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 Robert Patrick
11 Whalley Avenue
Chorlton
Manchester
M21 8TU

Agent (if used)

Mrs Paula Butterfield - Groves
Butterfield Architecture Ltd
102 Roseneath Road
Urmston
Manchester
M41 5AZ

Part 1 – Particulars of the application/development

Proposal: Erection of a single storey rear extension and rear dormer to form additional living accommodation

Location: 11 Whalley Avenue, Manchester, M21 8TU

Date of application: 10 November 2016

Application number: 113979/FH/2016

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) Drawing numbered 2098/Planning/Pr/GPlan, Revision A, and dated 07 November 2016, showing the proposed ground floor plan, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.
b) Drawing numbered 2098/Planning/Pr/01Plan, Revision A, and dated 07 November 2016, showing the proposed first floor plan, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.
c) Drawing numbered 2098/Planning/Pr/APlanSecA, Revision A, and dated 07 November 2016, showing the proposed attic plan and Section A, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.
d) Drawing numbered 2098/Planning/Pr/RPlan, Revision A, and dated 07 November 2016, showing the proposed roof plan, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.
e) Drawing numbered 2098/Planning/Pr/FElev, Revision A, and dated 07 November 2016, showing the proposed front elevation, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.
f) Drawing numbered 2098/Planning/Pr/RElev, Revision A, and dated 07 November 2016, showing the proposed rear elevation, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.
g) Drawing numbered 2098/Planning/Pr/NElev, Revision A, and dated 07 November 2016, showing the proposed north elevation, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.
h) Drawing numbered 2098/Planning/Pr/SElev, Revision A, and dated 07 November 2016, showing the proposed south elevation, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.
i) Drawing numbered 2098/Planning/Pr/3D, undated, showing the proposed 3D elevations, received by the City Council as Local Planning Authority with the planning application on 10 November 2016.

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 materials to be used on the external surfaces of the extension hereby permitted shall match those as stated on the above listed drawings and the Householder Application Form.

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.

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.

We would advised you of your obligations and responsibilities under the Party Wall Act 1996 in terms of any development approved by this application, which would have an impact on the boundary between the site property and any adjoining neighbouring properties.

Further information regarding the Party Wall Act 1996 can be found on the following website:-

https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance

Date: 5 January 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.