

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

Brachfeld
C/o Agent

Agent (if used)

Sam Golding
Gold Sketch Studios Ltd
55a Bury Old Road
Prestwich
M25 0FG

Part 1 – Particulars of the application/development

Proposal: Proposed conversion of building into 9 self contained apartments with related elevational alterations and associated car parking and cycle storage

Location: 1 Justin Close, Manchester , M13 9WX

Date of application: 28 May 2024

Application number: 139745/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

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. In this case officers and the applicants (through their appointed representatives) engaged in pre-application discussions regarding the parameters and magnitude of the development. Discussions were undertaken during the consideration of the planning application regarding the internal and external layout the development and to ensure that issues of design, security, car parking, cycle storage and crime reduction were appropriately responded to. A satisfactory assessment of the development has been undertaken based on the submitted and supplementary details.

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 received by the local planning authority on 9 April 2024, 17 May 2024, 24 May 2024, 1 July 2024 and 5 July 2024:

Planning application forms

Material specifications Ref: GSS24018.2/003

Site - External lighting design Ref: Ref: GSS24018.2/004/Rev.1

Proposed plans (layout ground floor layout) Ref: GSS24018.2/005/Rev.1

Proposed plans (layout first floor layout) Ref: GSS24018.2/006/Rev.1

Proposed elevations Ref: GSS24018.2/007/Rev.4

Site - Location and Block Plan Ref: GSS24018.2 501

Site - Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6.

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.

3) The development shall be fully implemented in accordance with the following materials:

Window frames - Anthracite grey uPVC RAL 7016

Doors - Composite door Anthracite grey uPVC RAL 7016

Ground floor render - Grey RAL 270 40 15

First floor render - K-Rend white RAL 9010

(as detailed on drawing ref: Material specifications Ref: GSS24018.2/003).

All repaired and reinstated brickwork shall be undertaken using matching brickwork and mortar.

The implemented materials 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, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) The planning permission hereby granted relates to the formation of 5 x one bed, 1 person apartments and 4 x two bed, 3 person apartments (nine apartments in total) (Class C3) as shown on the approved drawings.

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

5) The development shall be fully implemented in accordance with details of drawings referenced: Proposed plans (layout ground floor layout) Ref: GSS24018.2/005/Rev.1 Proposed elevations Ref: GSS24018.2/007/Rev.4 relating to the provision of level threshold to all external doorways. The implemented arrangements shall be in place upon occupation of the development and maintained in situ thereafter.

Reason - To ensure the provision of inclusive access and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Before the occupation of the development, a scheme of acoustic attenuation shall be submitted to and approved in writing by the City Council as local planning authority to safeguard against noise transfer to, from and between the authorised apartments and reduce harmful noise and disturbance from any other identified noise sources. The approved scheme shall be implemented before the occupation of the apartments and retained in situ thereafter.

Reason - To secure a reduction in noise transfer to, from and between the authorised apartments and reduce harmful noise and disturbance from any other identified noise sources, 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.

7) The development shall be implemented in accordance with the waste and recycling management arrangements, comprising drawing referenced: Site - Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6 and Waste management proforma received 5 July 2024. The approved details shall be fully implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of bins, pursuant to policies SP1, EN91 and DM1 of the Core Strategy for the City of Manchester.

8) Before the first occupation of the development, a scheme for the management of the external areas of the site shall be submitted to and approved in writing by the City Council as local planning authority. This scheme shall include details of arrangements for the presentation of bins to the identified collection point and their return to the waste storage enclosures. The details of the approved scheme shall be implemented upon the first occupation of the authorised extension and shall remain in situ whilst the use or development is in operation

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1, DM1 and EN19 of the Core Strategy for the City of Manchester.

9) The development shall be fully implemented with the detail of drawing Ref: Site - Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6 relating to arrangements for secured cycle storage (including a sheltered enclosure with dimensions of 4600 mm (length) x 2040 mm (width) x 2100 mm (high). The approved details shall achieve storage capacity for 12 cycles and be fully implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

10) Before the occupation of the development, car parking areas and pedestrian routes shall be surfaced, demarcated and made available for use in accordance with the details of drawing referenced: Site - Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6. Car parking spaces and pedestrian routes shall be implemented prior to the occupation of the authorised houses and maintained in situ thereafter.

Reason - In the interest of residential amenity and pedestrian and highways safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

11) Before the occupation of the development, the arrangements for the provision of two electric vehicle charging points, as detailed on drawing Ref: Site - Existing and Proposed (site setting out drawing) Ref: GSS24018.2 502 Rev.6 and document referenced: Rolec EV Basic Charge - Intelligent EV charging pedestal data sheet confirming a minimum charging capacity of 7kWh shall be fully implemented and maintained in situ thereafter.

Reason - In the interests of residential amenity and the 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 and the National Planning Policy Framework.

12) Before the 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 provision of measures to improve on-site security and to reduce the risk of crime. The scheme shall review existing security arrangements and detail related improvements to be incorporated into the development. The approved scheme shall be implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - To reduce the risk of crime, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

13) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, detailing the design, height, specification and colour treatment of fencing, gates and railings. The approved details shall be implemented upon occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

14) Before the commencement of above ground construction works, a drawing shall be submitted to and approved in writing by the City Council as local planning authority relating to the design and glazing specification of kitchen window in the ground floor northern elevation to Flat 1, which shall accord with current 'Secured by Design' guidance. The approved details shall be implemented before the occupation of the development and maintained in situ thereafter.

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

15) Before the occupation of the development windows to bathrooms and the kitchen to Flat 1 as indicated on the approved drawings ref: Proposed plans (layout ground floor layout) Ref: SS24018.2/005/Rev.1, Proposed plans (layout first floor layout) Ref: GSS24018.2/006/Rev.1 and Proposed elevations Ref: GSS24018.2/007/Rev.4 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.

16) The development shall be implemented in accordance with document referenced Dusk Survey Results 1 Justin Close Manchester M13 9WX dated 10 October 2023. If the development is not implemented within 12 months of the planning permission hereby granted, further bat survey shall be submitted to and approved in writing by the City Council as local planning authority before the commencement of the development. The development shall be implemented in accordance with the agreed recommendations of the bat survey.

Reason - To safeguard protected species, habitats, local biodiversity and nature conservation, pursuant to policy EN15 of the Core Strategy for the City of Manchester.

17) Before the occupation of the development, the bat habitat boxes, as indicated on drawing referenced : Proposed elevations Ref: GSS24018.2/007/Rev.4 shall be installed and maintained in situ thereafter.

Reason - in the interests of residential development and to encourage bio-diversity pursuant to policies SP1, EN1, EN15 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

18) No removal or other work to trees and or hedges shall be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person.

Reason - To safeguard local bio-diversity and nature conservation, pursuant to policy EN15 of the Core Strategy for the City of Manchester.

19) Upon commencement of any deconstruction and construction works, all building materials shall be stored within the site along with waste material whilst awaiting removal for disposal elsewhere. When removing materials contractors' vehicles shall be sheeted upon completion of loading and prior to departure from the site to avoid dispersal of debris and waste material onto the highway. These arrangements shall be maintained throughout the construction phase of the development.

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.

20) Before its installation, any external lighting required in support of the development shall be related to a scheme to be submitted to and approved in writing by the City Council as local planning authority. Lighting shall only be installed in accordance with the approved scheme and maintained in situ unless any lighting installed as part of the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority is harmful to adjoining and nearby residential properties. In such circumstances and within 14 days of its written request, a scheme for the elimination of glare and/or light spillage shall be submitted to and approved in writing by the Council as local planning authority. The approved scheme shall be implemented to a timescale agreed with the City Council as local planning authority and maintained in situ thereafter.

Reason - To minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

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

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Information for Developers guidance documents can be downloaded using the following link:

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

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).

Cadent - No objection. However, it is advised that plans identifying Cadent gas assets in the area prior to the commencement of works. If the development potentially affects a high-pressure pipeline it is a statutory requirement that details be inputted into the HSE's Planning Advice Web application via www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm

The HSE may wish to apply more stringent criteria for building proximity after assessment. Please ensure that you formally consult with the development proceeds. In order to help prevent damage to Cadent asset/s, please be aware of the following informative

i.- Noise attenuation assessment to be noted for awareness if habitable buildings in close proximity near to the AGI.

ii. IMPORTANT Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

iii. The original holding objection was triggered due to the presence of a High-Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation.

Cadent Gas has a MAJOR ACCIDENT HAZARD PIPELINE in the vicinity (indicated in orange on related drawings) N/A

Cadent Gas has a INTERMEDIATE ACCIDENT HAZARD PIPELINE in the vicinity,(indicated in green on related drawings) Manchester 7bar

Specific AGI BPD N/A

THE BPD (BUILDING PROXIMITY DISTANCE) IS 3M

(The building proximity distance taken from the Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission and IGEM/TD/3 Edition 5 Steel and PE pipelines for gas distribution.)

iv. Responsibilities and obligations

This advice does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability were prohibited by the law nor does it supersede the express terms of any related agreements.

For further information, please contact plantprotection.nw@cadentgas.com

Habitat safeguarding - Certain species receive legal protection, and the granting of planning permission does not negate the need to abide by the laws protecting biodiversity. If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately, and an ecologist/LPA should be contacted.

Any new external lighting should be designed in line with best practice guidelines (e.g. <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>) to avoid impacts on nocturnal animals such as bats.

The glazing to the ground floor kitchen window in the north elevation shall meet the glazing specification for easily accessible windows as detailed in Secured by Design Homes Guide 2024.

Date: 23 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 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 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.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024