

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mrs Agnieszka Pralet
49 Delacourt Road
Manchester
M14 6BU

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Erection of a single storey rear extension, single storey front porch and detached rear outbuilding following demolition of existing

Location: 49 Delacourt Road, Manchester, M14 6BU

Date of application: 12 November 2024

Application number: 140774/FH/2024

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents:

'Householder Application for Planning Permission for works or extension to a dwelling', numbered 'PP-13328379', stamped as received by the City Council as Local Planning Authority on the 12th November 2024.

'Existing & Proposed Plans & Elevations', numbered '1052/24 REV A', stamped as received by the City Council as Local Planning Authority on the 12th November 2024.

'Sections & Specification', numbered '1053/24', stamped as received by the City Council as Local Planning Authority on the 14th August 2024.

Applicant email correspondence, containing materials details, stamped as received by the City Council as Local Planning Authority on the 26th November 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

3) The materials to be used on the external surfaces of the extensions hereby permitted shall match those specified on the submitted application form and approved documents, including brickwork to match the existing dwellinghouse.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extensions, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

4) The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as No.49 Delacourt Road, M14 6BU. The proposed outbuilding is not to be used as an additional dwelling at the location or for short-term lettings and is explicitly for the private enjoyment of the occupants of the main dwellinghouse, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure the proposed use remains incidental to the principle use on the site. In the interest of residential amenity, in accordance with policies DM1 and SP1 of the Manchester Core Strategy.

5) The development hereby approved shall be carried out in accordance with the submitted 'flood risk assessment data' and 'minor extension flood risk assessment proforma', stamped as received by the City Council as Local Planning Authority on the 12th November 2024, which includes details of the following mitigation measures:

- Finished floor levels shall be set no lower than existing floor levels.

These mitigation measures shall be implemented and be in place prior to the first use/occupation of the development and shall be so maintained and retained at all times thereafter.

Reason - To reduce the risk of flooding to the proposed development and future occupants, pursuant to policy EN14 of the Manchester Core Strategy and policy JP-S4 of Places for Everyone.

Informatives

This decision relates to the extension or improvement of an existing dwellinghouse, falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as

amended) and does not infer or imply approval for the use of the property for any other purpose.

Manchester City Council has made an Article 4 Direction to remove permitted development rights that allow for a change of use from Class C3 - *Dwellinghouses* to Class C4 - *House in Multiple Occupation*. This means that from 8 October 2011, planning permission is required for a change of use from a Dwellinghouse to a House in Multiple Occupation. Further information regarding the Article 4 direction can be found on Manchester City Council's website:

www.manchester.gov.uk/info/200074/planning/4847/article_4_direction

If you intend to use the property to which this decision relates for any purpose other than a dwellinghouse, you should first contact Manchester City Council's Planning Service. Failure to obtain any necessary planning permission prior to carrying out a material change of use or physical development could result in enforcement action being taken, which can have serious implications.

This permission does not grant approval under Building Regulations.

The proposal (extension/outbuilding/porch) is 'Minor Development' class as defined by Standing Advice. The Site is in Flood Zone 3.

Records indicate the proposal is <20m from a culverted main river (on the south site boundary).

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- o on or within 8 metres of a main river (16 metres if tidal)
- o on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- o on or within 16 metres of a sea defence
- o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

Date: 2 January 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 12 weeks 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-householder-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.

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.