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 Rizwan Ilyas
1 Buller Road
Manchester
M13 0PP

Agent (if used)

Mr M. Amjad
Active Constructions Ltd
44 Higher
Manchester
M12 6DA

Part 1 – Particulars of the application/development

Proposal: Erection of single storey rear extension and dormer extension to roof

Location: 1 Buller Road, Manchester, M13 0PP

Date of application: 15 July 2019

Application number: 124228/FH/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

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, clarification was sought early on in the application process in terms of the proposed external material for the proposed dormer. It is prosed to clad the dormer in concrete tile to match the existing roof, (Email and attached updated plan from agent, dated 09/09/2019). 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 Application for Planning Permission forms, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Design and Access Statement, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Location Plan, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Existing Ground Floor Plan and Existing First Floor Plan, Drawing No. RZ-PP-01 10/07/2019, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Existing Loft and Proposed Dormer, Drawing No. RZ-PP-02 10/07/2019, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Existing Front Elevations and Existing Rear Elevations, Drawing No. RZ-PP-04 10/07/2019, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Proposed Ground Floor Plan and Proposed First Floor Plan, Drawing No. RZ-PP-03 10/07/2019, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Proposed Side Elevation (East Side) and Proposed Side Elevation (From H. No. 03), Drawing No. RZ-PP-05S, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Proposed Rear Elevation, Drawing No. RZ-PP-04 R E, stamped as received by the City Council as Local Planning Authority on 15 July 2019.
o Proposed Building Block and Existing Building Block, Drawing No. RZ-PP-06, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Email and attached revised plan from agent dated 09/09/2019: Proposed Dormer Typical Detail, Drawing No. RZ-PP-09

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, SP1 and DM1 of the Core Strategy.

3) The external facing materials to be used on the single storey rear extension extension hereby permitted shall match those of the existing building in terms of type, colour, texture and scale and as specified on the submitted application form and drawings; and the dormer walls would be externally clad in tiles matching the existing roof, along with the windows, fascia and guttering matching the existing. However, a materials condition has been attached to ensure that the materials are adhered to as stated in the application form and on the drawings.

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 policies DC1 of the Unitary Development Plan for the City of Manchester and Policy EN1, 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 development hereby approved other than those shown on:

o Proposed Dormer, Drawing No. RZ-PP-02 10/07/2019, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Proposed Ground Floor Plan and Proposed First Floor Plan, Drawing No. RZ-PP-03 10/07/2019, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Proposed Side Elevation (East Side) and Proposed Side Elevation (From H. No. 03), Drawing No. RZ-PP-05S, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Proposed Rear Elevation, Drawing No. RZ-PP-04 R E, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Proposed Building Block and Existing Building Block, Drawing No. RZ-PP-06, stamped as received by the City Council as Local Planning Authority on 15 July 2019.

o Email and attached revised plan from agent dated 09/09/2019: Proposed Dormer Typical Detail, Drawing No. RZ-PP-09

Reason - In the interests of residential amenity pursuant to Policy EN1, SP1, DM1 of the Core Strategy for the City of Manchester and saved Policy DC1 of the Unitary Development Plan.

5) Before first occupation of the development thereby approved, the dormer windows facing the rear alleyway, as illustrated on: Proposed Dormer, Drawing No. RZ-PP-02 10/07/2019, stamped as received by the City Council as Local Planning Authority on 15 July 2019, shall be obscurely glazed on the bottom half 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 EN1, SP1 and DM1 of the Core Strategy.

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.

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.

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.

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 pursuant to policy EN17 of the Core Strategy.

Date: 20 September 2019

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.