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

Ms Sam Watson
92 Broadbottom Road
Mottram
SK146JA

Agent (if used)

Mr Gordon Bruce
Bruce and Bruce
1A Chapel House
Dean Terrace
Park Bridge
Ashton-under-Lyne
OL6 8AL

Part 1 – Particulars of the application/development

Proposal: Erection of a single two storey house

Location: Site Adjacent To 138 Louisa Street, Openshaw, Manchester, M11 1AN

Date of application: 5 September 2013

Application number: 103186/FO/2013/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).

Article 31 Declaration

The Council has worked in a positive and proactive manner with the applicant / agent / architect to guide the application through all stages of the planning process and to resolve any issues that arose in dealing 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 unless otherwise agreed in writing by the City Council as Local Planning Authority:

Location Plan received on the 27th August 2013

Plan reference; 2 Rev A received on the 27th August 2013
Boundary treatment shown on plan reference; 2 REV A received on the 27th August 2013
Certificate B received on the 5th September 2013
Design and Access Statement received on the 27th August 2013
Waste Management Strategy received on the 27th August 2013

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

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, as specified in policy DM1 of the adopted Core Strategy for the City of Manchester.

4) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from the local roads shall be submitted to and approved in writing by the City Council as local planning authority.

There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. 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:
o Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq
o Individual noise events should not normally exceed 45 dB LAmax (BS 8233:1999)*
o Living Rooms (daytime - 07.00 - 23.00) 40 dB L Aeq
o Gardens and terraces (daytime)* 55 dB L Aeq

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance.

5) 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 policy DM1 of the adopted Core Strategy for the City of Manchester and the National Planning Policy Framework.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

7) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured 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 DM1 of the Unitary Development Plan of the City of Manchester.

8) The measures indicated on the approved drawings relating to the provision to be made for disabled people to gain access all entrances to the dwelling house hereby approved and including route widths and gradients, shall be fully implemented before the development hereby permitted is brought into use.

Reason - To ensure that satisfactory disabled access is provided pursuant to policies SP1 and DM1 of the adopted Core Strategy for the City of Manchester and the guidance contained within the National Planning Policy Framework.

9) The details of an emergency telephone contact number for shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policy DM1 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

10) Prior to the commencement of works on site, a strategy for the management of construction traffic, including hours of deliveries and the location of parking for contractors' vehicles, 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 DM1 of the adopted Core Strategy for the City of Manchester.

Informatives

This permission does not grant approval under Building Regulations.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 30 October 2013

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, 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.

Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.
Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com