmental Assessment Report  
Reference 8340/G/01

Affordable Housing Statement

Design and Access Statement

All Drawings and Documents Stamped as received stamped as received on the 08.05.2019 unless otherwise stated

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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification) none of the dwellinghouses or apartments shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as

amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

4) Within six months of the occupation of the buildings hereby approved, written confirmation of a Secured by Design accreditation must be submitted to the local planning authority.

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.

5) The boundary treatments shall be carried out in accordance with the approved details as shown on drawing AM-BTP-00-DR-A-3321\_206.4 stamped as received by the City Council as Local Planning Authority, on the 19.10.2021 and shall be completed prior to first occupation of the apartments and houses and shall thereafter be retained.

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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) The car parking and driveways indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the buildings hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied pursuant to Policies SP1 and DM1 of the Core Strategy

7) The development shall be carried out in accordance with the landscaping scheme and details approved under application reference: CDN/20/0164

The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. 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.

8) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b)

below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

9) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

10) The development should be carried out in accordance with the remediation strategy and details approved under application reference: CDN/20/0164

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.

11) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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.

12) The development should be carried out in accordance with the agreed air quality mitigation measures approved under application reference: CDN/20/0164.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

13) The development should be carried out in accordance with the agreed Construction Management Plan and associated documents approved under application reference: CDN/20/0164.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

14) The development should be carried out in accordance with the agreed details of the implementation, maintenance and management of the sustainable drainage scheme approved under application reference: CDN/20/0164.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

15) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

16) The development should be carried out in accordance with the agreed materials approved under application reference: CDN/20/0207

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.

17) The development shall be carried out in accordance with the ALFRED MORRIS COURT, WYTHENSHAW, MANCHESTER, Travel Plan, RT117984-01 details agreed under application reference: CDN/21/0029.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to surveying the travel patterns of residents during the first three months of use of the development and thereafter from time to time shall be submitted to and approved 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 Core Strategy and the Guide to Development in Manchester SPD (2007).

18) Within three months of the commencement of development, full technical details and drawings of all highway works required shall be submitted to and approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details.

Reason - In the interests of highway and pedestrian safety pursuant to policy DM1 of the Core Strategy.

19) The development should be carried out in accordance with the agreed external lighting details approved under application reference: CDN/21/0029.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in the National Planning Policy Framework, saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

20) The bicycle parking should be carried out in accordance with the approved details under application reference: CDN/21/0029.

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 Core Strategy.

## **Informatives**

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### **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](http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2)

Date: 9 February 2022

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

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/planning-inspectorate](http://www.gov.uk/planning-inspectorate) . 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](mailto:planning@manchester.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](http://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.