

## **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**

Sefa Amesu  
One Manchester  
Lovell House  
6 Archway  
Manchester  
M15 5RN

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

Mr Josh Pearson  
Bernard Taylor Partnership Ltd  
Elizabeth House  
486 Didsbury Road  
Stockport  
SK4 3BS

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

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**Proposal:** Change of use from office (Use Class E) to residential dwellinghouse (Use Class C3a) with associated elevational alterations

**Location:** 26-28 Penzance Street, Manchester, M40 7BD

**Date of application:** 16 August 2021

**Application number:** 131381/FU/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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The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner by requesting further information relating to the scheme.

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

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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:

oHouseholder Application for Planning Permission stamped as received by the City Council as Local Planning Authority on 16 August 2021.  
oDrawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 1 September 2021.  
oDrawing- Existing Floor Plans, numbered 111.1, stamped via email by the City Council as Local Planning Authority on 1 October 2021.  
oDrawing- Existing Elevations, numbered 121.1, stamped via email by the City Council as Local Planning Authority on 1 October 2021.  
oDrawing- Proposed Floor Plans, numbered 121.1, stamped via email by the City Council as Local Planning Authority on 1 October 2021.  
oDrawing- Proposed Elevations, numbered 122.1, stamped via email by the City Council as Local Planning Authority on 1 October 2021.  
Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

oWaste Management Strategy stamped as received by the City Council as Local Planning Authority on 1 October 2021.

oDrawing- Site Plan- Proposed, numbered 120.1, stamped as received by the City Council as Local Planning Authority on 1 October 2021.

in relation to the scheme for the storage and disposal of refuse. The development shall be implemented in accordance with the approved details.

4) The development hereby approved should be carried out in accordance with the Secured By Design measures indicated on drawing 'Proposed Elevations', numbered 122.1, stamped via email by the City Council as Local Planning Authority on 1 October 2021.

These measures shall be fully implemented prior to the first use of the development and maintained for the duration of the use hereby approved.

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.

## **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)

### **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.

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1) In relation to construction management, the applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004

Date: 11 November 2021

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/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 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 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**

**Any Planning Enquiries should be directed to:**

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Website: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

### **INFORMATIVE NOTE**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

*Informative Note valid from 1<sup>st</sup> January 2021 until 31<sup>st</sup> December 2022*