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

Ms Olivia Bentley
Westhill
Green Walk
Bowden
WA14 2SL

Agent (if used)

Mr Simon Miles
S R Miles Ltd
28 Parrswood Avenue
Didsbury
Manchester
M20 5ND

Part 1 – Particulars of the application/development

Proposal: Change of use of premises from office at ground floor with adjacent service yard, and residential dwelling at first floor, to 4.no 2 bedroom apartments, with associated car parking and amenity space following demolition of existing garage and rear single storey outrigger

Location: 42 Ladybarn Road, Manchester, M14 6WW

Date of application: 12 March 2019

Application number: 122979/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

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in this delegated report. Public notification of the application resulted in one objection which was taken into consideration in the assessment of the application alongside the comments of statutory consultees including the Highway Authority, GMP (Design for Security) and Environmental Health. The footprint of the scheme was revised to improve surveillance of the entrance to apartment B and an extension of time granted to enable determination of the 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:

The application form and the drawings numbered; 19.160 PL000, 19.160 EX01, 19.160 EX02 and 19.160 EX03, all stamped as received by the City Council, as Local Planning Authority, on the 12 March 2019.

Revised drawings; 19.160 PL100 Rev A, 19.160 PL101 Rev A and 19.160 PL102 Rev A received by email on the 4 June 2019.

Waste Management Proforma received on the 12 March 2019.
Schedule of Accommodation prepared by Simon Miles Architect received on the 12 March 2019
Design and Access Statement prepared by S.R Miles Architect received on the 12 March 2019.

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) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Application Form.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and the requirements of the National Planning Policy Framework.

4) Before first occupation the windows in the ground and first floor bathroom and en-suite windows, 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.

5) Before the development commences, a scheme for acoustically insulating the proposed residential accommodation against noise from Wilmslow Road, the builder's yard and timber yard, 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.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance in accordance with saved UDP policy DC26.1 and Core Strategy policies SP1 and DM1.

6) In the event that ground contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as Local planning Authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN18 of the Manchester Core Strategy.

7) The car parking for the development indicated on the approved plans shall be surfaced, demarcated and made available for car parking use prior to the apartments hereby approved being first occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

8) 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.

9) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

o Details of wheel washing during the construction period;
o Dust suppression measures (based on British Standard 5228) and measures to control mud on roads;
o Compound locations where relevant;
o Location, removal and recycling of waste;
o Routing strategy, swept path analysis and quantification/classification of construction vehicle activity;
o Vehicular access points into the site and parking locations for construction vehicles, HGV's, contractors and staff;
o Emergency telephone contact number for site contractor on public display from the commencement to completion of the development;
o Identify advisory routes to and from the site for staff and HGV's;
o A highway dilapidation survey including photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

Development shall be carried out in accordance with the approved construction management plan.

Reason - In the interest of pedestrian and highway safety and to ensure that the proposed development is not prejudicial or a nuisance to adjacent dwellings pursuant to policy DM1 of the Core Strategy. Details are required prior to works commencing on site as the impacts of construction works to deliver the development require mitigation.

10) Notwithstanding the approved plans, prior to the commencement of above ground construction works for the residential development, a hard and soft landscaping treatment scheme including species and sizes of trees to be planted and the timescales for planting, shall be submitted for approval by the local planning authority. The approved scheme shall be subsequently implemented in accordance with the agreed timescales, materials and landscaping scheme. If within a period of 5 years from the date of the planting of any tree, hedge or shrub, that tree, hedge or shrub or any tree, hedge or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree, hedge or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 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

Noise survey data must include measurements taken during a daytime period and night time to determine the appropriate sound insulation measures necessary. The internal noise criteria are as follows:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not normally exceed 45 dB LAmax,F by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq
Gardens and terraces (daytime) 55 dB LAeq

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the Council's Highways Applications and Network resilience teams via Contact Manchester (Tel: 0161 234 5004).

Greater Manchester Police recommend that the following measures are incorporated into the development to secure the site and future occupiers:

Boundary Treatment
Vehicular entrance gates should be installed at the vehicular access path so that residents can converse with, and vet, visitors prior to allowing entry.

Flats
Access in to the flats 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 is not permitted.

The flat 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.

Management & Maintenance
The success of the proposed development will be dependent upon the effective management and maintenance of the site. A security management plan should include measures to deal with the following:

Frequent inspection and prompt repair of security features (e.g. lighting CCTV, signage, barriers, locks, fencing and rails).
Access control, Supervision & Surveillance.

Date: 10 June 2019

Signed: 

Julie Roscoe
Head 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/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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 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.