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

Aleppo Investments
6 Central Terrace
Sale Cheshire
M33 7RQ

Agent (if used)

Holborrow & Ormesher
Station House
Adams Hill
Knutsford
Cheshire
WA16 6DN

Part 1 – Particulars of the application/development

Proposal: Variation of condition 2 of planning permission 098583/FO/2012/N2 to allow amended siting of dwellings and elevational alterations

Location: Butterwick Close, Longsight, Manchester, M12 5RA

Date of application: 2 May 2013

Application number: 101781/JO/2013/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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Reason(s) for decision

Approve on the basis that the proposed residential development in terms of its siting, design and layout is acceptable and in accordance with policy DM1 of the adopted Manchester Core Strategy Development Plan Document and there are no other material reasons to indicate otherwise.

Condition(s) attached to this decision

1) 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:

Drawings:
675.12.05 Rev C date stamped as received by the local planning authority on the 2nd May 2013.

1152/12/01 date stamped as received by the local planning authority on the 7th September 2012.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DM1 of the Manchester Core Strategy Development Plan Document.

2) The external elevations of the development shall be constructed using the following approved materials:
- Brickwork: Carlton Brick Company type 65mm Moorland
- Roof Tile: Marley Double Roman colour Old English Red

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 DM1 of the Manchester Core Strategy Development Plan Document.

3) 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 secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Manchester Core Strategy Development Plan Document.

4) Within one month of this decision a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to the City Council as local planning authority for approval. The approved boundary treatment shall be completed before first occupation of the approved development 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 Policy DM1 of the Manchester Core Strategy Development Plan Document.

5) Within one month of the date of this decision a hard and soft landscaping treatment scheme shall be submitted for approval to 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.

6) a) Within one month of this decision 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 policy EN18 of the Manchester Core Strategy Development Plan Document.

7) Within one month of this decision a scheme for the ongoing maintenance and management of the access area, boundary treatments and landscaping adjacent Butterwick Close as shown on Drawing 675.12.05 Rev A date stamped as received by the local planning authority on the 12th June 2012 shall be submitted to and agreed in writing by the local planning authority. The access area boundary treatments and landscaping shall be subsequently managed from the date of first occupation in accordance with the agreed scheme whilst the use or development is in operation, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure communal areas and facilities are properly managed and maintained pursuant to policy DM1 of the Manchester Core Strategy Development Plan Document.

8) The development hereby approved shall achieve a Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. 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, unless otherwise agreed in writing by the local planning authority.

Reason - In order to improve the environmental performance of the development pursuant to policy DM1 of the adopted Manchester Core Strategy Development Plan Document.

9) The development shall be carried out in accordance with the method of surface water drainage for the site as set out on drawing reference 1152/12/01 date stamped as received by the local planning authority on the 7th September 2012 authority before the development is occupied.

Reason - To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system pursuant to policy EN8 of the Manchester Core Strategy Development Plan Document.

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 or extensions shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential amenity pursuant to policy DM1 of the Core Strategy.

11) The new vehicular access details from Butterwick Close as set out on drawing reference 1152/12/02 Rev A date stamped as received by the local planning authority on the 6th November 2012 shall be completed prior to the first occupation of the hereby approved residential dwelling houses. The approved details shall be retained thereafter.

Reason - In the interests of pedestrian and highway safety pursuant to policy DM1 of the Manchester Core Strategy Development Plan Document.

Informatives

This permission does not grant approval under Building Regulations.

Date: 13 June 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.