

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

Mr & Mrs Harle
6 Amherst Road
Manchester
M14 6UQ

Agent (if used)

Pulmann Associates
Bridge House
18A Bridge Street
Milnrow
Rochdale
OL16 3ND

Part 1 – Particulars of the application/development

Proposal: Erection of a single-storey rear extension and extension and reroofing of existing rear extension and outbuilding in rear garden

Location: 6 Amherst Road, Manchester, M14 6UQ

Date of application: 23 August 2021

Application number: 131233/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

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.

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:

Proposed GA plans M21-05-02, stamped as received 2nd August 2021;

Proposed section M21-05-04, stamped as received 2nd August 2021;

Proposed elevations M21-05-03, stamped as received 2nd August 2021;

Proposed site plan M21-05-06, stamped as received 2nd August 2021.

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) The external elevations of the development hereby approved shall be built in accordance with the materials specified upon the approved drawing M21-05-03, as follows:

Walls: Bricks to match existing.

Roof: Sedum roof to main extension and EPDM to outbuilding.

Windows: Aluminium crittal type.

Doors: Aluminium crittal type doors.

Reason - In the interests of the character and appearance of the building, and visual amenity of the area, pursuant to policies DM1 and SP1 of Manchester's Core Strategy.

4) The flat roof of the rear extension hereby approved shall not be used for any purpose other than as a means of escape in an emergency or for maintenance of the building.

Reason - To safeguard the amenities of the adjoining premises from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Notwithstanding the approved plans, full details of the Green Roof to be installed (including details of irrigation) shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of above ground works. The development shall be implemented in accordance with the approved details, unless otherwise agreed in writing.

Reason - To ensure that the Green Roof is successful, safeguarding the amenities of the area and in accordance with Policies SP1, DM1 and EN15 of the Core Strategy.

6) Within 1 month of the date of this permission the submitted flood risk assessment shall be updated and re-submitted to and approved in writing by the local planning authority. For the avoidance of doubt, as per the government standing advice, the assessment must include the following additional information:

- A re-assessment and clarification of the associated fluvial flood risk to the property. The conclusion within the current FRS (dated August 2021) states the development is at a low risk of river flooding, when previously in the assessment it is stated that the site sits in a flood zone 2.
- Identification of any historic flood events on site or within close proximity to the site.
- Provide a plan showing the proposed finished floor levels (FFLs) of the new outbuilding in relation to the existing finished floor levels within the existing property. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining

dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.

- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>

- Consideration of flood safety measures (such as signing up for EA flood warnings) where required.

- Any supporting plans and drawings. - See <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> for further guidance on preparing your documents and obtaining the required data.

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required pursuant to policies EN14 and DM1 of the Core Strategy 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: 11 October 2021

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

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.