MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

C Young
68 Claude Road
Manchester
M21 8DF

Agent (if used)

Peter Miller
MTP Town Planning Ltd
31 Park Road West
Curzon Park
Chester
CH4 8BQ

Part 1 – Particulars of the application/development

Proposal: Erection of a two storey outbuilding following demolition of existing outbuilding

Location: 68 Claude Road, Manchester, M21 8DF

Date of application: 10 June 2020

Application number: 127013/FH/2020

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 issues arising from the consideration of this 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:
420/10A received 3 August 20020
420/10 rev B received 7 April 2021
420/11 received 30 July 2020

420/12 received 30 July 2020
EA Flood Map for Planning received 10 June 2021
Detailed Flood Map received 22 March 20921
Flood Modelling Table received 22 March 2021
Emails from agent dated 22 March 2021; subject: Fw: 2091 - 68 Claude Road, Chorlton. Email 1 of 2; Fw: 2091 - 68 Claude Road, Chorlton. Email 2 of 2
Location Plan received 4 August 2020

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) Before the rendered finish is applied details of the texture and colour of the render shall be submitted to and approved by the City Council.

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.

4) The details of the proposed roof covering shall be submitted to and approved in writing by the City Council prior to their installation on the building hereby approved.

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.

5) The proposed development shall only be used as ancillary accommodation to the main dwelling house, and shall not be used as an independent dwelling house, as holiday accommodation/ for short term lets, for the carrying out of any trade or business or for any other purpose.

Reason - The use of the proposed building as independent living accommodation would have a detrimental impact on the amenity of the occupiers of adjoining residential properties pursuant to Core Strategy policy DM1 and saved Unitary Development Plan policy DC6.

6) Before first occupation the windows in the north facing (rear) elevation and any glazing in the door in the south facing (drive) elevation 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.

7) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works for the redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides, and evidence of that contract has been supplied to the City Council as local planning authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

8) If demolition of the existing building has not commenced within two years of the original Bat Survey then a further survey should be conducted before the commencement of development.

Reason Circumstance regarding the use of the building by bats may change in the intervening period and confirmation is required that the building is not used by bats pursuant to the provisions of the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

9) Prior to the development hereby approved being first used a bat box shall be installed and available for use. The bat box will be retained in perpetuity.

Reason - To ensure that new provision is made to replace existing roosting sites that are lost to the development pursuant to policies EN15 and DM1 of the Core Strategy of the Local Development Framework and the principles for sustainable development set down in the National Planning Policy Framework.

10) In this condition "retained tree" means an existing tree, shrub or hedge 0n the site; 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 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.

11) The finished floor levels of the development hereby approved shall be set no lower than 25.46 mAOD in accordance with drawing 420/10 rev B received 7 April 2021 and that the appropriate flood resilience and resistance measures have been implemented on site where required.

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) pursuant to Core Strategy policies DM1 and EN14

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.

This consent relates solely to the erection of the proposed building and does not confer consent on any other unauthorised structures within the curtilage of the site.

If bats are found or suspected at any time work should cease until advice has been sought and implemented from the licenced ecologist.

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of impermeable area.

The developer is advised to register the property to receive Environment Agency flood warnings at https://www.gov.uk/sign-up-for-flood-warnings.

Date: 15 April 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. 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 of 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.