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 Ben Wai
632-636 Hyde Road
Manchester
M18 7EE

Agent (if used)

Mr Vikas Alyas
Vikas Alyas Ltd
880 Stockport Road
Manchester
M19 3BN

Part 1 – Particulars of the application/development

Proposal: Change of use of upper floors and rear of ground floor from Class A2 office to form two self-contained flats

Location: 632-636 Hyde Road, Manchester, M18 7EE

Date of application: 28 August 2019

Application number: 124225/FO/2019

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

0) 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 negotiations took place in relation to standard of accommodation ,and natural light to rooms. The applicant has also been advised of a number of pre-development conditions, and these have been accepted. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

Completed waste management profroma stamped as received 23rd July 2019

Plan refs: A101 rev.P1 (location and site plan); A102 rev.P1 (Existing floorplans) ; A103 rev.P3 (Existing elevations); Plan refs: A104 rev.P3 (Proposed floorplans); A105 rev.P3 (Section A-A) and A106 rev.P3 (Waste management Strategy) stamped as received 22nd January 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 first occupation of flats hereby approved, the bathroom windows at first and second floor level in the rear elevation, on plan ref: A103 rev.P3 (Existing elevations)shall be obscurely 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 and in accordance with policies SP1 and DM1 of the Core Strategy.

4) The development shall be implemented in accordance with the details on the waste management proforma , and in accordance with plan ref: A106 rev.P3 (Waste management Strategy) . The approved waste management arrangements shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

5) a) Before the development commences a scheme for acoustically insulating the proposed
residential accommodation against noise from Hyde Road and the commercial premises below 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.

Noise survey data must include measurements taken during a rush-hour period and night
time to determine the appropriate sound insulation measures necessary.

b) Upon completion of the development and before 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 consultants report. The report shall also undertake post completion testing to confirm that the internal noise criteria has 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 in order to protect future residents from noise disturbance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no part of the residential units 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 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, 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 C3a.

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 provision of accommodation that is suitable for people living as families pursuant to policy 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 Manchester Core Strategy.

7) The development hereby approved shall be completed in accordance with the scheme for the provision of space and facilities for bicycle parking as shown on drawing number A106 rev.P3 , stamped as received by the City Council, as Local Planning Authority on 22 January 2020. The approved space and facilities shall then be retained and permanently 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 in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

8) Any externally mounted ancillary plant, equipment and servicing to be installed shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.
The approved scheme shall be completed before the premises is occupied.

b) Upon completion of the development 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 consultants report. The report shall also undertake
post completion testing to confirm that the noise criteria has 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 - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

9) Prior to commencement of the development mitigation measures to safeguard local air quality (including the provision of a clean air intake and its location), shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the 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.

The proposed development should be designed and constructed to Secured by Design standards including :-

a) Access in to the building should be controlled by a video entry phone system (with the picture viewable on the phone unit, rather than on a television set) so that residents can vet visitors before allowing them access in to the building. Trade access should not be permitted.
b) It is highly recommended that the apartments are fitted with a monitored alarm system with PIR monitors, it should comply with either:
- BS EN 50131 and PD 6662 for wired systems
- BS 6799 for wireless systems

c) Apartment entrance doors must be compliant with and certified to BS PAS 24, STS201, or LPS 1175 SR2. It is advised that these doors do not have fixed sidelights, and are provided with door viewers instead.
d) Windows must be compliant with and certified to BS PAS 24 or BS 7950.
e) Ground floor and easily accessible opening lights (escape requirements permitting) must be key-lockable, and have fixed/lockable opening restrictors (not releasable from the outside) limited to 100mm.
(please see www.designforsecurity.org/secured-by-design/ or www.securedbydesign.com for more information). Developments that are built to this standard are less likely to be susceptible to crime.

For this development proposals for good practice principles, in relation to air quality for both the design and operational phases. Reference should be made to IAQM/EPUK guidance:
http://iaqm.co.uk/guidance/

Date: 26 February 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 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 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 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 2019 until 31st December 2020