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 Rob Macdougall
Willow Park Housing Trust
Greenwood Road Offices
Wythenshawe
Manchester
M22 9HD

Agent (if used)

Ms Christine Davis
Bernard Taylor Partnership Ltd
486 Elizabeth House
Didsbury Road
Heaton Mersey
Stockport
Cheshire
SK4 3BS

Part 1 Particulars of the application/development

Proposal: Erection of 12 bungalows with associated parking, landscaping and new access from Gladeside Road, following demolition of Gladeside Court and erection of 2.1 metre high wall to alleyway running from 31 to 43 Motteshead Road

Location: Gladeside Court, Gladeside Road, Wythenshawe, Manchester, M22 9GA

Date of application: 30 January 2013

Application number: 101493/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 in respect of this matter and officers were able to provide guidance on the siting, scale and appearance of the development. Alterations have been sought through the course of the application in respect of the layout of the access road. The proposal is considered to be in accordance with the development plan and has been determined within 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, H6, EN1, EN4, EN8, EN15, EN18, EN19 and DM1 and the extant policies in the Unitary Development Plan for the

City of Manchester (1995), in particular the following policies DC7 and DC26, the Guide to Development in Manchester SPD, Wythenshawe Strategic Regeneration Framework, 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

05, 06, 07, 09, 101 and 102 stamped as received by the City Council, as Local Planning Authority, on the 29 January 2013.

Drawing 02 Rev A, DT1 Rev A, DT2 Rev A, DT3 Rev A and DT4 Rev A stamped as received by the City Council, as Local Planning Authority, on the 21 March 2013

Gladeside Road pre-assessment, Crime Impact Statement (Version B) prepared by Design for Security, Design and Access statement prepared by Bernard Taylor Partnership, Arboricultural Implication Study prepared by acs consulting stamped as received by the City Council, as Local Planning Authority, on the 29 January 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) 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 (including rainwater goods, windows and doors) 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 development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012).

4) Notwithstanding drawing 02 Rev A stamped as received by the City Council, as Local Planning Authority, on the 21 March 2013, 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.

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 SP1, EN9 and DM1 of the Core Strategy.

5) 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 contamination is dealt with at the site pursuant to policy EN18 of the Manchester Core Strategy (2012).

6) The development shall be carried out in accordance with the Code for Sustainable Homes Assessment Method pre-assessment rating, stamped as received by the City Council, as Local Planning Authority, on the 29 January 2013, in order to achieve a three star rating or above.

A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority within 6 weeks of the buildings hereby approved being first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, EN4, EN8 and DM1 of the Manchester Core Strategy (July 2012).

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions; shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential amenity pursuant to policy DM1 and SP1 of the Manchester Core Strategy (2012).

8) The refuse and waste arrangements shall be carried out in accordance with drawing 02 Rev A stamped as received by the City Council, as Local Planning Authority, on the 21 March 2013. .The details of the approved scheme shall be implemented as part of the development prior to the first use and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policy DM1 of the Manchester Core Strategy.

9) The development shall be carried out in accordance with the Crime Impact Statement Version B stamped as received by the City Council, as Local Planning Authority, on the 29 January 2013. 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 secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

10) 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 in both phase 1 and 2, 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 EN9 and EN15 of the Manchester Core Strategy (2012).

11) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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 EN9 and EN15 of the Manchester Core Strategy (2012).

12) No clearance of vegetation or trees from the site should be carried out in the bird nesting season (March to July). If clearance during the nesting season is unavoidable then a survey for nesting birds must be undertaken prior to work commencing and submitted to and approved in writing by the City Council as Local Planning Authority. If nesting birds are found by the survey and are likely to be disturbed by clearance works then clearance should be delayed until after the young have fledged.

Reason - To protect existing habitats for birds, pursuant policies EN15 and DM1 of the Manchester Core Strategy (July 2012).

13) 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;
-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).

14) The boundary treatment shall be carried out in accordance with drawing 09 stamped as received by the City Council, as Local Planning Authority, on the 29 January 2013. The boundary treatment shall be completed before the first use of the dwellings hereby approved. 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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

15) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from the surrounding area 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 the surrounding area in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

Date: 17 April 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.