

## **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 Dharman Jeyasingham  
15 Whalley Road  
Manchester  
M16 8AD

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

Chris Mulholland  
Mulholland Architecture Ltd  
Flat 1  
37 Upper Chorlton Road  
Manchester  
M16 7RW

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

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**Proposal:** Erection of single storey side and rear extensions, elevational alterations to the front basement entrance including creation of lightwell, the installation of a rear dormer extension, and alterations to driveway

**Location:** 15 Whalley Road, Manchester, M16 8AD

**Date of application:** 26 August 2021

**Application number:** 131353/FH/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 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 subject to appropriate conditions and for the reasons outlined in the delegated report. The proposed extensions raised no objections on public notification and has been determined in a timely manner.

### **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 received on the 13th of August 2021 or as stated:

Application form

Location Plan - Ref: Ex-022-001

Existing Site Plan - Ref: Ex-022-002

Existing Ground Floor and Basement Plans - Ref: Ex-022-100

Existing First and Second Floor Plans - Ref: Ex-022-101

Existing Roof Plan - Ref: Ex-022-102

Existing Front and Rear Elevations - Ref: Ex-022-200

Existing Side Elevation 01 - Ref: Ex-022-201

Existing Side Elevation 02 - Ref: Ex-022-202

Existing Side Elevation - Ref: Ex-022-301

Design and Access Statement prepared by Mulholland Architecture dated August 2021

Received on the 26th of August 2021:

Existing and Proposed Driveway Sections - Ref: Pr-022-302

Proposed Site Plan - Ref: Pr-022-002

Ground Floor and Basement Plans - Ref: Pr-022-100

Proposed First and Second Floor Plans - Ref: Pr-022-101

Proposed Roof Plan - Ref: Pr-022-102

Proposed Front and Rear Elevations - Ref: Pr-022-200

Proposed Side Elevation 01 - Ref: Pr-022-201

Proposed Side Elevation 02 - Ref: Pr-022-202

Proposed Long Section AA - Ref: Pr-022-301

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 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 be implemented in accordance with the approved details as set out in the drawings and documents specified in Condition 2 of this approval.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 and DC18 of the Unitary Development Plan for the City of Manchester, SP1, EN3 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

4) Prior to installation of the driveway and notwithstanding the details provided in the approved drawings in Condition 2, detailed drainage design drawings which show the means of directing rainwater run-off from the driveway into the properties' drainage system, shall be submitted to and approved in writing by the City Council as local planning authority. The driveway shall be constructed and maintained at all times thereafter in accordance with the approved plans.

Reason - To avoid the risk of surface water accumulation on the public highway, pursuant to Core Strategy policies SP1, DM1 and EN14.

## **Informatives**

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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](http://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.

The applicant should ensure that any external elevation treatments, including for the side/rear extensions approved for planning purposes, are discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

Date: 20 October 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 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](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.

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.