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

Mr Anthony Hill
32 Hawthorn Road
Manchester
M40 3RH

Agent (if used)

Mr Trevor Cousins
Forty8 Design Ltd
10 Ashdene Road
Wilmslow
SK9 6LH

Part 1 – Particulars of the application/development

Proposal: Erection of part single, two storey side and rear extension following demolition of garage and boundary treatment, and installation of front boundary treatment and personnel gate to the front of the property.

Location: 32 Hawthorn Road, Manchester, M40 3RH

Date of application: 18 April 2024

Application number: 139731/FH/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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner, a revised plan overcoming concerns has been received and appropriate conditions have been attached to any approval granted.

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:

-Application Form, stamped as received by the City Council as Local Planning Authority on 8 April 2024.
-Drawing- Existing & Proposed- New Driveway Gates, numbered 2404(08)11, stamped as received by the City Council as Local Planning Authority on 18 April 2024.
-Drawing- Proposed- Roof Plan, numbered 2404(03)07 REV A, stamped as received by the City Council as Local Planning Authority on 24 May 2024.
-Drawing- Proposed- Floor Plan, numbered 2404(08)08 REV A, stamped as received by the City Council as Local Planning Authority on 24 May 2024.
-Drawing- Proposed- Elevation, numbered 2404(08)09 REV A (Front and Rear), stamped as received by the City Council as Local Planning Authority on 24 May 2024.
-Drawing- Proposed- Elevation, numbered 2404(08)10 REV A (Side), stamped as received by the City Council as Local Planning Authority on 24 May 2024.
-Drawing- Proposed- Rear Elevation- Viewing Lines Indicated, numbered 2402(08)12, stamped as received by the City Council as Local Planning Authority on 24 May 2024.
-Drawing- Proposed- Site Plan, numbered 240(08)03, stamped as received by the City Council as Local Planning Authority on 5 June 2024.

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

3) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, all fenestration facing the common boundary with no.34 Hawthorn Road as shown on the approved 'Drawing- Proposed- Elevation, numbered 2404(08)10 REV A (Side)', stamped as received by the City Council as Local Planning Authority on 24 May 2024 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.

In addition, the windows within this elevation shall be top opening only and shall remain so in perpetuity.

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

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form, within 'Drawing- Existing & Proposed- New Driveway Gates, numbered 2404(08)11', and within the 'Drawing- Proposed- Elevation, numbered 2404(08)09 REV A (Front and Rear)' specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

6) Notwithstanding the details within the approved plans 'Drawing- Existing & Proposed- New Driveway Gates, numbered 2404(08)11', stamped as received by the City Council as Local Planning Authority on 18 April 2024, prior to the first occupation of the development details and style of the driveway and personnel gate shall be submitted to and approved in writing by the City Council as local planning authority, and maintained in situ thereafter.

Reason - In order to secure the site boundaries, achieve appropriate noise attenuation and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

Informatives

This decision relates to the extension or improvement of an existing dwellinghouse, falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and does not infer or imply approval for the use of the property for any other purpose.

Manchester City Council has made an Article 4 Direction to remove permitted development rights that allow for a change of use from Class C3 - *Dwellinghouses* to Class C4 - *House in Multiple Occupation*. This means that from 8 October 2011, planning permission is required for a change of use from a Dwellinghouse to a House in Multiple Occupation. Further information regarding the Article 4 direction can be found on Manchester City Council's website:

www.manchester.gov.uk/info/200074/planning/4847/article_4_direction

If you intend to use the property to which this decision relates for any purpose other than a dwellinghouse, you should first contact Manchester City Council's Planning Service. Failure to obtain any necessary planning permission prior to carrying out a material change of use or physical development could result in enforcement action being taken, which can have serious implications.

This permission does not grant approval under Building Regulations.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and
agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk
highwaynetworkmanagement@manchester.gov.uk

Date: 12 June 2024

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

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 12 weeks 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-householder-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.

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 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.