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

Runsmere Properties Ltd
First Floor
440 Wilmslow Road
Withington
Manchester
M20 3BW

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: Erection of a 3 storey rear extension to create two additional apartments, with associated internal and elevational alterations and amendments to the car parking layout, following demolition of the rear single storey outrigger (total 5)

Location: 431 Wilmslow Road, Manchester, M20 4AF

Date of application: 26 April 2019

Application number: 123227/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

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. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application and these concerns have been addressed in amended drawings. Appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC18 of the Manchester Unitary Development Plan and to policies SP1, DM1, EN1, EN3, H6 and T2 of the Core Strategy.

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:

19.167 PL200 Issue A stamped as received by the City Council as Local Planning Authority, on the 12.06.2019
19.167 PL201 Issue C stamped as received by the City Council as Local Planning Authority, on the 17.06.2019
19.167 PL202 Issue B stamped as received by the City Council as Local Planning Authority, on the 14.06.2019
19.167 PL203 Issue C stamped as received by the City Council as Local Planning Authority, on the 17.06.2019

Waste Management Proforma stamped as received by the City Council as Local Planning Authority, on the 03.04.2019
Heritage Statement prepared by Paul Butler Associates stamped as received by the City Council as Local Planning Authority, on the 26.04.2019

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 car parking and cycle store shall be implemented in accordance with the approved details as shown on drawings 19.167 PL201 Issue C and 19.167 PL203 Issue C stamped as received by the City Council as Local Planning Authority, on the 17.06.2019, prior to any residential property within the development being first occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

4) The waste management shall be carried out in accordance with the Waste Management Proforma stamped as received by the City Council as Local Planning Authority, on the 03.04.2019 and drawings19.167 PL201 Issue C and 19.167 PL203 Issue C stamped as received by the City Council as Local Planning Authority, on the 17.06.2019 . The details of the approved scheme 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 residential and visual amenity, pursuant to policies DM1and SP1 of the Manchester Core Strategy.

5) Before first occupation the ensuite bathroom windows in the side elevation facing 429 and 433 Wilmslow Road as shown on drawing 19.167 PL202 Issue B stamped as received by the City Council as Local Planning Authority, on the 14.06.2019 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.

6) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from the ground floor commercial unit 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. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not 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

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 consultant's 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.

To secure a reduction in noise from the ground floor commercial unit; in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

7) No development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree 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 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.

8) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

9) The car parking and cycle store shall be implemented in accordance with the approved details as shown on drawings 19.167 PL200 Issue A stamped as received by the City Council as Local Planning Authority, on the 12.06.2019 and 19.167 PL201 Issue C stamped as received by the City Council as Local Planning Authority, on the 17.06.2019, prior to any residential property within the development being first occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

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

Construction/demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

Date: 21 June 2019

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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.