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 & Mrs Hasan
45 Delacourt Road
Manchester
M14 6BU

Agent (if used)

Mr David Ormesher
Holborrow and Ormesher Ltd
Station House
Adams Hill
Knutsford
WA16 6DN

Part 1 – Particulars of the application/development

Proposal: Erection of a part single, part two-storey side, single storey rear extension and second floor roof extension to form additional living accommodation

Location: 45 Delacourt Road, Manchester, M14 6BU

Date of application: 19 April 2017

Application number: 115378/FH/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 has been determined in a timely manner and in accordance with the guidance contained within saved Policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to Policy DM1 of the Core Strategy and the National Planning Policy Framework.

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:-

a) Revised drawing numbered 1787/17/01, Revision B, and undated, showing the proposed ground, first and second floor plans and all elevations, received by the City Council as Local Planning Authority on 24 July 2017.
b) Email from Agent confirming construction materials for the refuse bin store to be constructed in close boarded timber fencing at 1.10 metres in height.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3) The approved scheme for the refuse bin storage, constructed in close boarded timber fencing at 1.10 metres in height, as shown on the drawing 1787/17/01, Revision B, list above, shall be implemented as part of the development and installed prior to the use of the extension and shall remain in situ in perpetuity.

Reason - In the interests of amenity and public health, pursuant to saved policies SP1 and DM1 of the Manchester Core Strategy.

4) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved Policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and Policy DM1 of the Manchester Core Strategy.

5) The glazing on the side elevation of the proposed Orangery, directly facing onto the neighbouring property, number 43 Delacourt Road, as shown on the drawing listed above, shall be obscurely glazed before first occupation, 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 the adjacent residential property from overlooking or perceived overlooking, in accordance with Policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

This decision relates to the extension or improvement of an existing dwellinghouse, falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and does not infer or imply approval for the use of the property for any other purpose.

Manchester City Council has made an Article 4 Direction to remove permitted development rights that allow for a change of use from Class C3 - *Dwellinghouses* to Class C4 - *House in Multiple Occupation*. This means that from 8 October 2011, planning permission is required for a change of use from a Dwellinghouse to a House in Multiple Occupation. Further information regarding the Article 4 direction can be found on Manchester City Council's website:

www.manchester.gov.uk/info/200074/planning/4847/article_4_direction

If you intend to use the property to which this decision relates for any purpose other than a dwellinghouse, you should first contact Manchester City Council's Planning Service. Failure to obtain any necessary planning permission prior to carrying out a material change of use or physical development could result in enforcement action being taken, which can have serious implications.

This permission does not grant approval under Building Regulations.

The proposal shows alterations to the fenestration on the first floor side elevation of the property, showing the insertion of one additional window to the bathroom. These alterations were not included as part of this planning application and have, therefore, not been assessed.

Any elevational alterations not included in this application must be completed under the Town and Country Planning, Schedule 2, Part 1, Class A of the Town and Country (General Permitted Development) (England) Order 2015 states:-

Class A - Permitted development - The enlargement, improvement or other alteration of a dwellinghouse.

Class A.3 - Development is permitted by Class A subject to the following conditions:-

(a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
(b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be:-
(i) Obscure-glazed, and
(ii) Non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Date: 17 August 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 12 weeks of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that is available through the gov.uk website at 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.