

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

Ms Victoria Nield
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7th Floor Trafford House
Chester Road
Manchester
M32 0RS

Agent (if used)

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Elizabeth House
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SK4 3BS

Part 1 – Particulars of the application/development

Proposal: Variation of conditions 2 (specified plans) and 19 (boundary treatment) attached to planning permission ref: 122030/FO/2018 to allow changes to boundary treatment

Location: Land Off Gate Street/Victoria Street, To The Rear Of Nos 2-24 Range Street & 1 - 33 Hovis Street, Manchester

Date of application: 15 November 2021

Application number: 132120/JO/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

Condition(s) attached to this decision

0) Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this development where early discussions took place regarding the changes to the approved boundary treatment. The local planning authority in making its decision has had due regard to the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and recommends approval the application for the reasons outlined in this report. The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy.

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

GS-BTP-00- LP-DR-A- 3373 - 100 (site edged red) ;
GS-BTP-00-XSP-DR -A- 3373-101 (existing site plan with levels) ;
GS-BTP-00-SP-DR -A- 3373-114 (removal plan/site clearance) ;
GS-BTP-00-E-DR -A- 3373-118 (2B3P and 3B4P Block elevations) ;
GS-BTP-00-E-DR -A- 3373-119 (3B4P Block elevations) ;
GS-BTP-00-P-DR -A- 3373- 3B4P -120 (3B4P House layout) ;
GS-BTP-00-E-DR -A- 3373- 3B4P -121 (3B4P House Elevations) ;
GS-BTP-00-P-DR -A- 3373- 2B3P -125 (2B3P House layout) ;
GS-BTP-00-E-DR -A- 3373- 2B3P -126 (2B3P House Elevations) ;
UCLM Level 1 Utility study;
Stamped as received 3rd December 2018

GS-BTP-00- SP-DR -A- 3373-110 rev.1 (Proposed site plan) ;
GS-BTP-00-LVP-DR -A- 3373-111 rev.1 (Proposed levels) ;
GS-BTP-00-E-DR -A- 3373-113 rev.1 (Street Elevations 3D) ;
GS-BTP-00-COM-DR -A- 3373-115 (Waste Management Strategy) ;
Received 28th January 2019

Waste Management Proforma; Design and Access Statement ref: 3373-19.0128;
Transport Statement January 2019 ref: 24665/01 - 19/6540; Affordable Housing
Statement ; Energy Statement ref: Z28236; Crime Impact Statement ref:
2018/0983/CIS/01 version A 02/01/19; Flood Risk Assessment ref: BEK - 18473-2
November 2018; stamped as received 28th January 2019;
GS-BTP-00-BD-DR -A- 3373-112 rev.2 (Boundary Plan, details, and indicative visuals)
;received 11th February 2019.

E-mail from planning agent 26th February 2019 re: contaminated land pre-
commencement condition, charging points, and air quality mitigation.

E-mail from planning agent 24th April 2019 re: Cycle Storage;

Biodiversity Site Enhancement Plan ref: BEK - 18473-3 March 2019 received 29th
March 2019

Updated Air Quality Assessment ref: 102072 dated 26th April 2019 received 26th April
2019.

As amended by plan ref. GS-BTP-00-BD-DR-A-3373-203 (rev.6) - received 03rd
November 2021, and email from planning agent confirming the colouration of the
proposed railings dated 24th January 2022.

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.

2) The development shall be implemented in accordance with the materials schedule
including the use of Ibstock Deva Red for the main brickwork, Blockley Black Smooth
brick for the feature facing brick, with Marley Modern Anthracite grey roof tiles and
through colour concrete buff coloured headers and cills.

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, EN1 and DM1 of the Core Strategy.

3) a) The development shall be implemented in accordance with Phase 2 Geo-environmental Investigation and Assessment (Ref. 9001G-WML-00-XX-RP-G-0002 WML rev.A) dated November 2019, and received 12th February 2020, the WML Phase I report received by email 13th January 2020, and the Remediation Strategy ref: 9001G-WM1-00-XX-RP-G-003A dated February 2020 (received 6th April 2020).

b) 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 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.

4) The development shall be implemented in accordance with the Surface water Drainage - WML Drainage Design statement (ref. 9001-WML-00-XX-DS-C-0001) dated November 2019 ;
and Drainage Drawing Refs : 9001-WML-ZZ-XX-DR-C-1004-P01(Typical Drainage details - sheet 3).

Email from planning agent with further drainage information 12th December 2019, and 31st March 2020.

Surface water drainage calculations ref: 9001-WML0ZZ-XX-CAL-C-101 January 2020; Exceedance Flow route plan; Microdrainage pipe references plan; Drainage Drawing Refs :9001-WML-ZZ-XX-DR-C-1001-P02 (Proposed drainage layout); 9001-WML-ZZ-XX-DR-C-1002-P02 (Typical Drainage details - sheet 1); 9001-WML-ZZ-XX-DR-C-1003-P02(Typical Drainage details - sheet 2); received by email 13th January 2020.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

5) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of a sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority. Those details shall include:

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;
- o 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.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

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, pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

6) The development shall be implemented in accordance with Contractors Management Plan (Saturday hours revised) received by email 13th January 2020 for the duration of the construction period.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the new dwellings hereby approved being occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies T2, SP1 and DM1 of the Core Strategy.

8) The development shall be implemented in accordance with WML Consulting Manchester City Council Standard Highways details document ref: 9001-WML-ZZ-XX-RP-C-1011 dated January 2020, and revised plan ref: 9001 - WML-ZZ-XX-DR- C-1010 rev.P02 (Proposed Highway Works and GA details), prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ.

Reason -To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies T1, SP1, EN1 and DM1 of the Core Strategy for Manchester.

9) The provision of space and facilities for bicycle parking spaces within the development shall be completed in accordance with details in the email dated 24th April 2019 from the planning agent. The approved facilities shall then be retained and permanently reserved for bicycle parking.

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, T2, EN6 and DM1 of the Core Strategy and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

10) Prior to the first occupation of the development hereby approved, finalised details of the type and location of the electric charging points shall be submitted to and approved in writing by the Local Planning Authority. The proposed electric vehicle charging points

shall then be fully implemented in accordance with the approved scheme prior to the first occupation of the development.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Core Strategy for Manchester, and Greater Manchester Air Quality action plan 2016.

11) Prior to the first occupation of the development hereby approved, finalised details of the materials forming the hard landscaping scheme shown on the drawing ref: 3373 S2 110 rev. stamped as received by the Local Planning Authority on the 28th January 2019, shall be submitted to and approved in writing by the Local Planning Authority. The approved hard and soft landscaping scheme shall be implemented not later than 12 months from the date of commencement of works.

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.

12) The development hereby approved as be implemented in accordance with the measures specified within the Biodiversity Site Enhancement Plan ref: BEK-18473-3 March 2019.

Reason - To ensure that landscape and ecology is adequately in place and to comply with policy EN15 of the Core Strategy.

13) The development hereby approved shall be carried out in accordance with the Energy Statement completed by the Energy Council stamped as received by the City Council, as Local Planning Authority, on the 28th January 2019. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

14) The development shall be carried out in accordance with the Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police dated 2nd January 2019, stamped as received by the City Council, as Local Planning Authority, on the 28th January 2019. The development shall only be carried out in accordance with these approved details. 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.

15) The development hereby approved shall be completed in accordance with the completed City Council's Waste Management Proforma, the plan numbered GS-BTP-00-WM-DR-A-3373_115, and received on 28th January 2019 in relation to the waste

strategy for the residential accommodation hereby approved. The refuse arrangements shall be put in place prior to the first occupation of the development and remain in situ for as long as the development is in use.

Reason - To ensure adequate refuse arrangement are put in place for the commercial unit pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

16) The development hereby approved shall be carried out in accordance with the Air Quality Assessment prepared by BEK ENVIRO stamped as received by the City Council, as Local Planning Authority, on the 29th March 2019. Good practice principles should be applied to the operational phase of the development. The approved details shall then be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Core Strategy for Manchester, and Greater Manchester Air Quality action plan 2016.

17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and 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 policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

18) The positions, heights, and type of boundary treatment around the development hereby approved shall be erected in accordance with the plan ref. GS-BTP-00-BD-DR-A-3373-203 (rev.6) - received 3rd November 2021. The approved scheme shall be implemented in full before each particular property is first occupied and retained as such thereafter.

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 Policies SP1, EN1 and DM1 of the Core Strategy, and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

19) The development hereby approved shall include a building lighting scheme and a scheme for the illumination of Gate Street during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme shall be implemented in full prior to the first

use of the development and shall remain in operation for so long as the development is occupied.

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 policies SP1 and DM1 of the Core Strategy.

20) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions shall be erected onto the new build properties within the development hereby approved other than those expressly authorised by this permission.

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

22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on drawing nos. GS-BTP-00-P-DR -A- 3373- 3B4P -120 (3B4P House layout) ; GS-BTP-00-E-DR -A- 3373- 3B4P -121 (3B4P House Elevations) ; GS-BTP-00-P-DR -A- 3373- 2B3P -125 (2B3P House layout) ; GS-BTP-00-E-DR -A- 3373- 2B3P -126 (2B3P House Elevations) ;received by the City Council as Local Planning Authority 3rd December 2018.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

23) Before first occupation of the development thereby approved, the landing windows and ground floor w/c room window, as shown on the approved plans ref: the GS-BTP-00-P-DR -A- 3373- 3B4P -120 (3B4P House layout) ;GS-BTP-00-E-DR -A- 3373- 3B4P -121 (3B4P House Elevations) ;GS-BTP-00-P-DR -A- 3373- 2B3P -125 (2B3P House layout) ; and GS-BTP-00-E-DR -A- 3373- 2B3P -126 (2B3P House Elevations) ; received by the City Council as Local Planning Authority on 3rd December 2018 shall be obscurely 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

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

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.

Date: 25 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 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 . 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) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on 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.