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 Jon Benson
Mosscare Housing Ltd
101 Great Western Street
Moss Side
Manchester
M14 4AA

Agent (if used)

Ms Leanne Taylor
BTP Architects Ltd
Elizabeth House
486 Didsbury Road
Stockport
SK4 3BS

Part 1 – Particulars of the application/development

Proposal: Erection of a two storey building to form 20 no. one bedroom flats with communal facilities and associated parking, amenity space, bin storage and boundary treatment for use as Learning Disabled Units

Location: Land On Constable Street South Of Monmouth Street, Manchester, M18 8QQ

Date of application: 18 August 2017

Application number: 116918/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 application, particularly in relation to the impact on residential amenity, and the application has been determined in accordance with the policies within the Development Plan.

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:

Design and Access Statement 2914_17.06.22_
Arboricultural Report
Arboricultural Survey ARB/3489/Y/100
Biodiversity survey and report
Noise impact assessment
Drainage Report
Received 7th July 2017

Location Plan 100 Rev 1
Site Plan as Existing 101 Rev 1
Communal Areas 103 Rev 1
Boundary Details 105 Rev 1
T1.1B2P Unit Floor Plan 50m2 106 Rev 2
T2.1B2P Unit Floor Plan 50m2 107 Rev 2
T3.1B2P Unit Floor Plan 50m2 108 Rev 2
T4.1B2P Unit Floor Plan 50m2 109 Rev 2
Site Clearance Drawing 113 Rev 1
Received 11th July 2017

Crime Impact Statement 2017/0062/CIS/01 Version A 25.07.2017
Waste Management proforma (including Waste Management Plan 114) Received 26th July 2017

Transport Statement and Appendices
Air Quality Assessment
Received 18th August 2017

Plans as Proposed 102 Rev 3
Received 28th September 2017

Street Elevations as Proposed 104 Rev 3
Received 06th October 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) Final samples and specifications of all materials (including appropriate sections to the windows) to be used on the external elevations of the development hereby permitted shall be submitted for approval in writing by the City Council, as Local Planning Authority prior to the erection of the above ground structure. The approved materials shall then be used in the construction of the development.

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 Manchester Core Strategy.

4) The car parking for the units hereby approved indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the first occupation of the development hereby approved. 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 policy DM1 of the Core strategy.

5) Prior to the commencement of the development 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;

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Sheeting over of construction vehicles; and
- Hours of Construction

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, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

6) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been 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 policy DM1 in the Core Strategy Development Plan Document for the City of Manchester.

7) Notwithstanding the plans submitted, no development shall commence until a detailed hard and soft landscaping treatment scheme (to include details of an enhanced tree replacement strategy) 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) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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 policies EN9 and EN15 of the Core Strategy.

9) No vegetation clearance or building demolition should occur between the 1st March and 31st August in any one year unless nesting birds have been shown to be absent by a suitably qualified person and this has been agreed in writing by the City Council as local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policies EN9 and EN15 of the Core Strategy.

10) Prior to the first occupation of the residential accommodation hereby approved, the accommodation shall be insulated in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall thereafter be retained and maintained in situ for as long as the development remains in use.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

11) a) Before the development hereby approved commences, 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 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.

12) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.
The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public combined sewerage system either directly or indirectly.
The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

13) Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial woks and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

14) Before development commences on site, a proposal for any necessary highway works associated with the development shall be submitted to and agreed in writing by the City Council as local planning authority. Any works deemed necessary shall be implemented in full prior to first occupation of the building.

Reason - To minimise impacts on the local highway network and to safeguard the amenities of nearby residents, cyclists and other road users pursuant to policies SP1, DM1 and T2 of the Core Strategy for Manchester.

15) The waste management arrangements shall be carried out in accordance with the Waste Management proforma (including Waste Management Plan 114) received by the City Council, as Local Planning Authority, on the 26 July 2017. The approved details shall then be implemented and be in place prior to the first use of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

16) Prior to the commencement of the development hereby approved, details of biodiversity enhancements as recommended in the approved ecology statement shall be submitted to and approved by the City Council as local planning authority. The enhancements shall be installed and thereafter maintained in accordance with those approved details.

Reason - To ensure the protection of the habitats under the Wildlife and Countryside Act 1981 and pursuant to policy DM1 in the Core Strategy Development Plan Document.

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.

Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

If the development is to involve noisy construction works for a prolonged period the applicant is requested to contact Environmental Health to discuss the nature of the construction phase. The reasoning behind this is to establish a site contact and discuss

appropriate working times, etc. A leaflet on Controlling Pollution from Construction Sites, including hours of work is available for download from: http://www.manchester.gov.uk/downloads/download/4235/noise.
Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ. Tel: 0161 234 5004, email: contact@manchester.gov.uk

Date: 19 October 2017

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