

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

Mr Keith Burke
Burke Developments
77 Grange Avenue
Manchester
M19 2FZ

Agent (if used)

Ralph Taylor
Paul Butler Associates
31 Blackfriars Road
Salford
Manchester
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Variation of conditions 2 (approved drawings), 7 (window positions) and 8 (obscure glazing to bathrooms) attached to planning permission reference 139219/JO/2024 to allow for elevation alterations including the installation of solar PV panels to the rear roof slope and changes to roof heights

Location: 7 Chapel Street, Manchester, M19 3QB

Date of application: 8 October 2024

Application number: 141101/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

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. There were minor changes required to meet the requirements for approval and the officer and applicant worked together to find an amicable solution

Condition(s) attached to this decision

1) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 19 October 2023, 2 January 2024, 9 February 2024, 29 September 2024, 29 October 2024 and 8 November 2024:

Application forms for removal or variation of condition following granting of planning permission

Existing GA site plan Ref: 23-1136(02)001 Ref: PL0

Location Ref: 23-1136(01) 001 Ref: PL0

Proposed Elevation 01 Ref: 24-0016-20-101 Rev P04
Proposed Elevation 02 Ref: 24-0016-20-102 Rev P04 (including typical section through window reveal)
Street Elevations existing and proposed Ref: 24-0016-30-103 Rev P03
Proposed GA floor plan Ref: 23-1136(04)001 Ref: PL2
Proposed GA site plan Ref: 23-1136(03)002 Ref: PL6
Proposed GA roof plan Ref: 23-1136(03)003 PL7 (amended by drawings ref: Proposed Elevation 01 Ref: 24-0016-20-101 Rev P04 and Proposed Elevation 02 Ref: 24-0016-20-102 Rev P04)
PROPOSED RESIDENTIAL DEVELOPMENT, CHAPEL STREET, LEVENSHULME (4150)
RESPONSE TO HIGHWAYS COMMENTS - OCTOBER 2023 by Eddisons Burke Developments
7 Chapel Street, Levenshulme, M19 3QB Employment Land Statement by Paul Butler Associates dated 16 October 2023
Bat Presence-Absence Survey Building B3 7 Chapel Street Levenshulme M19 3QB for NADA Architect by Gritstone Ecology

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 for the City of Manchester.

2) The development shall be implemented in accordance with the following material specifications as detailed in document ref: Materials for discharge of condition 3
Revision G:

Brick - 50/50 mixed blend of Eco Stock Medway Blend and Eco Stock Chertsey Antiques (650mm x 215mm x 102.5mm) with grey colour mortar
Roof tile - Marly Modern smooth grey roof tile 330mm x 420mm x 5mm
Window frames and external front and patio doors Vale system 2800 PVC-U with woodgrain finish (Energy rating A and PAS 24 security standard) in anthracite grey 072 Ref 701605
[Windows relating to authorised development shall be installed in accordance with drawing ref:
Proposed Elevation 02 Ref: 24-0016-20-102 Rev P04 (including typical section through window reveal)
Feature windows frame (front bay) - Frame and surround in anthracite grey 072 Ref 701605.
External front door leaf colour Chartwell Green 106 Ref: 49246.

The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

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 policies SP1 and DM1 of the Core Strategy for the City of Manchester.

3) The authorised development relates to the erection of: 8 x four bedroom, seven person houses (Class C3).

Reason - To safeguard the amenities of the occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for the City of

Manchester, saved policy DC26 of the Unitary Development Plan and policies JP- H3, JP- H4 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

4) 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 part of the residential units shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework, policies SP1 and DM1 of the Core Strategy for the City of Manchester and policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

5) 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 garages, extensions, porches or outbuildings shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester and policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone

6) 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 dwellinghouses hereby approved other than those shown on the approved drawings referenced:

Proposed Elevation 01 Ref: 24-0016-20-101 Rev P04

Proposed Elevation 02 Ref: 24-0016-20-102 Rev P04

Street Elevations existing and proposed Ref: 24-0016-30-103 Rev P03

Proposed GA floor plan Ref: 23-1136(04)001 Ref: PL2

Proposed GA site plan Ref: 23-1136(03)002 Ref: PL6

Proposed GA roof plan Ref: 23-1136(03)003 PL7 (amended by drawings ref: Proposed Elevation 01 Ref: 24-0016-20-101 Rev P04 and Proposed Elevation 02 Ref: 24-0016-20-102 Rev P04)

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

7) Before the occupation of the development windows to bathrooms rooms as so indicated on the approved drawings ref: Proposed Elevation 01 Ref: 24-0016-20-101 Rev P04, Proposed Elevation 02 Ref: 24-0016-20-102 Rev P04, Street Elevations existing and proposed Ref: 24-0016-30-103 Rev P03, Proposed GA floor plan Ref: 23-1136(04)001 Ref: PL2, Proposed GA site plan Ref: 23-1136(03)002 Ref: PL6 and Proposed GA roof plan Ref: 23-1136(03)003 PL7 (amended by drawings ref: Proposed Elevation 01 Ref: 24-0016-20-101 Rev P04 and Proposed Elevation 02 Ref: 24-0016-20-102 Rev P04) shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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 for the City of Manchester policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

8) Prior to occupation, details of the measures to be incorporated into the development to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details at all times thereafter.

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.

9) The construction phase of the development shall be implemented in accordance with the following drawing and documents relating to construction management referenced:

- i. Construction Stage Site Layout drawing Ref: 24-0016-70-001 Rev. P01
- ii. Construction Phase Plan as per The Construction (Design and Management) Regulations 2025 - Burke Construction NW 7 Chapel Street M19 3QB dated 30 September 2024
amended and supplemented by
- iii. Traffic Management Plan document Burke Construction NW 7 Chapel Street M19 3QB dated 4 November 2024 and
- iv. Construction Vehicle routing and movement visual attached to Paul Butler Associates email dated 8 November 2024.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester and policies JP- P6 and JPS1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

10) The development shall be implemented in accordance with the arrangements for electric vehicle charging as detailed in drawing referenced: EV charge point locations site plan Ref: 24-0016-30-106 Rev R01 and EV Charger - Detail and specs Ref: 24-0016-30-107 Rev R01. The approved details shall be implemented before occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester, policies JP- P6 and JP-S1 of Sustainable

11) The authorised development shall be undertaken in accordance with the waste management strategy comprising drawing and documents referenced: WASTE MANAGEMENT STRATEGY 7 CHAPEL STREET LEVENSHULME MANCHESTER M19 3QB FINAL dated 18 October 2023 by Fellows Environmental, Waste management proforma dated 18 October 2023 and Proposed GA site plan Ref: 23-1136(03)002 Ref: PL6. The agreed arrangements shall be implemented in full prior to the first occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

12) The development shall be implemented in accordance with the arrangements for bin storage as detailed in drawing referenced: Bin and cycle stores location site plan Ref: 24-0016-30-104 Rev R01 and Bin and cycle store - Technical details Ref: 24-0016-30-105 Rev R01. The approved details shall be implemented before occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

13) The development shall be implemented in accordance with the details for cycle storage as detailed on drawings referenced: Bin and cycle stores location site plan Ref: 24-0016-30-104 Rev R01 and Bin and cycle store - Technical details Ref: 24-0016-30-105 Rev R01. The approved details shall be implemented before occupation of the development and maintained in situ thereafter.

Reason - To ensure that adequate provision is made for cycle 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 and DM1 of the Core Strategy for the City of Manchester and policies JP-P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

14) Before occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the acoustic insulation of the residential accommodation against noise from industrial uses to the west of the application site and any other identified noise sources. The approved noise insulation scheme shall be implemented before the development is occupied.

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 industrial uses to the west of the application site and in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 of the Core Strategy for the City of Manchester and policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

15) The development shall be implemented in accordance with details to address land contamination as detailed in document referenced : Martin Environmental Solutions Ltd Martin Contaminated Land Remediation and Verification Plan for proposed residential development at Land Off Chapel Street, Manchester, M19 3QB. Prepared for Burke Developments Ltd, Norwood, Greenacres, Oldham, OL4 3EX. Amended November 2024 Report No: 2843-3 MES Contaminated Land and the detail of email from Paul Butler Associates dated 20 November 2024.

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 policies DM1 and EN18 of the Core Strategy for the City of Manchester and policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

16) Within one month of the date of the planning permission hereby granted, a surface water drainage scheme for the site, based on sustainable drainage principles shall be submitted to and approved in writing by the Council as local planning authority. The development shall be constructed and completed in accordance with the approved details within a timescale agreed with the Council as local planning authority.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policies EN14 and EN17 of the Core Strategy for the City of Manchester and policies JP- P6, JP-S1 and JP-S4 of Sustainable Development Joint Development Plan Document - Places for Everyone.

17) Before the occupation of the building, the car parking spaces and other hard surfaces relating to each plot shall be implemented in accordance with the details of drawing referenced: Proposed GA site plan Ref: 23-1136(03)002 Ref: PL6. Upon

occupation of the building, the car parking area shall be made available for use in accordance with the authorised use only and maintained in situ thereafter.

Reason - In the interest of pedestrian and highways safety and to ensure the provision of appropriate car parking pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester and policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

18) Before the occupation of the authorised development, full details and specifications of all off-site highways works, including footpath reinstatement to Chapel Street shall be submitted to and approved in writing by the City Council as local planning authority. The required works shall be fully implemented prior to the first occupation of any part of the development and maintained in situ thereafter.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester, policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone and guidance contained within the National Planning Policy Framework.

19) Notwithstanding the detail of drawings Ref: Proposed GA site plan Ref: 23-1136(03)002 Ref: PL6 and before the occupation of the development, details the design, appearance and specification of all boundary treatments. The approved details shall be implemented before the occupation of the development and maintained in situ at all times thereafter.

Reason - In the interest of residential amenity, site security and to reduce the risk of crime, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and policies JP- P6 and JP-S1 of Sustainable Development Joint Development Plan Document - Places for Everyone.

20) Notwithstanding the detail of document referenced: Proposed residential development at 7 Chapel Street, Levenshulme, Manchester M19 3QB Environmental Standards Statement dated June 2023 and prior to the commencement of above ground construction works, a scheme shall be submitted to and approved by the City Council as local planning authority detailing measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance.

Within 3 months of the completion of the construction of the development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007), policies JP- P6, JP-S1 and JP-S2 of Sustainable Development Joint Development Plan Document - Places for Everyone and the National Planning Policy Framework.

21) Before the occupation of any part of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the

provision and position of bat and bird boxes, which shall be undertaken in accordance with the approved details before the occupation of the development and maintained in situ thereafter.

Reason - To enhance local biodiversity through the provision of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and the National Planning Policy Framework

22) The development shall be implemented in accordance with the details relating to photovoltaic panels as detailed in drawings and specification referenced PV panel for discharge of condition 3 (Revision A). The approved details shall be implemented before the occupation of the development and maintained in situ thereafter.

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

23) Before the occupation of the development, a drawing shall be submitted to and approved in writing by the City Council as local planning authority demonstrating the provision of level thresholds to the rear patio doorways to facilitate inclusive access to the garden areas of each of the authorised houses. The approved details shall be implemented, before the occupation of the development, in conjunction with arrangements to the principal entrance of each house as specified in drawings ref: Proposed Elevation 01 Ref: 24-0016-20-101 Rev P04, Proposed Elevation 02 Ref: 24-0016-20-102 Rev P04, Street Elevations existing and proposed Ref: 24-0016-30-103 Rev P03 and Proposed GA floor plan Ref: 23-1136(04)001 Ref: PL2 and maintained in situ thereafter.

Reason - In the interest of residential amenity and to secure inclusive access pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, policy DC7 of the Unitary Development Plan and policy JP-P6 (Health) contained within Sustainable Development Joint Development Plan Document - Places for Everyone.

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

Guidance for developers can be accessed via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Council records highlight an underground culverted ordinary watercourse (Fallowfield Brook) is located within close proximity to the site (approximately 8m south of the site). It is requested that the developer informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Highway agreements will be required for the alterations to the existing highways and the construction of the vehicular access and dropped kerbs to Chapel Street and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Date: 3 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 . 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.