MANCHESTER CITY COUNCIL

IMPORTANT

Planning Permission and 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 required to protect trees.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- 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

Town and Country Planning Act 1990

PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant

Mr Darren Vernon
Taylor Wimpey Manchester
Unit 4
1 Lumsdale Road
Stretford
Manchester
M32 0UT

Name and Address of Agent

Part I – Particulars of Application

Date of Application	Application ref. no.
8 June 2010	093304/FO/2010/S1

Particulars and location of development:

Remodelling of terrace previously approved under ref 080279/FO/2006/S1 to incorporate additional dwelling and alterations to car parking layout

Former Withington Hospital
Nell Lane
Didsbury
Manchester
M20 2LR

Part II – Particulars of Decision

The Manchester City Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 of the following decision

Decision Approved

On the basis that the proposal is in accord with the City Council's unitary Development Plan in particular policies DB1 which seeks to ensure that the area remains an attractive location in which to live, H1.2 which seeks to ensure that the housing stock contaions a wide enough range of housing types, H2.2 which seeks to protect the amenity of residents from the adverse impact of development, H2.7 which requires new residential developments to be of a high standard of design, E1.5 requires new developments to contribute to energyconservation, E1.6 requires new developments to use sustainably sourced materials, E2.3 The council will protect important wildlife habitats, E2.7 the council will seek to restore building of historic or architectural importance, E 3.5 The council will promote measures that make the city a safer place to live, T1.2 the council will encourage improved public transport, T2.2 new road

schemes will be designed to meet local needs, T3.1 the council will ensure that the needs of pedestrians and cyclists are met, T3.7 new developments will provide safe storage areas for cycles, DC7 which requires new dwellings to be accessible, DC16 which seeks to protect existing street scenes, DC18 which seeks to ensure that new developments either preserve or enhance the conservation areaand DC19 Which seeks to protect listed buildings from innappropriate development of the Unitary Development Plan for the City of MAnchester and the Guide to Development In Manchester 2 and there are no material considerations of sufficient weight to indicate otherwise.
Date of Decision 6 January 2011

for the carrying out of development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

Part III – Conditions and Reasons

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: 02/01 rev 1 and 02/09 rev A .

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H1.2, H2.2, H2.7, E1.5, E1.6, E2.3, E3.5, E3.7, T1.2, T3.1, of the Manchester Unitary Development Plan.

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 H1.2, H2.2, H2.7, E1.5, E1.6, E2.3, E3.5, E3.7, DC16, DC18 of the Unitary Development Plan for the City of Manchester.

4) No development in respect of areas 2 and 3 shall commence until a hard and soft landscaping treatment scheme based upon the master plan shown on drawings 576.1B, 576.7D and 063/1001/B 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 WB1, H1.2, H2.2, H2.7, E1.5, E1.6, E2.3, E3.5, E3.7, DC7, DC16, DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies 2.4 and 2.6 of the Unitary Development Plan for the City of Manchester.

6) Before the development of any of the areas hereby approved commences a scheme for new nesting provision for house martins shall be submitted to and approved by the City Council and the approved scheme shall be implemented in full.

reason

To ensure that new nesting provision is provided to replace existing nests/nesting sites that are lost to the development pursuant to policy E2.3 of the Unirtary Development Plan for the City of Manchester

7) Facilities for the storage and disposal of refuse and recycling as shown in plans numbered 5026 (PL) 400 N, 500, 063/1001/B, 1010/A, 1011/B, 1012/B, 1013/B and 02/01 rev A shall be provided to the satisfaction of the City Council as local planning authority prior to occupation of any of the accommodation

within the areas hereby approved and shall remain in situ whilst the site is in use.

Reason

In the interests of amenity and public health, pursuant to policy H2.2 of the adopted Unitary Development Plan of the City of Manchester.

8) The newly erected residential apartments and dwellings, hereby approved, shall not be occupied until site specific Building Research Establishment Environmental Assessment Methodology (BREEAM) ratings, achieving a standard of very good, have been awarded to individual development areas, by an assessor licensed by the Building Research Establishment, unless otherwise agreed in writing with the City Council as Local Planning Authority.

Reason

In the interests of minimizing the environmental impact of the development, pursuant to Manchester Unitary Development Plan policy pursuant to policies E1.5 and E1.6 of the Unitary Development Plan for the City of Manchester.

9) The development of the areas hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to achieve the 'Secure by Design' accreditation awarded by the Greater Manchester Police. Written confirmation of those measures are to be provided to the City Council, as the Local Planning Authority.

Reason - In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well-being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, and to reflect the guidance contained in PPS1 "Delivering Sustainable Development".

10) 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, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies H2.2, H2.7 and T2.6 of the Unitary Development Plan for the City of Manchester.

12) Notwithstanding the provisions of Article 3 of Part 1 of Schedule 2 or as subsequently amended to, the Town and Country Planning General Development Order 1995 (as amended), no garages or extensions shall be erected other than those expressly authorised by this permission.

Reason

To protect the amenity of adjoining properties from the adverse impact of extensions pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester

13) Notwithstanding the provisions of Article 3 of, and Class A of Part 1 of Schedule 2 to, the Town and Country (General Permitted Development) Order 1995, the garage accommodation hereby approved, as part of this development shall not be converted into living accommodation without the express written permission of the City Council as local planning authority.

Reason

The loss of garage parking space would result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety pursuant to policy H2.2 of the Unitary Development Plan.

14) No trade or business shall be carried out in the garage because the use of the garage for trade or business purposes would require a separate grant of planning permission.

Reason

The use of the garage for any use other than ancillary to residential use would constitute development requiring planning permission pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

15) The details of an emergency telephone contact number(s) shall be displayed by the developer of the areas hereby approved in a publicly accessible location on the site and shall remain so displayed unless otherwise agreed in writing by the City Council as local planning authority.

Reason

In the interests of local amenity pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

16) The boundary treatment for each area shown on the drawings numbered 5026-PL-401 rev G, shall be carried out to the satisfaction of the City Council as local planning authority prior to occupation of each phase and using the materials identified in condition 3 above, 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, H2.7, E3.3, E3.5, DC18 and DC19 of the adopted Unitary Development Plan of the City of Manchester.

17) The enclosure of the private areas within the areas shown on the approved plan, specifically the gates and locking devices, shall be installed prior to the occupation of any of the dwellings in that phase and maintained to the satisfaction of the City Council as local planning authority.

Reason - To ensure that the appearance and security 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 policy H2.2 of the Unitary Development Plan of the City of Manchester.

18) Prior top occupation of the first unit the developers shall provide plans and particulars of street furniture, bus stops and street lighting in respect of the development have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the appearance and security 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 policy H2.2 of the Unitary Development Plan of the City of Manchester.

19) Before the development commences, an external lighting scheme (including the roads, landscaped areas, pedestrian routes, carparking areas, security gates) during the period between dusk and dawn to be installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with a timetable to be agreed in writing with the City Council as Local Planning Authority before the development is fully occupied unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development pursuant to policies H2.2, E3.3 and E3.5 of the Unitary Development Plan of the City of Manchester.

20) No building hereby approved shall be occupied until that part of the road network which provides access to it has been constructed in accordance with drawing 5026 (PL) 400 N and all public highways shall be constructed to the satisfaction of the City Council as local planning authority and adopted by the City Council within 12 months of the first occupation of the building.

Reason - To ensure the uses on the site are accessible via an adequate road network within the site pursuant to policy T2.2 of the Unitary Development Plan of the City of Manchester.

21) The development shall not be occupied until the traffic calming in respect of the development shown on drawing 5026 (PL) 400 N have been implemented.

Reason -

To provide a safe traffic environment for residents and visitors within the site pursuant to policies H2.2, T2.1 and T2.2 of the Unitary Development Plan of the City of Manchester.

22) All aspects of the development for each of the areas hereby approved shall conform with the City Council's Design for Access 2 document in providing disabled access. The approved details shall be satisfactorily implemented before the development is first brought into use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester and the Disability Discrimination Act 1995. However, in approving the relevant drawings, the City Council as the local planning authority does not hereby give any warranty that the provisions of the Disability Discrimination Act 1995 have been complied with.

23) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

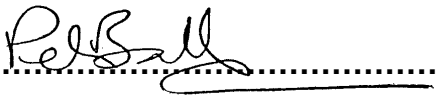
In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

Signed**.....**

Peter Babb, Head of Planning

on behalf of the Council
Town Hall,
Manchester M60 3NY

NOTES

1. Leaflets attached:

2. 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**.**

3. 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.

4. 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.

5. 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

6. 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.