

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

Mrs Khan
127 Old Hall Lane
Manchester
M14 6HL

Agent (if used)

Mr Craig Buck
The Intelligent Design Centre
5-11 Eagle Street
Accrington
BB5 1LN

Part 1 – Particulars of the application/development

Proposal: Erection of single storey side and rear extensions, first floor rear roof terrace with Juliet balcony, raised rear patio and outbuilding to provide additional living accommodation

Location: 127 Old Hall Lane, Manchester, M14 6HL

Date of application: 18 November 2021

Application number: 132093/FH/2021

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 47 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 the delegated report. The proposed balcony extension was raised as a concern with the agent who was given the opportunity to amend the scheme. This has resulted in an acceptable form of development that complies with saved policies within the Manchester Development Plan.

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 as received on the 18th of November 2021 or as stated:

Application form

Location Plan Ref: 21050-LP

Block Plan Ref: 21050-BP

Existing Plans and Elevations Ref: 21050 - 01

Proposed Plans and Elevations Refs: 21050-SK3 Rev B and 21050-SK4 Rev B received on the 11th of January 2022

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to saved policies DC1 and DC26 of the Unitary Development Plan and to policies DM1 and SP1 of the adopted Core Strategy for the City of Manchester.

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Householder Application Form.

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 in accordance with saved policy DC1 of the Unitary Development Plan and to policies DM1 and SP1 of the Core Strategy for the City of Manchester.

4) Prior to first occupation of the extensions hereby approved, the north-facing ground floor WC window in the garage alteration as shown on plan references 21050-SK3 Rev B and 21050-SK4 Rev B received on the 11th of January 2022, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) The flat roof to the single storey rear extension as shown on plan references 21050-SK3 Rev B and 21050-SK4 Rev B received on the 11th of January 2022, shall function as a roof only and shall not be used for any other purpose, including for the purpose of recreation associated with any use of the roof as a verandah and shall not include the provision of a balcony or any other raised platform.

Reason - In the interests of residential amenity to protect neighbouring occupiers from overlooking or perceived overlooking, noise and disturbance in accordance with saved policies DC1.1a and DC26.1 and policy DM1 of the Development Plan for Manchester.

6) The outbuilding shown on the drawing reference 21050-SK04 Rev B received on the 11th of January 2022, shall be used solely for a purpose that is incidental to the enjoyment of the dwellinghouse at No.127 Old Hall Lane and shall not be occupied as a permanent or independent residence at any time.

Reason - In the interests of residential amenity pursuant to policies DM1 and SP1 of the adopted Core Strategy for Manchester and saved policy DC26 of the Unitary Development Plan for Manchester.

Informatives

This decision relates to the extension or improvement of an existing dwellinghouse, falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and does not infer or imply approval for the use of the property for any other purpose.

Manchester City Council has made an Article 4 Direction to remove permitted development rights that allow for a change of use from Class C3 - *Dwellinghouses* to Class C4 - *House in Multiple Occupation*. This means that from 8 October 2011, planning permission is required for a change of use from a Dwellinghouse to a House in Multiple Occupation. Further information regarding the Article 4 direction can be found on Manchester City Council's website:

www.manchester.gov.uk/info/200074/planning/4847/article_4_direction

If you intend to use the property to which this decision relates for any purpose other than a dwellinghouse, you should first contact Manchester City Council's Planning Service. Failure to obtain any necessary planning permission prior to carrying out a material change of use or physical development could result in enforcement action being taken, which can have serious implications.

This permission does not grant approval under Building Regulations.

Date: 13 January 2022

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 12 weeks 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. 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.

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.