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

Mr Julian Valentine
Hale Estates
252 Peel Green Road
Eccles
Salford
M30 7BU

Agent (if used)

Mr Tom Flanagan
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Refurbishment and conversion of the former Church Inn to form four dwellings and erection of two 3 storey dwellings and six 2 storey dwellings within the curtilage of the site, creation of vehicular access from Elverston Street and associated car parking and landscaping.

Location: Former Church Inn, 75 Church Road, Northenden, Manchester, M22 4WD

Date of application: 9 September 2013

Application number: 103535/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 to resolve any problems arising in relation to dealing with the planning application. Pre-application discussions were held with the agents and no significant problems have arisen.

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:

1. A169_P_001 Location Plan

2.	A169_P_100	Existing Topographical Survey
3.	A169_P_101	Existing Floor Plan
4.	A169_P_102	Existing Elevations A & B
5.	A169_P_103	Existing Elevations C & D
6.	A169_P_104A	Proposed Block Plan
7.	A169_P_105B	Proposed External Works Plan
8.	A169_P_106A	Proposed Plots 1-5 Floor Plans
9.	A169_P_107B	Proposed Plots 1-5 Elevations
10.	A169_P_108A	Proposed Plots 6 & 7 Floor Plans
11.	A169_P_109A	Proposed Plots 6 & 7 Elevations
12.	A169_P_110B	Proposed Plots 8-12 Floor Plans
13.	A169_P_111B	Proposed Plots 8-12 Elevations
14.	A169_P_112B	Proposed Contextual Elevation A
15.	A169_P_113B	Proposed Contextual Elevation B
16.	A169_P_114B	Proposed Contextual Elevation C

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document 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.

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 SP1 and DM1 in the Core Strategy Development Plan Document for the City of Manchester

4) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of Level 4 under the Code for Sustainable Homes. A post construction review certificate shall be submitted to and 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 SP1 and DM1 in the Core Strategy Development Plan Document for the City of Manchester

5) 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 Secured by Design accreditation.

Reason - To reduce the risk of crime, pursuant to policy DM1 in the Core Strategy Development Plan Document for the City of Manchester

6) Prior to commencement on site of the development hereby approved a hard and soft landscaping scheme shall be submitted and approved by the City Council as local

planning authority. The approved landscaping scheme shall then be implemented not later than 6 months from the date of completion of the approved development. 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, pursuant to policy DM1 in the Core Strategy Development Plan Document for the City of Manchester

7) The car parking facilities, as indicated on the approved plans, shall be made available for use prior to the residential accommodation hereby approved being occupied. The car parking facilities shall then be available at all times whilst the dwellings are occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied, pursuant to policy DM1 in the Core Strategy Development Plan Document for the City of Manchester.

8) 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 - To ensure the satisfactory development of the site and to protect existing levels of visual amenity and the character of the Northenden Conservation Area, pursuant to policy DM1 in the Core Strategy and saved UDP policy DC18.1.

9) No vegetation clearance or building demolition should occur between the 31st March and 31st August in any one year unless nesting birds have been shown to be absent by a suitably qualified person and this has been agreed in writing by the City Council as local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

10) Prior to any earthworks the site will be surveyed for Japanese Knotweed and other invasive species and the results supplied to the City Council as Local Planning Authority. If located, full details of a scheme for the eradication of Japanese Knotweed and other invasive species shall be submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed and other invasive species on a scaled plan.

Reason - To prevent the spread of Japanese Knotweed, pursuant to the Wildlife and Countryside Act 1981 or as subsequently amended.

11) The development hereby permitted shall not be commenced until such a time as a scheme to ensure finished floor levels of plots 8 to 12 are set no lower than 600mm

above the existing ground levels has been submitted to, and approved in writing by, the City Council as Local Planning Authority

Reason - To reduce the risk of flooding to the proposed development and future users, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

12) The development hereby permitted shall not be commenced until such time as a scheme to limit the surface water run-off generated by the proposed development to a rate of 5l/s has been submitted to, and approved in writing by, the local planning authority. The scheme shall confirm existing and proposed receptors and retain excess volumes of run-off on site up to the 1 in 100yr event including 30% increase for climate change.

Reason - To reduce the risk of flooding by ensuring the satisfactory storage of/ disposal of surface water from the site, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

13) The development hereby permitted shall not be commenced until such time as details of resilience measures to mitigate against the extreme flood event on the ground floor of plots 8 to 12 have been submitted to, and approved in writing by, the local planning authority.

Reason - To reduce the impact of an extreme flood event on the proposed development, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

14) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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 visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

15) Before the development commences a scheme for acoustically insulating the proposed development against noise from the M60 shall be submitted to and approved in writing by the City Council as local planning authority. The acoustic attenuation scheme hereby approved shall be implemented in full before any of the dwelling units are occupied

Reason - To protect the amenity of the occupants of the development, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

16) 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, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

Informatives

This permission does not grant approval under Building Regulations.

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:

1. Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq
2. Individual noise events should not normally exceed 45 dB LAmax (BS 8233:1999)*
3. Living Rooms (daytime - 07.00 - 23.00) 40 dB L Aeq
4. Gardens and terraces (daytime)* 55 dB L Aeq

We recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommending when determining if flood proofing measures are effective.

Additional guidance can be found in our Flood line Publication 'Damage Limitation'. A free copy of this is available by telephoning 0845 988 1188 or can be found on our website www.environment-agency.gov.uk click on 'flood' in subjects to find out about, and then 'floodline'.

Reference should also be made to the Department for communities and local Government publication 'Preparing for Floods' please email: communities@twoten.com for a copy or alternatively go to: http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf as well as the communities and local Government publication `Improving the flood performance of new buildings' which can be viewed at: http://www.communities.gov.uk/publications/planningandbuilding/improvingflood.

Date: 4 February 2014

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.