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 Nabeel Shazad
227 Mauldeth Road
Burnage
Manchester
M19 1AB

Agent (if used)

Mr Jitesh Bhatt
Bhatt Architects Ltd
5 Platt Court
Wilmslow Road
Manchester
M14 5LT

Part 1 – Particulars of the application/development

Proposal: Change of use to residential dwelling house

Location: 57A Mount Road, Gorton, Manchester, M18 7BE

Date of application: 26 November 2012

Application number: 101037/FU/2012/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

Officers have worked with the applicant in a positive and proactive manner to based on seeking solutions to problems arising in relation to dealing with the planning application. During the life of the application negotiations have been undertaken to secure amendments to the development to secure the omission of the previously proposed elevational treatment to the building, i.e., painting in black. Given the predominant occurrence of red brick in the local area, applicant was asked to consider the retention of the original elevational treatment. The applicant has responded positively and submitted revised drawings that relate the retention and reinstatement of the original red-brick. These details have been related to the development by condition to secure compliance with Core Strategy policies DM1 and SP1 and the guidance contained within the NPPF.

Reason(s) for decision

On the basis that the proposal is in accord with Manchester's Local Development Framework: Core Strategy policies SP 1, DM1, H8, EN6, EN8, EN19, H11 and T1, Unitary Development Plan Saved policies DC26.1 and DC26.5, the guidance within the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, RSS policies DP2, DP 3, DP4 and 10 and the guidance within the National Planning Policy Framework and in that the development would: positively contribute to

the character of the local residential area, provide a sustainable use for the site, which will improve the mix of tenure to the local area and achieve a satisfactory quality of design thereby contributing economic and social regeneration of the area.

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: P017/R/11 received 26th November 2012; P017/R/12 received 26th November 2012; P017/R/13 received 26th November 2012; P017/R/14 received 26th November 2012; P017/P/15 Proposed Elevations received 8th January 2013;and P017/R/16 received 26th November 2012.

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) The materials to be used in the construction of the extension hereby approved, including bricks and roof tiles, together with the method of coursing and pointing, shall match the existing dwellinghouse, in terms of colour, texture and appearance.

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) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a repair and painting schedule for retained boundary fencing. The boundary treatment shall be completed before the first occupation of the authorised residential use.

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 and in order to comply with policies SP1 and DM1 of the Core Strategy.

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

6) The development hereby approved shall be undertaken in accordance with the waste management details as shown on drawing P017/R/16 received on 26th November 2012. The approved details shall be fully implemented as part of the development full prior to the first occupation of the building hereby authorised and shall remain in place whilst the use is undertaken unless otherwise approved in writing.

Reason - In the interests of residential amenity pursuant to Policies SP1, DM1 and EN19 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

7) The car parking areas as shown on approved drawings ref: P017/R/16 received 26 November 2013, as hereby approved by the City Council as local planning authority, shall be surfaced and available for use prior to the first occupation of the authorised residential unit. The car parking spaces shall be maintained and remain available for use whilst the authorised residential use is undertaken.

Reason - In order to safeguard residential amenity and pedestrian and highways safety pursuant to policies SP1, DM1 and T1 of the Core Strategy and the guidance contained within the National Planning Policy Framework.

8) The hard and soft landscaping scheme approved by the City Council as local planning authority as shown on drawing ref: P017/R/16 received 26 November 2013, shall be implemented not later than 12 months from the date of commencement of works. 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 agreed 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 SP1, EN9 and DM1 of the Core Strategy.

9) 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 residential element of the development hereby approved 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.

10) 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, extensions or porches (other than shown on the approved drawings) shall be erected other than those expressly authorised by this permission.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

The use of `informatives' and `notes' attached to planning consents can draw the applicant's attention to other relevant matters such as statutory obligations and can assist the applicant with additional information, and they can propose improved environmental practice / activities that may assist in developments to the highest environmental standards.

If the development is to involve noisy construction works for a prolonged period the applicant is requested to contact Environmental Health (Public Protection Team) to discuss the nature of the construction phase. The reasoning behind this is to establish a site contact and discuss appropriate working times etc.
Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ Tel: 0161 234 5004, email: EnvHealth@manchester.gov.uk

The applicant's attention is drawn to the need to contact Environmental Health (Public Protection Team) where any noise related conditions have been attached to this Planning Approval, in order to discuss specific and technical requirements.
Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ, Tel: 0161 234 5004, E-mail: EnvHealth@manchester.gov.uk

Date: 21 January 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 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.