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	Agent (if used)
Njoy Accommodation Management Ltd C/o Agent	Mr Nick Pleasant Indigo Planning Ltd Toronto Square Leeds LS1 2HJ

Part 1 – Particulars of the application/development

Proposal: Variation of condition 10 of planning permission 081535/FO/2006/N2 to remove the requirement for the scheme to achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' or 'excellent' or at least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature

Location: 25-28 Welby Street & 18-21 Naburn Street, Ardwick, Manchester, M13 0FL

Date of application: 22 April 2014

Application number: 105472/JO/2014/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 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in this delegated report.

Condition(s) attached to this decision

1) Measures to minimise the environmental impact and energy use of the development and achieve an overall post-construction sustainability rating under the 2009 code for sustainable homes, shall be submitted to and approved in writing by the City Council as local planning authority within three months of the date of this permission. Following implementation of the agreed measures, a post construction sustainability review report shall be submitted to and approved in writing by the City Council as local planning authority within three months of the date of implementation.

Reason - In order to minimise the environmental impact of the development pursuant to policies EN4 and DM1 of the Core Strategy.

2) A schedule for the maintenance and management of the highway shown on plan reference L9-001 Rev A of the approval, including details of inspections, repairs, lighting, way-marking, landscaping maintenance and cleaning, shall be submitted to the City Council as LPA within 3months of the date of this permission. The agreed details shall be maintained as such at all times thereafter until such time as the highway is formally adopted by the City Council as Local Highway Authority.

Reason - In the interests of highway and pedestrian safety, pursuant to policies T1 and T2 of the adopted Core Strategy for the City of Manchester.

3) 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 garage shall be used for any purpose which would preclude its use for the parking of a motor vehicle and no development shall be undertaken that would preclude vehicular access to the garage.

Reason - The loss of garage parking space could result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety in order to comply with policies T1, DM1 and SP1 of the adopted Core Strategy Development Plan Document for the City of Manchester.

4) Notwithstanding the provisions of Article 3 of, and Class A of Part 1 of Schedule 2 to, the Town and Country (General Permitted Development) Order 1995, the garage accommodation hereby approved, as part of this development shall not be converted into living accommodation.

Reason - The loss of garage parking space would result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety, pursuant to policies DM1 and SP1 of the adopted Core Strategy Development Plan Document for the City of Manchester.

5) Notwithstanding the provisions of Article 3 of Part 1 of Schedule 2 or as subsequently amended to, the Town and Country Planning General Development Order 1995 (as amended), no garages, outbuildings or extensions shall be erected other than those expressly authorised by this permission.

Reason - To ensure that the high density nature of the development is not further increased by extensions and outbuildings and 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 DM1 and SP1 of the adopted Core Strategy Development Plan Document for the City of Manchester.

6) 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 fences, gates or walls shall be erected within the curtilage of any dwelling forward of any wall of that dwelling which fronts onto a road.

Reason - In the interests of protecting the character of the Conservation Area and the adjacent Listed Buildings, pursuant to saved policies DC18 and DC19 of the adopted UDP for the City of Manchester.

7) The development hereby approved shall only be operated in accordance with the details of the Waste Management Strategy as submitted and discharged on the 7 August 2008, including the provision for refuse storage space for segragated waste collection and recycling and details of all internal and external storage areas.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the dopted Core Strategy of the Local Development Framework for Manchester.

Informatives

Building Regulations 2010
This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements
Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:
http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Date: 13 May 2016

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.