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 Adrian Evans
Keepmoat Ltd
Keepmoat House
2 Windward Drive
Liverpool
L24 8QR

Agent (if used)

Mr Richard Dimisianos
IBI Group
IBI Group
One Didsbury Point
2 The Avenue
Manchester
M20 2EY

Part 1 – Particulars of the application/development

Proposal: Erection of 7 new dwellings with associated landscaping, access and car parking

Location: Land At Junction Of Hyde Road And Pottery Lane, Manchester , M12 5FR

Date of application: 19 May 2017

Application number: 116370/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

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and recommends approval the application for the reasons outlined in this report. 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 in regard to elevational design.

The applicant sought pre-application advice from the City Council prior to the submission of this planning application and advice given at this stage was incorporated into the design of the submission.

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 drawings numbered :-

Planning, Design and Access Statement; Transport Statement and Appendices by Croft Transport Solutions (2017);Residential Travel Plan Framework by Croft Solutions ; Air Quality Assessment by SLLR ref: 410.01736.00003; CfSH Pre Assessment and LZC Technology Feasibility Study by Queensferry Design Ltd (2017); Code for Sustainable Homes -CfSH November 2010Flood Risk Assessment(ref: 880507 R01 (01) and Addendum ref: 880507 FRSA L02 KJ (2017); Accessibility Statement; Interim Phase 2 Ground Investigation by LK Consult Limited rerf: LKC 14 1005 (May 2014) ;Coal Mining Report by Atkinson Peck Consulting Engineers ref: GL/C15163(2010); Japanese Knotweed Survey by LKC Pollution Response Limited ref: J:1000/1003/IPM 14 1037/02/L001; Proposed lighting installation by Harttron ref: 150-0-01; Acoustic report by Hepworth ref: P17-135-M01 ; Dwelling Space Standards Statement;
Preliminary Ecology report by Avaian Ecology ref: Keepm-016-180 (2017); Waste management profroma stamped as received 19th May 2017;

Notwithstanding the layout shown 51238-DT-A-250-01 (materials and detailing) ;
51238-PL-G-100 -01 rev.A (site location plan);
51238-PL-A- 100 -01 rev.B (proposed site layout)
51238-EL-A-250- 01 rev. B (House type 1297 proposed elevations)
51238-EL-A-250-04 (House type 1224 V2 proposed elevations)
51238-PL-A-250-04 (House type 1224 V2 floor plan)
51238-PL-A-250-05 (House type 1224 V3 floor plan)
51238-EL-A-250 -06 rev.A (House type 1224 V3 proposed elevations)
51238-EL-A-250-05 (House type 1224 V3 elevations)
51238-EL-A-100-01 rev. B (Illustrative Street elevations)
Stamped as received n 12th September 2017

Updated sound insulation calculations in connection with revised proposals for dwellings at the corner of Hyde road and Pottery Lane dated 12th May 2017 by Hepworth Acoustics received by e-mail dated 29th June 2017.

E-mail from Keepmoat Homes on 11th October 2017 16:43 and attached plan ref: 51238-PL-A-100 -03 rev.C (Proposed landscaping plan) , and 51238-DT-250-02 rev.B (property boundaries).

E-mail from Keepmoat Homes on 16th October 2017 09:03 regarding lifetime homes and , photovoltaic panels

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 for Manchester.

3) A detailed construction management plan outlining working practices during development is submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;
o Hours of working;
o Details of Wheel Washing;

o Dust suppression measures;
o Compound locations where relevant;
o Location, removal and recycling of waste;
o Routing strategy and swept path analysis;
o Parking of construction vehicles and staff;
o Community Consultation strategy;
The development shall then be carried out in accordance with the approved construction management plan, in fullfull throughout the construction period .

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

4) No above ground structures shall commence unless and until samples and specifications of all materials 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. The development shall be implemented in accordance with the approved materials.

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.

5) The car parking shall be surfaced, demarcated and made available for use before the development is occupied, in accordance with details to be submitted to and approved in writing by the City Council as Local Planning Authority. The car parking spaces shall then be available at all times whilst the building is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

6) No development shall commence until details of the measures to be incorporated into the development to demonstrate how secure 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 policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

7) The development hereby approved shall undergo an Uncertified Sustainability Review to demonstrate the achievement of a BREEAM rating of at least a four star sustainability rating under the code for sustainable homes. A post construction Sustainability Review document demonstrating achievement of rating of at least four star sustainability rating under the code for sustainable homes shall be submitted to and approved in writing by the City Council as local planning authority within 3 months of the building hereby approved is first occupied. The Sustainability Review document will

provide evidence once the building has been erected that it has been built in accordance with the relevant BREEAM criteria based on the current appropriate BRE manual and has incorporated feasibility measures to minimise the environmental impact and energy use.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

8) The development hereby approved shall be implemented in accordance with the Residential Travel Plan Framework produced by Croft Transport Solutions, submitted to the Local Planning Authority on received on 19th May 2017. The approved Travel Plan shall be implemented in full at all times within 6 months of any of the houses being occupied.

Reason - To assist promoting the use of sustainable forms of travel pursuant to policies SP1, T2 and DM1 of the Core Strategy for Manchester.

9) Within six months of first occupation of the development hereby approved, a repaving strategy for the public footpaths and redundant vehicular crossings within the development shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

10) The development hereby approved shall be constructed in strict accordance with the recommendations for acoustically insulating the residential accommodation against noise included in the Updated Sound Insulation Calculations in connection with revised proposals for the apartments document completed by Hepworth Acoustics, submitted to the Local Planning Authority on received on 12 May 2017. The finalised measures to be implemented in regard to the glazing specification, and one of the upgraded ventilation schemes specified in the Updated Sound Insulation Calculations Calculations in connection with revised proposals for the apartments document , shall be submitted to the approved in writing by the City Council as Local Planning Authority, within 3 months of the commencement of development.
The approved noise insulation scheme in particular those related to glazing, and internal ventilation, shall be completed before any of the dwelling units are occupied.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

11) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report assessing compliance with the Remediation Strategy and /or Site Investigation Report shall be submitted to and approved in writing by the City with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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, the development shall cease, and/or the development shall not be occupied until, an Expert has prepared a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy / Site Investigation Report) which shall be 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 / Site Investigation Report, which shall take precedence over any Remediation Strategy Site / Site Investigation Report or earlier Revised Remediation Strategy / Site Investigation Report.

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 EN18 and DM1 of the Core Strategy for Manchester.

12) Notwithstanding the lantern design shown on plan refs: 15060-D-01 (proposed lighting and installation design layout section 38 sheet 1 of 1) ; the development shall be implemented in accordance with the approved lighting locations as shown on plan refs: 15060-D-01 (proposed lighting and installation design layout section 38 sheet 1 of 1) in respect of Donnison Street and Pottery Lane; and shall remain in situ whilst the use or development is in operation.

The finalised locations and design of the lighting to the proposed pedestrian route between Donnison Street and Hyde Road and to the footway in front of plot numbers 241-245 , and lantern design to the street lighting on Donnison Street and Pottery Lane; shall be submitted to, and approved in writing by, the City Council as local planning authority, and implemented prior to occupation of the dwellinghouses.

Reason - To ensure adequate lighting within the development and to ensure full accessibility within the public realm works, pursuant to policies SP1 and policy DM1 of the Core Strategy for Manchester.

13) If, when the lighting units are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as LPA confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Core Strategy for Manchester.

14) The development hereby approved shall be implemented in full accordance with the Waste Management information received on 19th May 2017, and plan ref: 51238-PL-A-100-03 rev. C which includes a scheme for the disposal of refuse including segregated waste for recycling. The details of this 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 the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

15) Notwithstanding the details shown on plan ref: 51238-PL-A-100-03 rev.C, and plan ref: 51238-PL-A-100-04 rev.A no development shall commence until a hard and soft landscaping treatment scheme , including a management and maintenance 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.

16) Development shall not begin until a surface water drainage scheme for the site, based on the Flood Risk Assessment (FRA) from RSK, May 2014 (Ref 880507 R01 (01)) and Addendum 880507RALo2LS from RSK, May 2017 has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.
The scheme shall include:
- details of surface water drainage systems for events up to a 1 in 100 year including climate change allowance.
- assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. The flood water should be routed away from the buildings and towards the less vulnerable areas i.e. open spaces, car parks and roads. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- details of how the scheme shall be maintained and managed after completion.
Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system as the application site is located within an identified Critical Drainage Area pursuant to policy EN17 of the Core Strategy.

17) 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) none of the dwellings hereby approved shall be used for any other purpose (including any other purpose in Class C3(a) 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.

18) Within 6 months of commencement of development full detailed designs (including specifications) of the proposed public footpath route between Lawnswood Road/Donnison Street and Hyde Road directly to the east of the site shall be submitted to and approved in writing by the City Council as Local Planning Authority.
The development shall be implemented in accordance with the approved details prior to the dwellinghouses being first occupied.

Reason - In the interests of pedestrian and highway safety, pursuant to policy T1 of the Core Strategy for Manchester.

19) Within 6 months of commencement of development the location and full detailed designs of the proposed house sparrow nesting boxes as referred to in the Preliminary Ecology report by Avaian Ecology ref: Keepm-016-180 (2017); shall be submitted to and approved in writing by the City Council as Local Planning Authority.The development shall be implemented in accordance with the approved details prior to the dwellinghouses being first occupied.

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 policy EN15 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

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.

A public sewer crosses this site and United Utilities may not permit building over it. They will require an access strip width of 8 metres, 4 metres either side of the centre line of the sewer.

Developers are advised to assess the suitability of sustainable drainage systems in accordance with paragraphs 051, 079 and 080 of the revised NPPF Planning Practice Guidance (PPG) for Flood Risk and Coastal Change.

Date: 20 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