

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 Akiba Pines
C/o Agent

Agent (if used)

Mr Anthony Adler
EA Town Planning Ltd
13 Harrowes Meade
Edgware
London
HA8 8RR

Part 1 – Particulars of the application/development

Proposal: Change of use of former doctors' surgery Class E(e) to educational college Class F1(a) (Local Community and Learning).

Location: 4 Middleton Road, Manchester, M8 5DS

Date of application: 5 August 2021

Application number: 131022/FO/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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in 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:

Location Plan and proposed floorplan received by the City Council as Local Planning Authority on 9 July 2021 and site plan referenced RBS/21/2295/201, received by the City Council as Local Planning Authority on 19 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 use hereby approved shall only be implemented in accordance with submitted waste management strategy and bin store location detailed on the site plan referenced RBS/21/2295/201, received by the City Council as Local Planning Authority on 28 July and 19 August 2021 respectively,

Reason - In the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

4) The car parking shown on site plan referenced RBS/21/2295/201, received by the City Council as Local Planning Authority on 19 August 2021, shall be surfaced, demarcated and made available for use before the use hereby approved commences. The car parking spaces shall then be available at all times whilst the building is occupied.

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

5) No part of the development shall be occupied until the facilities for bicycle parking (including shelter) as indicated within the submitted Transport and Operational Statement and shown on site plan referenced RBS/21/2295/201, received by the City Council as Local Planning Authority on 28 July 2021 and 19 August 2021 respectively, are in situ. The agreed cycle parking shall then be permanently retained and reserved for bicycle parking.

If the number of students should increase beyond that detailed in the documents that accompanying the application, further cycle storage should be provided. Details of the increased provision shall be submitted to and agreed in writing by the City Council as Local Planning Authority in advance of installation. The agreed cycle parking shall then be implemented in accordance with the agreed details and permanently retained and 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, pursuant to policies T1 and DM1 of the Manchester Core Strategy.

6) The use hereby approved shall only be implemented in accordance with the measures contained within the submitted Travel Plan, received by the City Council as Local Planning Authority on 5 August 2021.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns shall be submitted to and approved in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy.

7) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday. No deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

8) The premises shall not be operational outside the following hours -

09.00 - 21.00 hrs daily.

Reason - In interests of residential amenity, in order to reduce noise and general disturbance, pursuant to policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

9) If any rooms are to be used for the playing or performance of music or for any amplified sound, the premises shall be acoustically insulated and treated to limit the break out of noise, in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall be implemented in full before such a use commences and a verification report shall be submitted to and agreed in writing by the City Council as Local Planning Authority, in order to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - In order to prevent the break-out of noise and to safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

10) A scheme for the extraction of any fumes, vapours and odours shall be submitted to, and approved in writing by, the City Council as Local Planning Authority, prior to the installation of any such equipment. The development shall only operate in accordance with the agreed details.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policies DM1 and SP1 of the Manchester Core Strategy.

11) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

12) During fit-out or construction work, the protected trees on site should be protected by temporary protective fencing around the drip line of each tree, to ensure no materials or machinery encroach into the root protection areas.

Reason - In order to avoid damage to trees within the site, which are of important amenity value to the area and in order to protect the character of the area, pursuant to policies EN9 and EN15 of the Manchester Core Strategy.

13) 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 for the following purpose(s) of contained within Schedule 2, Part A, Class F of 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):

- F1(a) Provision of education.

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without separate approval, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

14) The occupancy of the college hereby approved shall be limited to 50 pupils per year group. No more than 100 students shall occupy the building at any time.

Reason - To prevent an over-intensive use of the host building, in order to safeguard residential amenity, pursuant to policies DM1 and SP1 of the Manchester 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.

For off site highway works, the applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense

Greater Manchester Police (Design for Security) advise the following:

Physical Security

The existing doors should be replaced and must be compliant with and certified to BS PAS 24 (2016), or LPS 1175 SR2. It is crucial that the additional ironmongery on escape doors is permitted under the security certification of the door.

New front, side and rear ground floor windows) should be installed certified to Secured by Design standards.

Intruder Alarm

A monitored intruder alarm system should be installed, covering the all parts of the ground floor(where applicable), linked to contacts on all external doors and PIR

detectors covering all rooms with windows, with a signal terminating at the security control room/patrol team.

Access Controls

Access control systems should be operable by swipe card or fob, and not numeric key pads.

An audio-visual unit should be installed at the main entrance so that staff can converse with, and vet, visitors prior to allowing entry remotely from the reception.

Lighting

External lighting must be provided to all external doors.

Lighting should accord with BS 5489. Dusk 'til dawn lights, operated by photoelectric cell/daylight sensor, should be installed to all external doors and all building elevations.

CCTV

CCTV system should be used on the site. The system will require certain specifications and intelligent placement of cameras to compliment the design of the development.

Signage

If CCTV is implemented, its presence should be heavily advertised through the use of signage and posters.

Management and Maintenance

The success of the development will be dependent upon the effective management and maintenance of the site.

The applicant should design and construct a drainage system to prevent the increased risk of flooding,

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: 27 September 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. 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 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

Website: www.gov.uk/government/organisations/the-coal-authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

This Standing Advice is valid from 1st January 2021 until 31st December 2022