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 Lucy Hampson
Southway Housing Trust
Southern Gate
729 Princess Road
Manchester
M20 2LT

Agent (if used)

Mr Manuel Atkinson
Bernard Taylor Partnership Ltd
Elizabeth House
486 Didsbury Road
Stockport
SK4 3BS

Part 1 – Particulars of the application/development

Proposal: Variation of condition no. 2 (specified plans) attached to planning permission ref:116719/FO/2017 to allow revised road layout, and alterations to finished floor levels

Location: Land Rear Of 6 & 7 Deepdale Avenue, Manchester, M20 1GU

Date of application: 7 November 2018

Application number: 121759/JO/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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

Condition(s) attached to this decision

1) The development must be begun not later than the17th August 2020.

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: 3009/100 rev B, 3009/S2/101 rev A,3009/S2/102 rev A, 3009/S2/105 rev E, 3009/S2/106 rev C,, 3009/S2/108 rev B, 3009/S2/109 rev A, 3009/SO/110 rev B, 3009/SO/111 rev B, 3009/SO/112 rev C, 3009/SO/113 rev C, 3009/S2/115 rev B, 3009/116, 3009/SO/117 rev A, 3009.120, 3009/SO/121 rev A and 16.B.10964/20, 3009/S2/205, 3009/S2/206B,Design and Access Statement by BTP, Bat Scoping Survey ref UES01948/03 dated 2nd May 2017, Preliminary Ecological

Appraisal and Code for Sustainable Homes :Ecologuy Assessment ref UES1048/1 dated 2nd May 2017, Phase 1 Preliminary Risk Assessment refeerence 17.B.10964 dated 30th January 2017 and Phase 2 Geo Environmental Investigation and Assessment reference 17.B.10964/Deepdale Avenue dated 13th June 2017 .

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 development hereby approved shall be constructed using the following materials:

Windows Black PVC
Brick Forterra Russett Red
Roof Tile Marley Modern Smooth Grey
Rainwater Goods Black PVC.

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) The drainage scheme shown on drawings S104 layout, Rev.P2 dated 09.07.2018 and the Flood Risk Drainage and Strategy Report, reference 17-B-10964 dated 08.02.2017 are acceptable and shall be implemented as part of the development hereby approved.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

5) a) Before the development hereby approved commences, a revised report (the Preliminary Risk Assessment) providing the following additional information details for methodd of investigation used, a plan showing exploration locations, justification for exploration locations, justification for sampling and analytical strategies shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised 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 Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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 policies DM1 and EN18 of the Core Strategy.

6) The approved landscaping scheme shown on drawing 3081/201 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.

7) The refuse storage facilities shown on the approved drawings shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure that there are satisfactory arrangements for the Storage of refuse pursuant to Core Strategy policy DM1

8) The boundary treatment shown on drawing 3009/S2/106 rev C shall be completed before the dwellings hereby approved are first occupied and thereafter retained.

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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

9) Before first occupation all the windows in the side elevations of plots 5, 6 and 7 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.

10) The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

11) Before the development hereby approved commences a construction management plan shall be submitted to and approved in writing by the City Council as Local Planning Authority. The CMP should provide sufficient details of the proposed construction traffic routes, the details and provision of any operative's car parking, the proposed site layout, access arrangements for pedestrians and vehicles, material storage, loading and delivery management details and the times of site working.

Reason to ensure the safe development of the site pursuant to Core Strategy policy DM1

12) The approved Highway construction details shown on drawings DRC/1500/P1, DRC/1510/P2, DRC/1530/P1 and DRC/1590/P2 shall be installed and constructed prior to the first occupation of the development.

Reason - In the interests of pedestrian and highway safety and to ensure that adequate car parking is in place pursuant to policy 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

Date: 6 February 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 or 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.