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	Agent (if used)
Ms Elizabeth Marland Eam Lodge Community Interest Company 21 Fouracres Road Baguley Manchester M23 1FG	Mr Stephen Mason FPS Consult Limited 1A Brandlesholme Road Bury Lancashire BL8 4DS

Part 1 – Particulars of the application/development

Proposal: Demolition of existing garage and erection of two storey rear extension and single storey rear conservatory, to provide two additional bedrooms, staff facilities and increased communal space including the creation hardstanding for four car parking area within the rear garden and 2 spaces to the front garden along with new access gate to side

Location: 21 Fouracres Road, Baguley, Manchester, M23 1FG

Date of application: 23 April 2013

Application number: 100997/FO/2012/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 deal with this planning application. Whilst the applicant did not seek any pre-application advice in respect of this proposal, officers have liaised with the applicant throughout process to address areas of concern and amended the proposal accordingly. This includes re-siting the extension and creating an internal car parking area.

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, EN1 and DM1 and the extant policies DC1, DC2 and DC26 of the Unitary Development Plan for the City of Manchester (1995) 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.

The proposal will provide an extension to an existing care home which offers specialised care for adults with complex health needs. The increase in accommodation will meet appropriate accessible standards and the extension has been appropriately designed to complement the existing property and minimise harm to surrounding residential amenity.

Policy SP1 'Spatial Principles' One of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The proposal will meet a specialised care need for residents of the City.

Policy EN1, Design principles and strategic character areas, states that all development in Manchester will be expected to follow the seven principles of urban design. Opportunities for good design to enhance the overall image of the City should be full realised, particularly on major radial and orbital and rail routes. The extension has been designed to complement the original house and is appropriate in terms of its siting, scale and appearance.

Policy DM1 'Development Management' All development should have regard to the specific planning issues. There are no amenity issues arising from this development as the siting, scale and appearance have been amended to minimise the impact on the surrounding residential area. There are windows which are recommended to be obscurely glazed to minimise overlooking and protect privacy.

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:

Drawing FPS-BPP-0555/02 stamped as received by the City Council, as Local Planning Authority, on the 23 March 2013.

Drawing FPS-BPP-0555/03 REV D stamped as received by the City Council, as Local Planning Authority, on the 10 May 2013.

Operations strategy prepared by EAM lodge stamped as received by the City Council, as Local Planning Authority, on the 23 April 2013

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.

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.

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.

4) Before first occupation the bedrooms within the extension hereby approved, the side glazing in the conservatory facing 19 and 23 Fouracres Road as indicated on drawing FPS-BPP-0555/02 stamped as received by the City Council, as Local Planning Authority, on the 23 April 2013 shall be obscure glazed 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 adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) The property known as 21 Fouracres Road shall be used as a C2 nursing care home operated by Elizabeth Marland, and for no other purpose (including any other purpose in Class C2 of the schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order, with or without modification.

Reason - Having regard to the nature of the site and the particular circumstances of the application, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and extant policy DC2 of the Unitary Development Plan for the City of Manchester.

6) The refuse bins shall be stored in the location as indicated on drawing FPS-BPP-0555/03 REV D stamped as received by the City Council, as Local Planning Authority, on the 10 May 2013, for as long as the development remains in use.

Reason - To ensure that the refuse bins are store at the rear of the property to reduce the impact on the front of the property and the street scene pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

7) Prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

-Hours of working;
-Dust suppression measures;
-Wheel washing along Fouracres Road;
-Compound locations where relevant;
-Location, removal and recycling of waste;
-Parking of construction vehicles; and
-Sheeting over of construction vehicles.

Development shall be carried out in accordance with the approved construction management plan unless otherwise agreed in writing by the local planning authority.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (July 2012)

8) Prior to the commencement of the development hereby approved, details of a suitable material to surface and demarcated the car parking areas, as indicated on drawing FPS-BPP-0555/03 REV D stamped as received by the City Council, as Local Planning Authority, on the 10 May 2013, shall be submitted and approved in writing by the City Council. The approved material must then be used to surface and demarcated the car parking areas and these must be in place prior to the first use of the additional living accommodation hereby approved. The car parking area must be retained and maintained for as long as the development remains in use.

Reason - To ensure a suitable material is use for surface water run off and to ensure that the parking are is available prior to the first use of the accommodation pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012)

9) The development hereby approved shall be carried out in accordance with the operations strategy prepared by EAM lodge stamped as received by the City Council, as Local Planning Authority, on the 23 April 2013. For the avoidance of doubt this shall mean:

-No more than four members of staff present per day shift (07:45 to 15:00 & 15:00 to 21:15);
-No more than three members of staff present per night shift (21:00 to 08:00).

Reason - To ensure appropriate levels of comings and goings at the site in the interest of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

Informatives

This permission does not grant approval under Building Regulations.

Date: 29 May 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.