

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

Brindle & Yam (Solicitors)
Ground Floor Hanover House
30 - 32 Charlotte Street
Manchester
M1 4FD

Agent (if used)

Tia Tian
Studio Tian
111 Redearth Road
Darwen
BB3 2AR

Part 1 – Particulars of the application/development

Proposal: Erection of a pair of part two, part three storey, semi-detached dwellinghouses (Class C3) with associated garages, landscaping and boundary treatment

Location: Vacant Land To The North/Rear Of 111-117 North Road, Manchester, M11 4NE

Date of application: 9 February 2022

Application number: 131356/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

In this case, 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. In this case negotiation were undertaken with the applicants' agent to ensure to ensure that appropriate notification had been served on interested landowners and individuals with potential access rights across the site. Discussions have also informed the magnitude of the development, its relationship to neighbouring houses and the configuration of external space and car parking. Further information has been provided to ensure that the development would be satisfactorily related to neighbouring underground drainage infrastructure. On the basis the submitted and supplementary drawings and documents the proposed development has been appropriately assessed, and appropriate conditions attached.

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 stamped as received by the City Council as local planning authority on 16 August 2021, 8 December 2021, 10 December 2021, 15 December 2021 and 27 April 2022:

Planning application forms (amended by Certificate B received 15 February 2022)
Location plan with red edge (dated Feb 2022) Ref: 21061-LP Rev A
Existing site survey Ref: 21061-S01
Proposed Site Plan Ref: 21061-A01 Rev J
Proposed floor plans of Unit 1 & Unit 2 Ref: 21061-A02 Rev B
Proposed elevations Ref: 21061-A03 Rev C
Topographic Survey drawing Ref: SSS-9784-2D
Design and Access Statement Ref: Ver1.0 dated August 12 2021 by Studio Tian
(amended by approved drawings)

Noise and Vibration Impact Assessment 109-119 North Road Manchester Ref: 50-484-R1-1 Date: 10th December 2021 by E3P
Odour Assessment North Road, Manchester Client: Gavlis Group Ltd Reference: 5116r1 Date: 14th December 2021 by Redmore Environmental.

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 for the City of Manchester.

3) Before the commencement of above ground construction works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented as part of the development and maintained in situ at all times 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, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) The development hereby approved relates to the erection of one, 3 storey, 4 bedroom dwellinghouse and one, 2 storey, 5 bedroom dwellinghouse with integral garage (Class C3).

Reason - For the avoidance of doubt and in the interest of residential amenity , pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) 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 HMOs 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 the provision of accommodation that is suitable for people living as families pursuant to paragraph 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 Core Strategy for the City of Manchester.

6) 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, extensions, porches or outbuildings shall be erected other than those expressly authorised by this permission.

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

7) 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 shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings referenced:

Proposed floor plans of Unit 1 & Unit 2 Ref: 21061-A02 Rev B

Proposed elevations Ref: 21061-A03 Rev C

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

8) Before first occupation of the development all bathroom windows and any other windows marked as being obscurely glazed in relation to the authorised Unit 1 and Unit 2 on plan ref: Proposed elevations Ref: 21061-A03 Rev C

shall be obscure 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester.

9) Notwithstanding the detail of drawings referenced: Proposed Site Plan Ref: 21061-A01 Rev J and the submitted waste management pro forma and before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, detailing the arrangements for the internal storage of waste, identification of waste and recycling bin collection points and confirmation of transition distances of bins from storage areas for Unit 1 and Unit 2 to collection points. The agreed details, comprising the waste and recycling management plan, shall be implemented in full upon first occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

10) Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be

submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- i. Display of an emergency contact number;
- ii. Details of Wheel Washing;
- iii. Compound locations where relevant;
- iv. Location, removal and recycling of waste;
- v. Routing strategy and swept path analysis;
- vi. Parking of construction vehicles and staff; and
- vii. Sheeting over of construction vehicles.

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

11) Before the first occupation of the development, the car parking arrangements for Unit 1 and Unit 2 as shown on drawing Proposed Site Plan Ref: 21061-A01 Rev J shall be available for use and maintained in situ at all times thereafter.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

12) Before the occupation of the authorised development, full details and specifications of all off-site highways works, including footpath reinstatement to Barrington Street shall be submitted to and approved in writing by the City Council as local planning authority. The required works shall be fully implemented prior to the first occupation of any part of the development and maintained in situ thereafter.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

13) Before the first occupation of the development finalised details of the proposed cycle storage racks to Unit 1 and Unit 2, as shown on drawings referenced Proposed Site Plan Ref: 21061-A01 Rev J, shall be submitted to and approved in writing by the City Council as local planning authority. The specification of the cycle racks shall be secured by design standards and be installed before the occupation of Unit 1 and Unit 2 and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

14) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Clayton Street shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

b) Prior to first occupation of the residential units, a verification report will be required 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 the internal noise 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 internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources and protect future residents from noise disturbance pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Core Strategy for the City of Manchester.

15) Development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles in adherence with the drainage hierarchy, has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy for the City of Manchester.

16) Prior to the first occupation the dwellinghouses hereby approved, the development shall be implemented in accordance with the details and specifications of the document referenced: Odour Assessment North Road, Manchester Client: Gavlis Group Ltd Reference: 5116r1 Date: 14th December 2021 by Redmore Environmental. The implemented details shall remain in situ at all times thereafter.

Reason - In the interests of residential amenity and to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policies SP1, EN17 and DM1 of the Core Strategy for the City of Manchester.

17) Prior to the first occupation the dwellinghouses hereby approved, the development shall be implemented in accordance with the details and specifications of the document referenced: Noise and Vibration Impact Assessment 109-119 North Road Manchester Ref: 50-484-R1-1 Date: 10th December 2021 by E3P. The implemented details shall remain in situ at all times thereafter.

Reason - In the interests of residential amenity and to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policies SP1, EN17 and DM1 of the Core Strategy for the City of Manchester.

18) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development within each phase commences, 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 Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance 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 DM1 and EN18 of the Core Strategy for the City of Manchester.

19) Notwithstanding the detail of drawings referenced: Proposed Site Plan Ref: 21061-A01 Rev J details and specifications of all boundary treatment, including walls, fencing, gates (including repositioned fencing and gates shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be fully implemented before the first occupation of the development and maintained in situ at all times thereafter.

Reason - To safeguard residential amenity, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

20) Prior to the first occupation the dwellinghouses hereby approved, the electric vehicle charging points as shown on drawing Proposed Site Plan Ref: 21061-A01 Rev J shall be installed and achieve an operational capacity of 7kw/H. The installed electric vehicle charging points shall be maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and the contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

21) Before the occupation of any part of the development, the arrangements for the provision of bat and bird boxes shall be submitted to and approved in writing by the City

Council as local planning authority. The agreed measures shall be implemented prior to the first occupation of the development and maintained in situ at all times thereafter.

Reason - In order to enhance local bio-diversity through the provision of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

22) No removal or other work to trees, scrub and or hedges shall be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person.

Reason - To safeguard local biodiversity and nature conservation, pursuant to policy EN15 of the Core Strategy for the City of Manchester.

23) Before the occupation of the development, a report shall be submitted to and approved in writing by the City Council as local planning authority verifying the implementation of the measures relating to the delivery of sustainable design and carbon reduction as set out in page 13 of the submitted Design and Access Statement Ref: Ver1.0 dated August 12 2021 by Studio Tian. The agreed measures shall be implemented prior to the occupation of the development and maintained in situ at all times thereafter.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1, T2, EN4, EN8 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework

24) The alleyway adjacent to the northern boundary with houses at 109 - 117 North Road (inclusive) shall remain unobstructed at all times, including the construction phase of the development, to facilitate access and egress to and from neighbouring properties.

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

25) The development shall achieve level thresholds to external doors to Unit 1 and Unit 2 as confirmed on drawings referenced: Proposed elevations Ref: 21061-A03 Rev C and Studio Tian email dated 5 May 2022.

Reason - For the avoidance of doubt and to ensure that the development secures inclusive access pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

26) Before the occupation of the development a scheme detailing hard and soft landscaping, including the permeable surfacing of the car parking space to Unit 1, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented to a timescale to be agreed with the City Council as local planning authority and maintained in situ at all times thereafter.

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 for the City of Manchester.

27) Before the occupation of the development, the security measures detailed on drawings ref: Proposed Elevation 21061-A03-C shall be fully implemented. All locks and fittings the doors and windows, external lighting and other security measures shall meet 'Secured by Design' standards and, following installation, maintained in situ at all times thereafter.

Reason - To reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

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.

Guidance for developers can be found via the following:

http://www.manchester.gov.uk/download/downloads/id/15267/controlling_pollution_from_construction_sites.pdf
and IAQM/EPUK Construction Guidance at: <http://iaqm.co.uk/guidance/>

Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

The findings and recommendations of the submitted TACCL Preliminary Risk Assessment, Ref. 21966/1 dated September 2021, are accepted. An intrusive site

investigation is required as part of the discharge of condition 18. The scope of this investigation should be agreed with the City Council as local planning authority.

The applicant is reminded that under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett . If a badger sett is found on or near the developments site work should cease immediately and a suitably experienced ecologist employed to advise on how best to proceed.

It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed, Cotoneaster Horizontalis, Montbretia, and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence

The applicant is advised that enquiries with United Utilities (propertygeneralenquiries@uuplc.co.uk) to ensure the details of the easement are understood and respected both during construction and post completion of the development and nothing occurs which would block this right of access.

Date: 27 May 2022

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

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