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

Mr Muhammad Ajmal
7 Westdale Gardens
Manchester
M19 1JA

Agent (if used)

Mr Stephen Nicholls
Richmond Consultants
63 Ellwood Road
Offerton
Stockport
SK1 4BE

Part 1 – Particulars of the application/development

Proposal: Retrospective consent for retention of converted detached garage and extension to form playroom and utility/storeroom

Location: 7 Westdale Gardens, Manchester, M19 1JA

Date of application: 28 September 2020

Application number: 127941/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

Condition(s) attached to this decision

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Application form and the drawings received on the 09 September 2020:

Existing 15-20 WDG100 Ground Floor and Site Plan
Existing 15-20 WDG101 First Loft and Roof Plans
Existing 15-20 WDG102 Elevations
Proposed 11-19 WG105 REV A Elevations
Proposed 15-20 WDG103 Ground Floor and Site Plan Rev B
Proposed 15-20 WDG104 First Floor and Roof Plan
Photos - 09 September 2020

Location Plan received on the 28 September 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.

2) The playroom and utility/storeroom shown on the plan 15-20 WDG103 Rev B shall be used solely for a purpose incidental to the enjoyment of the dwelling house at No.7 Westdale Gardens and for no trade or business purpose.

Reason - In the interests of residential amenity pursuant to policies DM1 and SP1 of the adopted Core Strategy for Manchester and saved policy DC26 of the Unitary Development Plan for Manchester.

3) The playroom and utility/storeroom shown on the plan 15-20 WDG103 Rev B, shall be used solely for a purpose that is incidental to the enjoyment of the dwelling house at No.7 Westdale Gardens and shall not be occupied as a separate and permanent residence at any time.

Reason - In the interests of residential amenity pursuant to policies DM1 and SP1 of the adopted Core Strategy for Manchester and saved policy DC26 of the Unitary Development Plan 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: 19 November 2020

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.