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 Mohsin Munif
410 Didsbury Road
Heaton Mersey
Stockport
SK4 3BY

Agent (if used)

Mr Jeffrey Goodchild
Jeffrey C Goodchild MCIAT
62 Belmont Avenue
Springhead
Oldham
OL4 4RS

Part 1 – Particulars of the application/development

Proposal: Part Retrospective application for the retention of a 2 storey building to form residential dwelling with undercroft car parking for use by Dar Ul Loom Mosque and associated boundary treatments (resubmission of expired permission 099548/FO/2012/N2)

Location: Land To The Rear Of 53-87 Stamford Road, Land To The Rear Of 48-82 Slade Grove And Land Adjacent To 4 Hawkhurst Road, Manchester, M13 0ST

Date of application: 18 December 2017

Application number: 118595/FO/2017

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. The application is the result of the previous permission expiring before a recognised start on site commenced. Therefore, pre-application advice was sought from the City Council prior to the submission of this planning application in relation to the need for a further application. The proposed scheme is the same in principle as the permission sought previously, however further information and minor amendments have been made to address concerns raised through consultation on this application. Officers worked in a positive and proactive manner with the applicant to negotiate an acceptable scheme. Therefore, the scheme is now acceptable and in accordance with the Development Plan.

Condition(s) attached to this decision

1) The development must be re-commenced not later than the expiration of one year 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:

Drawing numbered T1089 Site Location Plan
Design and Access Statement
stamped as received by the Local Planning Authority on the 18th December 2017

Email from Jeffrey Goodchild dated 7th February 2018

Drawings numbered:
T1089.2.3 P1/14 dated 13th March 2018
T1089.2.3 P2/14 dated 13th March 2018
T1089.2.3 P3/14 dated 13th March 2018
T1089.2.3 P4/14 dated 13th March 2018
T1089.2.3 P5/14 dated 13th March 2018
T1089.2.3 P6/14 dated 13th March 2018
T1089.2.3 P7/14 dated 13th March 2018
T1089.2.3 P8/14 dated 13th March 2018
T1089.2.3 P9/14 dated 13th March 2018
T1089.2.3 P10/14 dated 13th March 2018
T1089.2.3 P11/14 dated 13th March 2018
T1089.2.3 P12/14 dated 13th March 2018
T1089.2.3 P13/14 dated 13th March 2018
T1089.2.3 P14/14 dated 13th March 2018
stamped as received by the Local Planning Authority on the 14th March 2018

Letter from Jeffrey Goodchild dated 13th March 2018
Car Park Management Plan dated 13th March 2018
Travel Plan for Dar Ul Loom Mosque dated 13th March 2018
stamped as received by the Local Planning Authority on the 19th March 2018

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, DM1, H1 and T2 of the Core Strategy.

3) Within one calendar month from the date of this permission, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall then be constructed in accordance with the approved materials scheme.

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) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Hawkhurst Road, the Mosque car park, and nearby school/commercial/industrial premises 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 is occupied.

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

5) Notwithstanding the bin storage area shown on the approved drawings, the development hereby approved shall not be occupied 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 interests of residential and public amenity, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

6) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref T1089.2.3 P2/14 dated 13th March 2018, shall be implemented not later than 12 months from the date of re-commencement of works. 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) In this condition "retained tree" means an existing tree, shrub or hedge which is located within the site edge red and not listed as being removed or affected on the submitted application forms; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policy EN9 of the Core Strategy.

8) The reconfigured car park with access and egress controls as shown on the approved plans numbered T1089.2.3 P2/14 dated 13/03/18 and T1089.2.3 P14/14 dated 13/03/18 stamped as received by the Local Planning Authority on the 14th March 2018 shall be properly surfaced, demarcated and made available for use prior to the building hereby approved being occupied and at all times whilst the site is occupied.

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

9) a) Within one calendar month from the date of this permission, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site 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 re-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 re-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 re-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.

10) The development hereby approved shall be constructed in accordance with the boundary treatment described in the Design and Access Statement and details shown on the drawings numbered T1089.2.3 P2/14 dated 13/03/18, T1089.2.3 P11/14 dated 13/03/18 and T1089.2.3 P14/14 dated 13/03/18 stamped as received by the Local Planning Authority on the 14th March 2018, in relation to the positions and design of boundary treatment to be erected. The boundary treatment shall be completed before

the first occupation of the new building. The development shall be carried out in accordance with the approved details and shall thereafter be 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 policies SP1 and DM1 of the Core Strategy.

11) The windows in the southern elevation of the residential property hereby approved facing the rear of the properties on Slade Grove 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 Policy DM1 of the Core Strategy for the City of Manchester and saved Policy DC1 of the Unitary Development Plan.

12) Prior to the re-commencement of the development hereby approved, full details of the proposed roller shutters to be installed within the development shall be submitted to and agreed in writing by the City Council as Local Planning Authority before these are in place, including the design, material, colour, security specification, and the location of the housing for the mechanism. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - In the interests of visual amenity and in order to ensure that the appearance of the building is in keeping with the character of the area, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

13) In accordance with the email received from Jeffrey Goodchild dated 7th February 2018, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification), the development hereby approved shall only be used as one 4 bedroom unit of residential accommodation in association with the Dar Ul Loom mosque (not in multiple occupation), or, as a single family dwelling. No part of the residential element of the development hereby approved 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 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.

14) The roller shutters for the garages on the ground floor of the development hereby approved shall only be operated during the hours of 8am to 10pm Mondays to Sundays and shall remain closed at all times outside of these hours.

Reason - To protect the amenity and living conditions of adjacent residential properties from general noise and disturbance in accordance with Policy DM1 of the Core Strategy for the City of Manchester and saved Policy DC1 of the Unitary Development Plan.

15) The development hereby approved shall be operated in accordance with the car parking management strategy outlined within the document titled 'Car Park Management Plan' dated 13th March 2018 and submitted on the 19th March 2018 and shall be retained in perpetuity for as long as the property is occupied.

Reason - To ensure that a satisfactory car parking management strategy is implemented for the development that respects the highway network and residential amenity of the area in accordance with Policies SP1, T2 and DM1 of the Core Strategy.

16) Within one calendar month from the date of this permission, details of the measures to be incorporated into the development to demonstrate how secure by design accreditation will be achieved shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. 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.

17) Prior to the re-commencement of the development hereby approved, 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;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

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

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (July 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

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 April 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