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 the Planning Service, Manchester City Council, PO Box 463, Manchester M60 3NY or email planning@manchester.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant	Name and Address of Agent
Willow Park Housing Trust Hollyhege Road Wythenshawe Manchester M22 9UF	Bernard Taylor Partnership Ltd Elizabeth House 486 Didsbury Road Heaton Mersey Stockport Cheshire SK4 3BS

Part I – Particulars of Application

Date of Application	Application ref. no.
27 May 2008	084718/FO/2007/S2

Particulars and location of development:

Erection of 2 two storey residential properties to form a total of 4 two bed flats, with associated landscaping and car parking.

Land Adjacent To
Oxton Avenue
Wythenshawe
Manchester
M22 9QA

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 accordance with the City Council's Unitary Development Plan, in particular the following policy and there are no material considerations of sufficient weight to indicate otherwise:

Policy E2.6 states that the Council will encourage extensive broadleaved tree planting schemes, this proposal complies given the extensive replacment planting to be undertaken as part of the development.

Policy E3.5 states that the Council will promote measures which will lead to a safer environment for all people living in and using the City. This development accords with this policy.

Policy H2.2 states that the Council will not normally allow development which will have an unacceptable impact on residential areas. It is not believed that the proposed development will have a detrimental impact in terms of noise, vibration, traffic generation, road safety and air pollution or through its scale and appearance.

Policy H2.7 states that new housing schemes will be expected to be of a high standard of design and make a positive contribution towards improving the City's environment. It is believed that the proposal will accord with this policy..

Policy T2.4 states that the City Council will expect developments to make adequate provision for their car parking requirements. It is believed that adequate parking provision has been provided.

Policy DC7 states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, the applicants have designed their ground floor properties so as to be accessible for disabled people.

Development Control Policy DC16, "Street Landscapes", states that in considering development proposals for any site, the retention of existing trees and the planting of new trees within the public highway and along the public frontages of the site will be encouraged by the Council. The applicants are proposing to implement tree planting along the frontage of the site.

Date of Decision 18 September 2008

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: 1988 (E): Oxton Avenue, 1988 (E) 02I, 1988 (E) 04A 1988 (E) 06, Chris Partington land survey dated 12.10.2007

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 and Policy H2.7 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 H2.2 of the Unitary Development Plan for the City of Manchester.

4) 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 and T2.6 of the Unitary Development Plan for the City of Manchester.

5) No development shall commence until a hard and soft landscaping treatment scheme, including boundary treatments, 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 policy E2.6 of the Unitary Development Plan for the City of Manchester.

6) The development hereby approved shall achieve a post-construction rating of "very good" or better under the Eco Homes rating system. A post construction review certificate shall be submitted to and be approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

7) The development shall not be occupied unless accreditation, confirming achievement of the Secured by Design standards in respect of the development has been issued by Greater Manchester Police, unless otherwise agreed in writing by City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

8) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from the M56 motorway 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.

Noise survey data must include measurements taken during early morning rush-hour periods and night time to determine the appropriate sound insualtion measures necessary. The internal noise criterion are as follows:

1) bedrooms (night time 2300hrs to 0700hrs - 30dB LAeq
2) Individual noise events should not normally exceed 45dB LAmax (BS 8233:1999)
3) Living Rooms (daytime 0700hrs to 2300hrs - 40dB LAeq

Reason - To secure a reduction in noise from the M56 motorway in order to protect future residents from noise nuisance, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

9) Before the development hereby approved commences a scheme for the segregated storage and disposal of refuse shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason

In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

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) Prior to the commencement of the development hereby approved, details of the closure of the alleyway to the rear and side of nos. 1-11 Gladeside Road shall be submitted to and approved by the City Council as local planning authority. The closure of the alleyway shall then be implemented and maintained in accordance with those approved details unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

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.