

## **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](mailto:planning@manchester.gov.uk)

## **Town & Country Planning Act 1990 (as amended)**

### **Planning Permission**

#### **Applicant**

Mr Julian Hoe  
J Greenwood Ltd  
B9 Greengate Industrial Estate  
Greenside Way  
Middleton  
Manchester  
M24 1SW

#### **Agent (if used)**

Mr Mark Harrison  
TADW Ltd  
6 St Petersgate  
Stockport  
SK1 1HD

### **Part 1 – Particulars of the application/development**

---

**Proposal:** Variation of conditions 2 (specified plans) and 22 (environmental standards) attached to planning permission referenced 138589/FO/2023 to allow elevational alterations and reduction in solar panels

**Location:** 63 - 65 Upper Chorlton Road, Manchester, M16 7RQ

**Date of application:** 24 October 2024

**Application number:** 141366/JO/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**

---

### **Condition(s) attached to this decision**

---

0) Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns regarding the projection of the solar panels above the roof slope and the depth of the reveals to the infilled window openings. These matters have been satisfactorily resolved and the appropriate conditions have been attached.

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

Location Plan  
Existing Site plan ref: 231332 10 rev.P1  
Precedent Images of benches , planters, garden pathway treatments

Landscape General Arrangement Plan ref: 001-ND2319-D- rev.01  
Design and Access Statement ref: 231332 dated October 2023  
Environmental Standards Statement rev.01 dated 01 November 2023  
Crime Impact Statement Version A dated 22.11.2023  
Noise Assessment Report ref: RSA440/2023 dated 04 October 2023 version 1  
Aboriginal Constraints Appraisal dated July 2023 ref: BTC2757  
Heritage Statement  
Ecological Assessment 2023  
Phase 1 Preliminary Risk Assessment and Remediation Strategy ref: LKC1395 dated July 2023  
CCTV Drain Survey dated 7th July 2023  
Drainage inspection data  
Received 17th November 2024

Phase 1 Preliminary Risk Assessment and Remediation Strategy ref: LKC1395 dated July 2023  
Waste Management Strategy  
Upper Chorlton Road Parking Analysis  
Crime Impact Statement Version A dated 22.11.2023  
Received 27th November 2024

Proposed site plan ref: 231332 11 rev.P4  
Proposed floor plans ref: 231332 13 rev.P3  
Existing and Proposed Elevations plan ref: 231332 14 rev.P4  
Received 24th January 2024

AS AMENDED BY:

- Existing and Proposed Elevations plan ref: 231332 14 rev.P5 received 24th October 2024
- Environmental Standards Statement v.4 dated 16th October 2024 received 24th October 2024
- Dakea\_KAS\_B1010\_KWU\_spec\_sheet (3) and Dakea-smoke-vent-window-(4)-9536-p received 4th November 2024
- Agent email 04.11.2024 confirming the use of a dark grey Dakea KAS S6A B1010 for the smoke vent, and dark grey Dakea KAV M4A B1010 for the standard rooflight, and that the optional wind shield shown on the specification sheet would not be installed on this development.
- Elevation drawing showing height of solar panels above roof slopes received 23rd December 2024.
- Proposed floorplans plan ref: 231332 13 rev.P4 received 28th December 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

2) The development shall be implemented in accordance with the measures within Construction Management Plan dated May 2024 rev. B for the duration of the construction period

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (2012).

- 3) The development shall be implemented in accordance with the following materials:
- Oakwood multi brickwork (Wienburger ).
  - reclaimed Grey Welsh Slate
  - natural mortar
  - artstone cills to match the existing cills.

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 of the Manchester Core Strategy (2012).

- 4) The car parking indicated on the approved plans for the flats, shall be surfaced, demarcated and made available for use prior to the flats), hereby approved being occupied. The car parking shall then be available at all times whilst the flats are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

- 5) Prior to occupation of the development, finalised details of the secure cycle storage arrangements (including the elevational designs of the proposed cycle shelter), shall be submitted to and approved in writing by the City Council as local planning authority. The cycle stores shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation being brought into use, and be retained thereafter.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN6 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

- 6) a) Finalised specifications of the electric charging point and the infrastructure and ducting to all the parking spaces shown on Proposed site plan ref: 231332 11 rev. P4, shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the development hereby approved.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

- 7) a) The development is implemented in accordance with measures within the Phase 2 Geo-Environmental Investigation Risk Assessment and Remediation Strategy doc ref: LKC 23 1395 dated November 2023.

b) 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 policies EN18, SP1 and DM1 of the Manchester Core Strategy (2012) .

8) a) The development shall be implemented in accordance with measures within the Covering Note Relating to Application to Discharge Condition 9 - Noise and Overheating, and Noise Assessment Report Project Reference: RSA440/202 dated 4th October 2023 version 1

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. 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 policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

9) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq ) below the typical background (LA90 ) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme 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 report. The report shall also undertake post completion testing to confirm that the 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 agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

10) a) The development shall be implemented in accordance with the measures within the Waste Management Proforma and Existing and Proposed Elevations and bin store plan ref: 231332 14 rev.P5.

b) 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 amenity and public health, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

11) The development shall be implemented in accordance with the content of the Covering Note Relating to Application to Discharge Condition 12 - Ecological License.

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 Manchester Core Strategy (2012).

12) No site clearance works, including works to trees or shrubs, shall commence between 1 March and 31 August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation that no bird nests are present has been submitted to and approved in writing by the City Council as local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to policy EN15 of the Manchester Core Strategy (2012).

13) Before the first occupation of the residential accommodation hereby approved, a scheme to encourage bio-diversity within the application site (including the finalised design of bat boxes shown on plan ref: Landscape General Arrangement Plan ref: 001-ND2319-D- rev.01 , together with bird box designs and locations, and the hedgehog house design and location) shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with approved scheme prior to the occupation of the residential accommodation shall be maintained in situ thereafter.

Reason - In the interests of residential development and to encourage bio-diversity pursuant to policies EN15 and DM1 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

14) a) Before implementation of the hard and soft landscaping treatment scheme shown on Landscape General Arrangement Plan ref: 001-ND2319-D- rev.01, finalised details of tree, and shrub species, together a management and maintenance strategy, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied.

b) 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 Manchester Core Strategy (2012).

15) In this condition "retained tree" means an existing tree, which is to be as shown as retained on the Landscape General Arrangement Plan ref: 001-ND2319-D- rev.01 and Arboricultural Constraints Appraisal dated July 2023 ref: BTC2757 specified in condition no.2 and particulars; and paragraphs (c) and (d) below shall have effect until the expiration of 5 years from the date of the first occupation of the development for its permitted use.

(a) 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)

(b) 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.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars 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.

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 Manchester Core Strategy (2012).

16) The installation of any foundations and/or measures to affix structures (including the cycle storage shelter and Gazebo ) to the ground with the root protection zones shown on Landscape General Arrangement Plan ref: 001-ND2319-D- rev.01 shall be hand dug .

Reason - In order avoid damage to trees 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 Manchester Core Strategy (2012).

17) The development shall only be carried out in accordance with section 4 in the Crime Impact Statement Version A dated 22.11.2023. 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 for that the development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellings hereby approved other than those shown on the approved drawings specified in condition 1.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

19) The kitchen windows in the north eastern and south western gables of the three storey extension hereby approved shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, to a height of 1.7m above the internal floor level and maintained in perpetuity .

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy(2012).

20) The proposed shower room and landing windows in the north eastern gables of the existing property shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent , and maintained in perpetuity .

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy(2012).

21) a)The development shall be implemented in accordance with the measures in the Environmental Standards Statement v.4 dated 16th October 2024 in terms of sustainability and energy efficiency.

b) A post construction review certificate/statement shall be submitted for approval for the development, within a timescale that has been previously agreed in writing for the development, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy (2012) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

22) The development shall be implemented in accordance with the finalised detailed designs (including cross sections and materials ) of the window frames , and reveals to the elevations of the rear extension , and in regard to any replacement windows ( unless on a like for like basis) contained in the documents, emails and plan referenced below.

-Letter dated 12th August 2024 from Windows and Doors Limited to J Greenwood (Builders) Ltd

-Casement windows TOTAL 70 specification sheet

Received 30th August 2024

-The use Fire rated windows with an aluminium frame and a 61mm profile to side southern gable confirmed by agent email dated 3rd October 2024.

-Condition. no 23 - (Windows) document as revised by addendum to application to discharge condition no.23 (Windows)relating to the incorporation of fire rated windows to the southern gable elevation.

-Aluprof aluminium window and wall systems specification document (ref: MB - SR50N EI)

Received 4th October 2024

-Agent email dated confirm that the proposed window section for the fire rated windows is MB-78, the frame reference is K518142 (the 61mm version), and all windows would be RAL 7016 in colouration dated 10th October 2024.

-Existing and proposed elevations plan ref: 231332 14 rev.P4 Received 21st October 2024.

- Agent email dated 22nd October 2024 original windows on the ground and first floor of the front elevation at Upper Chorlton Road were set back 90mm from the brickwork face, and the new replacement windows would be set back by the same amount.

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 of the Manchester Core Strategy (2012).

23) Finalised details of the depth of the reveals to the infilled windows to the northern elevation of the building, shall be submitted to and approved in writing by the City Council as local planning authority, prior to the existing window openings being infilled with matching brickwork. The development shall be carried out in accordance with the agreed details.

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 of the Manchester Core Strategy (2012).

## **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](http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2)

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Construction/demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Date: 30 December 2024

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](http://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](mailto:planning@manchester.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](http://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.