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 £97 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 Simon Barker
The Metropolitan
Unit 2 Lapwing Lane
West Didsbury
Manchester
M20 2WS

Agent (if used)

Mr Peter Summergill
Peter Summersgill Architecutre
Unit 217 Market Street
Hyde
Cheshire
SK14 1HF

Part 1 Particulars of the application/development

Proposal: Change of use of first and second floor offices to form 4 self-contained flats, with associated first floor rear extension to form additional living accommodation, two rear decking areas at first floor level, two juliet balconies at second floor level at rear and ground floor extension at front to form bin and cycle store.

Location: 4-6 Lapwing Lane, Didsbury, Manchester, M20 2WS

Date of application: 30 January 2013

Application number: 101494/FO/2013/S2

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 31 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 this planning application. The applicant sought pre-application advice whereby issues relating to layout, residential amenity and refuse were able to be considered. During the course of the application further revisions have been able to be made to the refuse arrangements along with proving access to parking. The proposal is considered to be in accordance with the Development Plan and therefore determined in a timely manner.

Reason(s) for decision

Approve on the basis that the proposal is in accordance with the Manchester Core Strategy (July 2012), in particular policies SP1, T2, H1, EN1, EN3, EN19 and DM1, and the extant policies in the Unitary Development Plan for the City of Manchester (1995), in particular the following policies DC1, DC5, DC18 and DC26, The Guide to Development

in Manchester SPD, and the National Planning Policy Framework and there are no material considerations of sufficient weight to indicate otherwise. In coming to this conclusion the Head of Planning has taken into account the Information provided with the application.

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;

Drawings 003 and 004 stamped as received by the City Council, as Local Planning Authority, on the 29 January 2013.

Drawing 006 stamped as received by the City Council, as Local Planning Authority, on the 18 March 2013

Design and Access statement stamped as received by the City Council, as Local Planning Authority, on the 29 January 2013.

Email Peter Summersgill dated the 18 March 2013.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012).

3) Notwithstanding the details of the refuse area, as indicated on drawing 006 stamped as received by the City Council, as Local Planning Authority, on the 18 March 2013, prior to the first use of the development hereby approved details of the refuse and waste management strategy for the development shall be submitted for approval by the City Council, as Local Planning Authority. The refuse area shall be implemented prior to the first use of the premises hereby approved and thereafter be retained and maintained for as long as the development remains in use.

Reason - In the interest of residential amenity pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012)

4) Access to the car park at the Metropolitan Hotel shall be made available for the use by residents of this development for as long as this development remain is use.

Reason - To provide access to car parking space to alleviate on street parking pursuant to policy T2 of the Manchester Core Strategy (2012).

5) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Lapwing Lane and Piccolinos restaurant; 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.

Reason - To secure a reduction in noise from Lapwing Lane and Piccolinos; in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

6) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

7) 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.

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.

Informatives

This permission does not grant approval under Building Regulations.

Date: 26 March 2013

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.