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 M Naeem Saleem
25 Kingsway
Manchester
M19 2BZ

Agent (if used)

Mr Ahmad Turkmani
AT A. Design
12 Hastings Gardends
Stockport
Manchester
SK5 8BF

Part 1 – Particulars of the application/development

Proposal: Erection of single storey side extension to facilitate additional living accommodation

Location: 25 Kingsway, Manchester, M19 2BZ

Date of application: 11 April 2020

Application number: 126569/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

Article 35 Declaration

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 instance, the initially submitted proposal has undergone some revisions in the interest of residential and visual amenity, given issues raised with agent regarding windows along the side elevation and privacy concerns. Clarification was require regarding how much gap would be retained from the side elevation of the proposed extension to the common boundary with Green Drive and if the existing boundary treatment is to be retained. The agent was requested to advise how much depth would be retained from the rear of the proposed extension to the rear boundary, and clarification was sought on where bins are to be kept. These matters were subsequently addressed, and clarification provided, and subsequent revised plans submitted, (email and attached plans from agent dated 07/07/2020: Existing and Proposed Elevations, Drawing No. PP71-5/20; and Existing and Proposed Site Plan, Drawing No. PP71-4/20). The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan saved policies, Local Development Framework Core Strategy Development Plan and other material considerations.

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:

o Householder Application for Planning Permission for works or extension to a dwelling forms, received by the City Council as the Local Planning Authority on 23 March 2020.

o Existing Floor Plans and Elevations, Drawing No. PP71-2/20, received by the City Council as the Local Planning Authority on 23 March 2020.

o Site and Location Plan, Drawing No. PP71-1/20, received by the City Council as the Local Planning Authority on 23 March 2020.

o Supporting Information - CIL QUESTIONS, received by the City Council as the Local Planning Authority on 23 March 2020.

o Proposed Floor Plans and Elevations, Drawing No. PP71-3/20, received by the City Council as the Local Planning Authority on 23 March 2020.

o Tree Survey Site Plan, Drawing No. PP71-1/20, received by the City Council as the Local Planning Authority on 11 April 2020.

o Photographs, received by the City Council as the Local Planning Authority on 11 April 2020.

o Email and attached plan from agent dated 07/07/2020 Existing and Proposed Site Plan, Drawing No. PP71-4/20.

o Existing and Proposed Elevations, Drawing No. PP71-5/20 received by the City Council as the Local Planning Authority on 13 July 2020

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

3) The external facing materials to be used on the extension hereby permitted shall match those of the existing building in terms of type, colour, texture and scale, and as stated on the approved plans.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

4) 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 or doors shall be inserted into the elevations of the extension hereby approved other than those shown on:

o Email and attached plans from agent dated 07/07/2020: and Existing and Proposed Site Plan, Drawing No. PP71-4/20
o Proposed Floor Plans and Elevations, Drawing No. PP71-3/20, received by the City Council as the Local Planning Authority on 23 March 2020
o Existing and Proposed Elevations, Drawing No. PP71-5/20 received by the City Council as the Local Planning Authority on 13 July 2020

Reason - In the interests of residential amenity pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

5) The retained boundary treatment along the Green Drive elevation, as shown on the Existing and Proposed Elevations, Drawing No. PP71-5/20; and Existing and Proposed Site Plan, Drawing No. PP71-4/20 received by the City Council as the Local Planning Authority shall be retained in perpetuity.

Reason - In the interests of residential amenity pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and 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 part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

7) Before first occupation of the development thereby approved, the two proposed windows along the side elevation as shown on plan references:

o Existing and Proposed Elevations, Drawing No. PP71-5/20; and Existing and Proposed Site Plan, Drawing No. PP71-4/20, received by the City Council as the Local Planning Authority on 07 July 2020; and
o Proposed Floor Plans and Elevations, Drawing No. PP71-3/20, received by the City Council as the Local Planning Authority on 13 July 2020,

shall be opaquely 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 properties from overlooking or perceived overlooking, pursuant to The Manchester Core Strategy Development Plan Document, policies DM1 and SP1.

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.

With regard to any site clearance and construction-related activity, including the delivery and storage of plant and materials, the applicant is advised that they will need to seek prior approval from the Council's Highways Applications and Resilience team (tel. 0161 234
5004) before undertaking any work that may impact the adopted highway.

Date: 13 July 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.