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

Stockport Developments Ltd, in partnership with WCHG
C/o Agent

Agent (if used)

Poppy Oakey
Eden Planning & Development
1 Market Street
Altrincham
WA14 1QE

Part 1 – Particulars of the application/development

Proposal: Erection of a three-storey apartment block comprising 20 apartments following demolition of existing building, supported by access, parking, landscaping, drainage, and other associated works

Location: Clever Clowns Day Nursery, Greenbrow Road, Manchester, M23 2UH

Date of application: 27 March 2024

Application number: 139537/FO/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

The application has been determined in a positive and proactive manner, in this instance issues have been raised with the applicant and further information has 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 this permission.

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:
PL02 REV L Proposed Plans (Floor Plans)
PL03 REV J 'Proposed elevations/Site sections'
PL01 REV P 'Proposed site plan'

EX01 REV A 'site location plan'
EX05 REV X 'demolition plan'
382-LST-XX-XX-DR-L-0101 Rev C 'Landscape General Arrangements' prepared by Land studio
- Planning Statement prepared by Eden Planning EDN2289
- Design and Access Statement prepared by D2 Architect
- Air Quality Assessment prepared by Miller Goodhall 103100V2
- Broadband Assessment
- Crime Impact Statement prepared by Greater Manchester Police reference 2011/0612/CIS/01
- Ecological and Biodiversity Net Gain Assessment including Metric prepared by Kingdom Ecology received 14th and 22nd March 2024
- Environmental Standards prepared by Elements Sustainability March 2024 ref 2023.305
- Geoenvironmental Report, including Soakaway Suitability Letter prepared by IGE reference 4031-01 - Transport Statement prepared by SK Transport 240208/SK22381/TS01(-01)
- Noise Impact Assessment prepared by Enviro Standards 7 March 2024
-Waste Management Strategy prepared by D2 Architects

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) Prior to the commencement of demolition, a construction management and demolition management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:
- Quantification / classification of vehicular activity associated with construction including commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.
-Storage of plant and materials;
- Highway dilapidation survey and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site;
- A community consultation plan.

The development shall only be carried out in accordance with the approved construction management plan. Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment.

Membership of the Considerate Constructors Scheme is highly recommended.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

4) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of

the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development. In this condition a Local Benefit Proposal means a document which includes:

i) the measures proposed to recruit local people including apprenticeships
ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

b) Prior to first occupation of the development hereby approved, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

5) The development shall not commence (excluding demolition works) until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out before development commences (excluding demolition works) and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed measures.

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 Manchester Core Strategy.

6) Prior to the commencement of development (excluding demolition) a surface water drainage scheme prepared in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include the following:
-A finalised drainage layout showing all components, outfalls, levels and connectivity; -
Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- The proposed development site is located in CDA. Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates, as the site is located within Conurbation Core Critical Drainage Area;
-An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change;
- Assessment of overland flow routes for extreme events. Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or

exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

The development shall be carried out in accordance with the agreed scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

7) a) Before the development commences (excluding demolition) a scheme for acoustically insulating the proposed residential accommodation against noise from the local traffic network shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are 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 traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of the Manchester Core Strategy.

8) 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 pursuant to Core Strategy policy DM1 and saved Unitary Development Plan policy DC26.

9) Prior to the commencement of development (excluding demolition works) and notwithstanding the details submitted, a scheme for the provision of affordable housing as part of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall include:
i. the type and tenure (such tenures being consistent with the definition of affordable housing in Annex 2 of the NPPF or any definition of affordable housing that replaces it) which shall consist of 100% of the dwelling houses;
ii. confirmation that the affordable dwellings will be made available on affordable housing terms for both first and subsequent occupiers of the affordable housing dwellings (subject to such exclusions and exemptions as may be approved by the City Council); and
iii. the eligibility criteria to be used for determining who may occupy the affordable housing dwellings (which shall not be required to include any local connection criteria in the case of shared ownership housing).
iv. The approved affordable housing scheme shall be implemented as part of the development subject to the following exclusions and exemptions:
1. The affordable housing scheme shall not be binding upon a mortgagee, chargee or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (however appointed) including a housing administrator (each a receiver) of the whole or any part of the affordable housing or any persons or bodies deriving title through such mortgagee or chargee or receiver.
2. The affordable housing scheme which is the subject of this condition shall cease to apply (and shall be of no further effect) to any dwelling that has been acquired by an individual owner/purchaser and/or their mortgagee OR any dwelling in respect of which a statutory or voluntary right to buy or acquire has been exercised.

Reason - To contribute to the delivery of affordable housing, pursuant to policy H8 of the Manchester Core Strategy.

10) Prior to first occupation of the development hereby approved, full details of all necessary off-site highway works shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include: - Details of all proposed vehicular and pedestrian accesses, associated tactile paving, dropped kerbs, TRO protection of the site access, and reinstatement of redundant accesses The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation. The development shall only be occupied in accordance with the agreed works.

Reason - In the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

11) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (1st March - 31st August inclusive) unless nesting birds have

been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy.

12) a) Prior to above ground works commencing, details of bat and bird boxes to be installed within the development shall be submitted to and approved in writing by the City Council as local planning authority, the submitted details shall include timescales for their installation.

b) Prior to the first occupation of the development a verification report and supporting evidence confirming the inclusion of the biodiversity enhancements within the development shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To secure the biodiversity enhancements to the site pursuant to policy EN15 of the Core Strategy.

13) Prior to the commencement of above ground development, all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples and specifications of all materials to be used on all external elevations of the development. The approved materials shall then be implemented as part of the development.

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 Manchester Core Strategy.

14) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to first 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 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 Manchester Core Strategy.

15) Before the use hereby approved commences external lighting shall be designed and installed in accordance with a scheme previously submitted to and approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties.

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

16) Prior to first occupation of the development hereby approved, details of certification that the development has achieved Secured by Design Accreditation shall be submitted to and approved in writing by the City Council as Local Planning Authority .

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

17) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a sustainable drainage scheme have been 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:
- A 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 prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

18) The scheme for the storage and disposal of refuse as set out within the approved plans and documents 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 public amenity pursuant to policy DM1 of the Core Strategy.

19) A detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupancy of the residential units hereby approved. In this condition a Travel Plan means a document which includes: (1) The measures proposed to be taken to reduce dependency on the private car by those residing at the development;
(2) A commitment to surveying the travel patterns of residents during the first three months of the development and thereafter from time to time;
(3) Mechanisms for the implementation of the measures to reduce dependency on the private car; and
(4) Measures for the delivery of specified travel plan services; and 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 (2) above shall be submitted to the City Council as local planning authority for approval.

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 reduce dependency on the car travel and to promote alternative means of transport, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

20) Prior to the first occupation of the development hereby approved, full details of electric car charging points to be installed at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments and retained thereafter.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy.

21) No part of the development hereby approved shall be occupied until the space and facilities for bicycle parking have been provided in accordance with the details shown on drawings referenced PL02 REV L 'Proposed Plans (Floor Plans)' and 382-LST-XX-XX-DR-L-0101 rev C. The approved spaces and facilities shall then be retained and permanently reserved for bicycle parking.

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 and DM1 of the Manchester Core Strategy.

22) The car parking indicated on the approved drawings shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and their visitors and shall be available for use at all times whilst the apartments are occupied.

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

23) Prior to the first occupation of the development hereby approved a car parking management plan for the site shall be submitted to and approved in writing by the City Council as local planning authority. The plan shall set out how the on-site car parking is to be managed and allocated to occupiers of the development. The development shall be operated in accordance with the agreed details.

Reason - In order to manage the car parking spaces associated with the development whilst it is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

24) Prior to the first occupation of the dwellings hereby approved, the boundary treatments as detailed on approved drawing references 382-LST-XX-XX-DR-L-0101 Rev C and PL03 Rev J shall be fully installed and shall be retained in situ for as long as the dwellings are occupied.

Reason - In order to protect the future occupants of existing residential properties from noise sources and in the interests of the visual amenity and character of the area pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

25) The hard and soft landscaping scheme set out on approved drawing reference 382-LST-XX-XX-DR-L-0101 Rev C shall be implemented within 12 months from the first occupation of the development. 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.

26) 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) none of the residential units hereby approved 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 2020, 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).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of residential accommodation pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

27) The residential units hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as short-term lets, serviced apartments/apart hotels, do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

28) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the

building hereby approved shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development in located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

29) Prior to the first occupation of the development the windows on the western elevation to the first and second floor serving the internal corridor as identified on the approved plans 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.

30) Prior to the commencement of development, a biodiversity gain plan shall be submitted to an approved in writing by the City Council as local planning authority. The development shall be subsequently carried out and maintained in accordance with the approved plan.

Reason - In the interests of biodiversity net gain being achieved on site pursuant to Core Strategy policy EN15, Places for Everyone Policy JP-G8 and schedule 7A of the Town and Country Planning Act 1990 as amended

Informatives

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

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

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

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

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

1) Whilst the building to be demolished has been assessed as very low risk for bats, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

2) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority: Monday - Friday: 7.30am - 6pm Saturday: 8.30am - 2pm Sunday / Bank holidays: No work

2) In order to discharge the acoustic insulation scheme condition attached to this permission noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved: Bedrooms (night time - 23.00 - 07.00) - 30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 15 times) Living Rooms (daytime - 07.00 - 23.00) - 35 dB LAeq Gardens and terraces (daytime) - 55 dB LAeq

Date: 26 July 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 of 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 his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the 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.