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 Khan
Comfortable Living
100 Pall Mall
St James
London
SW1Y 5NQ

Agent (if used)

Mr Saghir Hussain
Create It Studio Architects
Universal Square
Devonshire Street North
Manchester
M12 6JH

Part 1 – Particulars of the application/development

Proposal: Variation of conditions 1 & 2 of approved planning permission 115608/FO/2017/N2 to allow the siting of temporary show home for further 12 month period

Location: Land On The Junction Of Blackrock Street And Myrtle Street , Manchester, M11 3RW

Date of application: 18 April 2018

Application number: 119515/JO/2018

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Temporarily 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 by requesting further information relating to the scheme and appropriate conditions to the approval have also been attached.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only, expiring on 13 June 2019.

Reason - The use hereby granted is for a temporary period only to help meet the short term demand for facilities at the site and to allow a long term strategy to be put in place pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

2) The use hereby permitted shall be discontinued no later than the 13 June 2019 and the buildings and works comprising the development are required to be removed no later than one month from the use ceasing.

Reason - The use and buildings are required to cease and be removed from spite within a specified timescale in order to allow reinstatement of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:
Existing location and site plan drawing no.A1091(01)AP001 Rev A
Proposed location and site plan drawing no.A1091(02)AP000 Rev B
Proposed landscape plan drawing no.A1091(02)AP001 Rev B
Proposed plans drawing no.A1091(02)AP002 Rev A
Proposed elevations drawing no.A1091(02)AP003 Rev A
Proposed boundary treatment drawing no.A1091(02)AP005
3D view drawing no.A1091(02)AP004 Rev A
All stamped and received by the City Council as Local Planning Authority on 15 May 2017.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy SP1, H1, H4 and DM1 of Manchester's Local Development Framework: The Manchester Core Strategy.

4) The material schedule as agreed shall be in accordance with the details previously discharged by the City Council as Local Planning Authority on 13 September 2017 by application referenced CDN/17/0474.

5) The 'Phase 2 ground investigationWML consulting ref.7716G/SCC/01 dated 27 July 2017' shall be in accordance with the details previously discharged by the City Council as Local Planning Authority on 13 September 2017 by application referenced CDN/17/0474.

The above information was considered to be acceptable with regards to part (a) of the planning condition.

Following completion of the development, and prior to the occupation of the development, a validation report (part (b)) shall be submitted which includes the results of the watching brief and validation of the garden areas to confirm that the soil is suitable for use.

6) The boundary treatment shall be carried out in accordance with the approved details as shown on 'Proposed boundary treatment drawing no.A1091(02)AP005' stamped and received by the City Council as Local Planning Authority on 15 May 2017 and shall thereafter be retained and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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 policies SP1 and DM1 of the Manchester Core Strategy.

7) The show home shall not be occupied for residential use or offices at any time.

Reason - For the avoidance of doubt, as the site will be only be used as a show home during the 12 month period of the planning permission, pursuant to policies SP1 and DM1 of Manchester's Core Strategy.

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the dwellinghouse hereby approved, shall not be extended, and structures shall not be erected within the curtilage areas, without the benefit of planning permission.

Reason - In the interests of residential amenity, and to safeguard the character of the area, pursuant to policies SP1 and DM1 of Manchester's Core Strategy.

9) The 'Construction Management Plan' as agreed shall be carried out in accordance with the details previously discharged by the City Council as Local Planning Authority on 13 September 2017 by application referenced CDN/17/0474.

10) The development hereby approved shall be carried out in accordance with an Environmental Standards statement which shall be submitted to, and approved in writing by the City Council, as Local Planning Authority, prior to occupation of the development. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

11) The surface water 'Drawing 1001 Rev P1' as agreed shall be carried out in accordance with the details previously discharged by the City Council as Local Planning Authority on 13 September 2017 by application referenced CDN/17/0474.

Informatives

This permission does not grant approval under Building Regulations.

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.

Date: 12 June 2018

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 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.