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 Craig Collishaw
LNC Property Developments Ltd
Unit 2 Lindricks Way
Barlborough
Chesterfield
S43 4XE

Agent (if used)

Mr Alex Webster-Brown
Jackson Design Associates
Latimer House
Latimer Way
Sherwood Energy Village
Ollerton
NG22 9QW

Part 1 – Particulars of the application/development

Proposal: Variation of condition 2 (specified plans) to alter position of air source heat pumps attached to planning permission 136127/JO/2023

Location: Yew Tree Manor, Yewtree Lane, Manchester,

Date of application: 3 February 2025

Application number: 141842/JO/2025

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 application has been determined in a positive and proactive manner. Issues that have arisen during the course of the application have been discussed with the applicant's agent and amended drawings have been provided.

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 planning permission 134207/FO/2022 that date being 13th October 2022.

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:

Landscape Layout reference 201 Rev F
As received by the City Council as local planning authority on the 6th January 2025
Proposed Site sections reference L0206-130 Rev B
Proposed site plan reference L0206-105 Rev C
As received by the City Council as local planning authority on the 7th October 2022

Recycle Store reference L0206-114 Rev A
All as received by the City Council as local planning authority on the 7th September 2022

Bat Emergence Survey prepared by Rachel Hacking Ecology September 2022
As received by the City Council as local planning authority on the 20th September 2022

Road Safety Audit Stage 1 reference Highway Associates 2022/CR/1667
As received by the City Council as local planning authority on the 23rd September 2022

Environmental Standards Statement prepared by BWB
Lighting Impact Assessment prepared by BWB
Crime Impact Statement prepared by GMP design for security reference 2022/0268/CIS/01 Rev A
As received by the City Council as local planning authority on the 8th July 2022

Television and Radio Reception Impact Assessment prepared by GTech Surveys Limited
Local Labour Agreement Undertaking dated 23/06/2022
Site Waste Management Proforma ref PP-11332213 prepared by Cameron Rose Associates
Geo Environmental Investigation prepared by Earth Environmental and Geotechnical Report Ref: A4701/22/SI/V2 June 2022
Noise Impact Assessment ref 220454 prepared by BWB
Arboricultural Survey prepared by ACS Consulting dated June 2022
Extended Phase1 Habitat Survey and Daytime Bat Survey prepared by Rachel Hacking Ecology April 2022
Proposed basement plan L0206-110 As received by the City Council as local planning authority on the 29th June 2022

Boundary Treatment Plan reference 23-2516(90)007 and Landscape Layout reference 101 Rev G, Proposed ASHP Area Details 23-2516(90)009 all as received by the City Council as local planning authority on the 6th January 2025

The approved Drawings and Documents associated with Condition Discharge reference CDN/22/0923
The approved Drawings and Documents associated with Condition Discharge reference CDN/23/0159
The approved Drawings and Documents associated with Condition Discharge reference CDN/24/0121
The approved drawings and Documents associated with conditions 18,22 and 26 Condition Discharge Reference CDN/24/0898

23-2516(22)001-C05-Ground Floor and Basement GA Floor Layouts
23-2516(22)002-C03-First Floor GA Floor Layout
23-2516(22)003-C03-Second Floor GA Floor Layout
23-2516(21)001-C02-Proposed GA Elevations (Colour) Sheet 1 of 2
23-2516(21)002-C04-Proposed GA Elevations (Colour) Sheet 2 of 2

All as received by the City Council on the 17th April 2024

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 development shall be carried out in accordance with the approved Demolition and Construction Management Plan as received by the City Council as local planning authority on the 7th February 2023 under condition discharge request reference CDN/22/0923.

Reason - In the interests of residential amenity and highway and pedestrian safety pursuant to policy DM1 of the Core Strategy.

4) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (b) and (c) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

a) The tree protection measures and method statement for works contained in the Arboricultural Method Statement prepared by ACS consulting (November 2022) received by the City Council as local planning authority on the 20th December 2022 under condition discharge application reference CDN/22/0923 shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

(b) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(c) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

5) The development hereby approved shall be undertaken in accordance with the recommendations of the Geo Environmental Investigation report dated June 2022 and Remediation Strategy November 2022 both prepared by Earth Environmental and Geotechnical as received by the City Council as local planning authority on 20th December 2022 under condition discharge request reference CDN/22/0923.

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 Core Strategy.

6) The development shall be undertaken in accordance with the surface water drainage scheme approved under condition discharge reference CDN/23/0159.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to national policies within the NPPF and NPPG and Core Strategy policies EN08, EN14 and EN17.

7) The scheme for acoustically insulating the residential accommodation approved under condition discharge reference CDN/23/0159 shall be completed before any of the dwelling units are first occupied.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating pursuant to saved Unitary Development Plan policy DC26 and Core Strategy policy DM1.

8) The landscaping scheme as set out on drawing references 101 Rev G and 201 Rev F shall be implemented not later than 12 months from the date the building is 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.

9) The development shall be carried out in accordance with the agreed external materials approved under condition discharge reference CDN/24/0121.

Reason - In the interests of the amenity and character of the area where the development is located pursuant to policies SP1 and DM1 of the Core Strategy.

10) The development shall be carried out in accordance with the Biodiversity Enhancements as agreed under condition discharge request reference CDN/22/0923 including the additional details of bat and bird boxes to be installed as received on the 6th April 2023.

Reason - In the interests of ecology and biodiversity enhancement of the site following its redevelopment pursuant to policy EN15 of the Core Strategy.

11) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation 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 in each phase 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 Core Strategy.

12) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences. Prior to commencement of the use hereby approved, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties pursuant to policy DM1 of the Core Strategy.

13) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the approved Noise Impact Assessment prepared by BWB Consulting ref 220454 as received by the City Council as local planning authority under condition discharge reference CDN/23/0159 on the 7th March 2023 and shall be implemented in full before the use commences.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to saved Unitary Development Plan policy DC26 and Core Strategy policy DM1.

14) Prior to the first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development to acoustically insulate it conforms to the recommendations and requirements in the approved acoustic consultant's report agreed under condition 7 of this planning permission. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating pursuant to saved Unitary Development Plan policy DC26 and Core Strategy policy DM1.

15) Prior to the first occupation of the development a verification report will be required to validate that the work undertaken for the installation of the approved external lighting scheme throughout the development conforms to the recommendations and requirements in the Lighting Impact Assessment prepared by BWB. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policy DM1 of the Core Strategy.

16) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the scheme contained within the approved Noise Impact Assessment prepared by BWB Consulting ref 220454 as received by the City Council as local planning authority under condition discharge reference CDN/23/0159 on the 7th March 2023.

b) Prior to the first use of the development hereby approved, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic assessment set out in part a) of this condition. The report shall also undertake post completion testing to confirm that the noise criteria have been met.

c) In the event of any non-conformity with the approved scheme, then any further measures that are required to ensure conformity shall be carried out. Any required measures/mitigation shall continue until conformity has been achieved and agreed in writing by the City Council as local planning authority, prior to first occupation of the development.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

17) Prior to the first use of the development hereby approved, the details of internal bin storage areas as contained within condition discharge reference CDN/25/0229 shall be incorporated into the development together with the agreed details within the waste management strategy as received by the City Council as local planning authority on the 29th June 2022 together with drawing reference L0206-114 Rev A 'Recycle Store'; L0206-105 Rev B 'Proposed Site Plan', which shall all remain in situ thereafter whilst the development is in use.

Reason - In the interests of amenity and public health pursuant to policy DM1 of the Core Strategy.

18) Prior to the first use of the development hereby approved, the full details of highway works as approved under condition discharge reference CDN/24/0898 shall be carried out in accordance with the agreed details.

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

19) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme agreed under condition 6 of this approval shall be submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to policies EN17 and EN18 of the Core Strategy

20) The development shall be operated in accordance with the agreed Travel Plan received by the City Council as local planning authority on the 11th March 2025 under condition discharge reference CDN/25/0229 . In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

21) The cycle store indicated on the approved basement plan shall be installed prior to the first use of the development hereby approved and shall remain in situ whilst the development is in use.

Reason - To ensure adequate access to secure cycle parking facilities by occupiers of the development pursuant to policy T1 and DM1 of the adopted Core Strategy.

22) Prior to the first use of the development hereby approved, the agreed details of the 4 no. electric vehicle charging points as approved under condition discharge reference CDN/24/0898 shall be installed and be made ready for use and shall be retained on site for use thereafter.

Reason - To promote sustainable development and in the interests of local air quality pursuant to policy EN16 of the Manchester Core Strategy (2012).

23) The car parking as indicated on the approved site layout drawing, shall be laid out and demarcated prior to the first occupation of the development hereby approved and shall be retained thereafter for sole use by the occupiers of the development.

Reason - To ensure that adequate car parking provision is available for the occupiers of the development pursuant to Core Strategy policy DM1.

24) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy DM1 of the Core Strategy.

25) The planning permission hereby granted relates to the use of the development as a residential care home (Class C2) only and for no other purpose.

Reason - For the avoidance of doubt and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

26) Before first occupation the scheme for obscurely glazing the ground and first floor windows in the north and west elevations serving areas identified as 'seating areas' on the approved plans as approved under condition discharge reference CDN/24/0898 shall be installed and be retained in situ whilst the use is in operation.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

27) The approved Historic Environment Record prepared by Buttress dated January 2023 received by the City Council as local planning authority on the 7th March 2023 as agreed under condition discharge application reference CDN/23/0159 shall be deposited to the Greater Manchester Historic Environment Record prior to the first occupation of the hereby approved development.

Reason - In the interests of the historic interest of the buildings on site pursuant to policy EN3 of the Core Strategy and section 16 ' Conserving and enhancing the historic environment' of the NPPF.

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:
www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Date: 2 May 2025

Signed: 

Julie Roscoe
Director 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, they may appeal to the 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 gov.uk website – www.gov.uk/appeal-planning-decision . The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they 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 their 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 Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.