

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

Ahuja
577-579 Wilbraham Road
Manchester
M21 9AF

Agent (if used)

Mr Josh Greenfield
JH.Architects
46 Manchester Road
Manchester
M21 9PH

Part 1 – Particulars of the application/development

Proposal: Variation of condition number 3 (specified plans) attached to planning permission referenced 137425/FO/2023 to allow amendments to the layout and elevational alterations including: reduction in rear extension; removal of access ramp and removal of first floor bay window

Location: 577 - 579 Wilbraham Road, Manchester, M21 9AF

Date of application: 19 June 2024

Application number: 140322/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 / 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.

Condition(s) attached to this decision

- 1) The development must be begun not later than 20 September 2026.

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

- 2) The development hereby approved shall only be implemented in accordance with the external materials detailed within the materials schedule (Editions 1 and 2), received by the City Council as Local Planning Authority on 26 March 2024 and 3 June 2024 respectively and the content of the e-mail from JH.A dated 7 June 2024, as agreed as

part of condition discharge application referenced CDN/24/0235. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents, received by the City Council as Local Planning Authority on 19 June 2024:

AP.01- Location Plan;
VP01-C-AL1.01 - Proposed Ground Floor Plan;
VP01-C-AL1.02 - Proposed First Floor Plan;
VP01-C-AL1.03 - Proposed Second Floor Plan;
VP01-C-AV1.01 - Proposed Elevation A;
VP01-C-AV1.02 - Proposed Elevation B;
VP01-C-AV1.03 - Proposed Elevation C;
VP01-C-AV1.04 - Proposed Elevation D and E;
VP01-C-AX.01 - Proposed Section A-A;
VP01-C-AX.02 - Proposed Section B-B and D-D;
VP01-C-AX.04 - Proposed Section E-E and F-F;
VP01-C-AL1.04 - Proposed Roof Plan;
Design and Access Statement.

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.

4) The development hereby approved shall only be implemented in accordance with the Construction Management Plan (Rev C), received by the City Council as Local Planning Authority on 3 May 2024, as agreed as part of condition discharge application referenced CDN/24/0235.

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

5) a) The development hereby approved shall only be implemented in accordance with the Ventilation Strategy prepared by QED (Ref: JV/Rep03/22-1033), together with the submitted floorplans showing the position of the Air Intake' locations for the MVHR, received by the City Council as Local Planning Authority on 26 March 2024 and 1 May 2024 respectively, as agreed as part of condition discharge application referenced CDN/24/0235.

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.

6) Notwithstanding details submitted, the development hereby approved shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as

Local Planning Authority. 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. No bins shall be stored outside the curtilage of the site at any time.

Reason - Details are required in relation to pulpal waste and in the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

7) The development hereby approved shall not include any external plant equipment, as agreed as part of condition discharge application referenced CDN/24/0235.

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 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) The development hereby approved shall only be implemented in accordance with the agreed noise abatement details, as agreed as part of condition discharge application referenced CDN/24/0235:

- Drawing referenced VP01-C-AD4.01 (upper floor details), received by the City Council as Local Planning Authority on 21 May 2024
- Acoustic Solution document prepared by Vent Axia, received by the City Council as Local Planning Authority on 21 May 2024
- Acoustic thermal insulation specification prepared by DEC, received by the City Council as Local Planning Authority on 21 May 2024
- E-mail from JH Architects dated 21 May 2024.
- Noise Assessment Report (Ref: RSA447/2023), prepared by RS Acoustic Engineering, received by the City Council as Local Planning Authority on 1 May 2024;
- Overheating Assessment (Rev 01) prepared by Compliant EPC Ltd, received by the City Council as Local Planning Authority on 26 March 2024.

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.

9) The retail units (Class E) hereby approved shall not be open outside the following hours:-

07:00 to 22.00 hrs daily.

Reason - To safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

10) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours:

07.30 to 20.00 hrs Monday to Saturday;

No deliveries/waste collections on Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

11) Notwithstanding details submitted, none of the residential units hereby approved shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as Local Planning authority. The bicycle parking shall be secure and weatherproofed and 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.

12) Notwithstanding details submitted, prior to the first occupation of the retail units (Class E) hereby approved, a Servicing Strategy shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The strategy shall include details of the servicing location, the number and frequency of deliveries/collections, vehicle sizes, delivery times, noise management, access and safety arrangements. The agreed Strategy shall be implemented as part of the development and remain in use so long as the approved units are operational.

Reason - To mitigate harm to the operation of the highway and the amenity of noise sensitive occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

13) Prior to the first use of the development hereby approved, a scheme of highway works for the reinstatement/repaving of the public footway adjoining the site along Wilbraham Road and Barlow Moor Road, along with any necessary tactile paving to vehicle crossovers, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

Footway improvement/replacement of materials and reinstatement works around the perimeter of the application site including any necessary public realm works;

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - in the interests of amenity and highways safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework.

14) Prior to the first use of the development hereby approved, details of a soft landscaping treatment scheme for the site boundary 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 6 months from the date the development first comes into use and shall thereafter be maintained and retained.

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.

15) The extension hereby approved shall not be occupied until details of the security measures to be incorporated into the development 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 which shall be retained thereafter.

Reason - To reduce the risk of crime, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

16) The development hereby approved shall only be implemented in accordance with the details contained within the agreed Environmental Standards Statement, as agreed as part of condition discharge application referenced CDN/24/0235. The agreed measures shall be implemented in the construction of the approved development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and the National Planning Policy Framework.

17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) the residential accommodation hereby approved shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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 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.

18) The residential accommodation 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.

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

Date: 28 August 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.