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 Anthony Hirsch
1 Norcliffe Hall
SK9 4LH

Agent (if used)

Mr Ian Sherwood
Hattrell DS One Architects LLP
Arthur House
Chorlton Street
Manchester
M1 3EJ

Part 1 – Particulars of the application/development

Proposal: Change of use create 1 x 3 bedroom, 4 x 2 bedroom and 3 x 1 bedroom apartments (Class C3)

Location: 2 Poland Street, Manchester, M4 6BR

Date of application: 12 June 2018

Application number: 119090/FO/2018

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 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. In this instance officers have worked with the agent in a positive and proactive manner relating to the scheme and appropriate conditions to the approval have also been attached.

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 numbered

2432_02_03_rev A Proposed Floor Plan, 2432_02_04 rev a Proposed Elevation, stamped as received on the 23rd October 2018,

2432-01-01 Existing and Proposed Ground Floor Plan and 2432-01-01 Location Plan, stamped as received on the 14th February 2018,

Design and Access Statement, stamped as received on the 14th February 2018,

ADC Acoustics Noise Impact Statement, stamped as received on the 14th February 2018,

Waste Management Strategy and Waste Pro forma, stamped as received on the 14th February 2018.

Transport Assessment Technical Data by MODE Transport, stamped as received on the 14th February 2018.

Transport and Travel Information Data by MODE Transport, stamped as received on the 1st November 2018.

The email from Hattrell DS One Architects LLP containing the waste management and access arrangements dated 9th November 2018.

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) No development that is hereby approved shall commence unless and until samples and specifications of athe doors 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.

4) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. 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 interest of amenity and public health, pursuant to policy SP1 and DM1 of the Core Strategy.

5) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In the interest of amenity and public health, pursuant to policy SP1 and DM1 of the Core Strategy.

6) Notwithstanding the acoustic details contained within the ADC Acoustics Noise Impact Statement, stamped as received on the 14th February 2018. Prior to first use a scheme for acoustically insulating the ventilation system shall be provided, details including how the ventilation system would meet the criteria below:

Noise survey data must include measurements taken during a rush-hour 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 details shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To secure a reduction in background noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

7) Prior to the first use of the building, details of cycle provision shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt such details shall include the location of the cycle store, level of provision and means of enclosure. The approved scheme shall be implemented prior to the first use of the development and retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

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 any dwelling 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 C3(a).

Reason - In the exceptional circumstances of a proliferation of HMO's 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.

9) The development hereby approved shall be carried out in accordance with the Transport Statement by Mode Transport Planning, stamped as received by the City Council, as Local Planning Authority, on the 14th February and the Technical Note by Mode Transport Planning, stamped as received on the 1st November 2018.

In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those living at the development;
ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

10) Prior to the first occupation of the residential element of the development hereby approved, details of the strategy and implementation of the off-site car parking strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented upon first occupation of the residential element of the scheme and thereafter retained and maintained in sit-u.

Reason - To ensure adequate car parking provision is made available to the occupants of the development off-site pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012) and the Manchester Residential Quality Guidance (2016).

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.

All new external doors and ground floor windows should be certified to a Secured by Design recognised security standard (PAS 24 or LPS 1175).

All aspects of the building, particularly doorways should be illuminated with dusk till dawn lighting.

We would recommend that the lobby from the 'Portugal Street' entrance Is access controlled. - 'Portugal Street' entrance should not be used as a main or secondary communal entrance to the proposed apartments.

Bin store should be access controlled.

All new apartment doors should be certified to BS PAS 24.

The main communal entrances to the apartments should operate on a audio/video access control system, allowing residents to vet visitors before granting them access in to the building. - we would recommend that there be one main communal entrance to the flats which off the main road as that is where natural surveillance is at its highest.

External communal access doors must be compliant with and certified to BS PAS 24, STS202, or LPS 1175 SR2, LPS 2081 SRA, including a lock capable of being operated via an electronic access control system. The communal entrance doors should be self-closing and secured with a multi-point electronic lock and capable of being operated via an electronic access control system, these features should be permitted under the scope of the certification. Access in to the build 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. There should be no unrestricted trade access in to the building.

To prevent potential offenders entering the building by claiming to be postal workers it is highly recommended that external, secure, through the wall mail boxes should be provided for each apartments, so that postal workers do not require access to the building.

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

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

Date: 29 November 2018

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.

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 2017 until 31st December 2018