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 of £85 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

Bloor Homes Ltd Northwest
2-4 Whiteside Business Park
Station Road
Holmes Chapel
CW4 8AA

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Substitution of house types on plot no.s 142-146, 251-259, involving the erection of 14 two storey houses with associated landscaping and car parking

Location: Land Off, Wayland Road South, Gorton, Manchester,

Date of application: 9 February 2012

Application number: 098524/FO/2012/N2

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).

Reason(s) for decision

It is considered that the proposal will generally accord with the policies contained within the Development Plan, specifically the Unitary Development Plan Policies H1.2, H2.2, DC7, R1 and GO5, and the principles set out in the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance,the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document. in that the development would improve the quality of residential facilities within the area; there would not be any significant impacts on the residential amenities of adjoining occupiers; and generally the proposal would provide a high quality facility within the area to the benefit of the wider surrounding community allowing the continuing regeneration of the locality.

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 TYPE 06.3201 TERRACE PLOTS144-146, 259, TYPE 06.3201 _ 06.3204 PLOTS142-143, TYPE 06.2206 SEMI PLOTS 253-254, 257-258 and 06.3201 SEMI PLOTS 251-252, 255-256 and the Design _ Access Statement, stamped as received by the City Council, as Local Planning Authority, on 9 February 2012, and drawings numbered C048_AAH4784_03 142-146,251-259 inc and C048_14/06, stamped as received by the City Council, as Local Planning Authority, on 20 March 2012, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies H1.2, H2.2, R1 and GO5 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

3) No development that is hereby approved 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 constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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, pursuant to Policies H2.2 and H2.7 of the Unitary development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

4) No development shall commence until a hard and soft landscaping treatment scheme 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, unless otherwise agree in writing by the City Council as local planning authority.

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 H2.2 and H2.7 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

5) Prior to the commencement of any development, full details of a scheme for the management and maintenance of the hard and soft landscaping around the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping will then be maintained in accordance with these details unless otherwise approved in writing by the Local Planning Authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out and maintained, pursuant to Policies H2.2, E2.6, E3.1 and E3.5, of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

6) No part of the development hereby granted permission shall be commenced until details have been submitted to, and approved in writing by, the City Council, as Local Planning Authority which indicates the provision of new nest boxes for birds and new wildlife habitat on site and a scheme for the future protection of this habitat. The new nest boxes and habitat shall be implemented in full in accordance with the approved details and to a timetable agreed in writing by the local planning authority, prior to occupation of any of the housing units.

Reason - To provide and 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 E2.3 and E2.4 of the adopted Manchester Unitary Development Plan and the Guide to Development in Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

7) Notwithstanding the details shown on the approved plans, no development shall take place until there has been submitted to and approved in writing by the City Council, as local planning authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before any of the approved housing units are occupied. 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, pursuant to Policies H2.2, and E3.5, of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

8) No development shall commence until:
a) The site has been investigated for the presence of ground contamination and/or ground gas and for the effects of any ground contamination and/or ground gas emanating from outside the site. The investigation shall be carried out in accordance with a scheme previously approved in writing by the City Council as local planning authority.
b) A report using the results of the approved scheme of investigation and containing plans and particulars of the extent of ground contamination and ground gas present on or affecting the site and the means of remediation has been submitted to and approved in writing by the City Council as local planning authority.
c) The site has been remediated in accordance with the report approved under b) above and written confirmation thereof has been submitted the City Council.

If ground contamination and/or ground gas or the effects of any ground contamination and/or ground gas emanating from outside the site and not included in the report approved under b) above is discovered during the course of remediation of the site, no development shall commence until:

i) A report containing plans and particulars of the extent of the new ground contamination and/or ground gas present on or affecting the site and the means of remediation has been submitted to and approved in writing by the City Council as local planning authority.

ii) The site has been remediated in accordance with the report approved under i) above and written confirmation thereof has been submitted to the City Council

Reason - To ensure that the presence of or the potential for any contaminated land/ground gas is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Policies H2.1, H2.2, E3.1 and E3.2, of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

9) Prior to development commencing on site, details of any proposed external lighting within the site, and adjoining footpaths, must be submitted to and approved in writing by the City Council as Local Planning Authority. The lighting must only be implemented in accordance with the approved details and no external lighting shall be erected on or around the site without the prior written approval of the Local Planning Authority.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

10) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Wayland Road South and Hemsworth Road, and other surrounding potential noise sources, 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 units are occupied.

Noise survey data must include measurements taken during early morning rush-hour periods and night time to determine the appropriate sound insulation measures necessary. The internal noise criterion are as follows:

- Bedrooms (night time 23.00-7.00) 30 dB LAeq
- Individual noise events should not normally exceed 45 dB LAmax (BS 8233:1999)
- Living Rooms (daytime 07.00-23.00) 40 DB LAeq

Reason - To secure a reduction in noise from surrounding uses, and traffic sources, in order to protect future residents from noise nuisance, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

11) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) 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 secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development", the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

12) The development hereby approved shall incorporate measures to minimise the environmental impact and energy use of the building and shall achieve an Building Research Establishment Industrial rating of 'very good' or at least three star sustainability rating under the code for sustainable homes. Written confirmation of the achieved rating shall be submitted to and approved in writing by the City Council as local planning authority before the development is occupied, unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of minimising the impact on the environment of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance , the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

13) Notwithstanding the approved drawings, full highway engineering details in relation to traffic calming measures, throughout the scheme, shall be submitted and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved.

Reason - In the interests of residential amenity and highway safety, pursuant to Policies H2.2 and T3.1 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

14) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

15) All contractors vehicles entering and leaving the site during the construction period shall be properly sheeted.

Reason - To ensure that the proposed development is not prejudicial or a nuisance to adjacent dwellings, and in the interests of public health and amenity, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

16) Prior to the commencement of works on site, a strategy for the management of construction traffic, including information regarding site approach routes, hours of deliveries, the location of parking for contractors' vehicles and directional signage, shall be submitted to and approved in writing by the City Council as local planning authority. The agreed strategy shall be implemented for the duration of the construction period

Reason - To safeguard the amenity so of nearby residents, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and the emerging Manchester Core Strategy Development Plan Document.

Informatives

This permission does not grant approval under Building Regulations.

Date: 4 May 2012

Signed: 

Julie Roscoe
Head of Planning
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, he may appeal to the First 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 Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he 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 First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.