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	Agent (if used)
Graham Morley Wythenshawe Community Housing Group 8 Poundswick Lane Wythenshawe Manchester M22 9TA	Mrs Suzanne Belfield Arcus Consulting LLP Dalton House Arcus Dane Road Sale M33 7AR

Part 1 – Particulars of the application/development

Proposal: Erection of a three storey building to form 14 self-contained flats (13x 1 bed, 1 x 2 bed) with associated landscaping, parking and cycle storage.

Location: Site Of The Former British Legion Social And Welfare Club, Woodhouse Lane, Manchester,

Date of application: 25 September 2023

Application number: 138185/FO/2023

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 to resolve any problems arising in relation to dealing with the planning application. The scheme has been amended to change the occupancy of the proposed accommodation. The proposal has been approved in accordance with both local and national policies and with the attachment of appropriate conditions.

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:
Tyrer Ecological Consultants Ltd Preliminary Ecological Appraisal received 25th September 2023
Proposed Boundary Treatment DR-A-010006 received 25th September 2023
Proposed Elevations DR-A-010007 Rev P2 Received 22nd February 2024
Proposed Floor Plans DR-A-010008 Rev P2 Received 22nd February 2024
Proposed Part Section DR-A-010009 received 25th September 2023
Location Plan DR-A-01000 received 25th September 2023
Braiden Acoustics Noise Impact Assessment received 25th September 2023
TBA Landscape Architects- Tree Survey received 25th September 2023
Tree Schedule received 25th September 2023
Landscape Plan 6825.02 Rev B received 25th September 2023
Tree Protection Plan 6825.03 Rev A received 25th September 2023
AJP Drainage Startegy Report received 25th September 2023
WML Consulting Infiltration Testing received 25th September 2023
WML Consulting Phase 1 Desk Study received 25th September 2023
WML GEO Environmental Investigationand Assessment received 25th September 2023
Waste Management Strategy received 25th September 2023
Arcus Design and Access Statement received 20th March 2024
Mode Transport Planning Transport Notice received 12th March 2024

3) The development hereby approved shall be implemented using the materials detailed in the Design and Access Statement (Rev B) received on 20th March 2024..

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.

4) No development shall take place until surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards have been submitted to and approved in writing by the Local Planning Authority.

The information required shall include the following:

1/ A finalised drainage layout showing all components, outfalls, levels and connectivity;

2/ Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;

3/ 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 in any part of a building;

4/ Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). 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;

5/ 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;

6/ Hydraulic calculation of the proposed drainage system, including all engineering parameters;

7/ Construction details of flow control and SuDS elements.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. Pursuant to NPPF and NPPG and local policies EN08 and EN14 of the Manchester Core Strategy.

5) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the 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:

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 manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

6) The details of the approved scheme as per the approved waste management strategy received 25th of September 2023 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 amenity and public health within the vicinity of the site pursuant to Manchester Core Strategy Policy DM1.

7) The development shall only be carried out in accordance with the approved details in the Crime Impact Statement received 25th September 2023. 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.

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

8) Prior to the commencement of above ground works, details of cycle storage facilities shall be submitted to and be approved by the City Council as local planning authority. Prior to the occupation of the development hereby approved, the approved cycle

storage facilities shall be installed and thereafter maintained so long as the development is in situ.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy and the Guide to Development in Manchester SPD).

9) 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 or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings - 04 Rev B proposed ground floor plans and 06 Rev B proposed elevations received 27th December 2023.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

10) The residential use 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 - 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 private residential purposes and to ensure the achievement of the public benefit identified pursuant to policies SP1, DM1, EN3 , H1, H6 and H11 of the Manchester Core Strategy and the guidance contained within National Planning Policy Framework including section 16.

11) Prior to the commencement of above ground works, a detailed landscaping drawing, based on the proposed landscap plan (drawing no. 6825.02 Rev B received 25th September 2023) shall be submitted to and be approved by the City Council as local planning authority. The approved landscaping scheme shall be implemented not later than 12 months from the date of the completion of all building works. 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 Manchester Core Strategy.

12) Above grounds works shall not commence until details of biodiversity enhancements (e.g. bird boxes and bat bricks), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

13) The car parking hereby approved shall be laid out, demarcated and made available prior to the occupation of the residential accommodation hereby approved.

Reason - In the interests of pedestrian and highways safety and to ensure the satisfactory development of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

14) Above-ground construction works shall not commence until details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points have been submitted to and approved by the City Council as Local Planning Authority.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

15) Prior to the commencement of above ground works an Environmental Standards Statement, which addresses sustainability ratings and the provision of renewable energy within the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall be carried out in accordance with those details.

Within 3 months of the completion of the construction of the authorised 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, 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, EN6 and DM1 of the Manchester Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

16) a) Prior to the commencement of above ground works a scheme for acoustically insulating the proposed residential accommodation against noise from Woodhouse Lane shall be submitted to and approved in writing by the City Council as local planning authority. 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 Policy DM1 in the Manchester Core Strategy and saved UDP Policy DC26.

17) 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

18) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

a) A construction programme including phasing of works;
b) 24 hour emergency contact number;
c) Expected number and type of vehicles accessing the site: Deliveries, waste, cranes, equipment, plant, works, visitors; Size of construction vehicles; The use of a consolidation operation or scheme for the delivery of materials and goods; Phasing of works;
d) Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
e) Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
f) Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
g) Locations for storage of plant/waste/construction materials;
h) Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
i) Arrangements to receive abnormal loads or unusually large vehicles;
j) Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
k) Any necessary temporary traffic management measures;
l) Measures to protect vulnerable road users (cyclists and pedestrians);
m) Arrangements for temporary facilities for any bus stops or routes;
n) Method of preventing mud being carried onto the highway;

o) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

19) Prior to the commencement of above ground works, detailed drawings of the proposed windows (including sections showing reveals) shall be submitted to and be approved by the City Council as Local Planning Authority. The development shall then be implemented and thereafter maintained in accordance with the approved drawings.

Reason - To ensure the satisfactory redevelopment of the site and In the interests of residential and visual amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

20) The development hereby approved shall include a building lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in the National Planning Policy Framework, saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

21) Prior to the occupation of the development, a detailed scheme of off-site highway works, in order to provide adequate vehicular access arrangements facility, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

a)Vehicular access to the site is proposed from Woodhouse Lane, via an upgraded existing priority junction access. The upgraded access will have 5m wide carriageways and 6m kerb radii, the footway along Woodhouse Lane will be resurfaced. The applicant will be required to enter into a Section 278 agreements for the alterations to the existing highways, and for amendments to the existing vehicular access on Woodhouse Lane.

The approved scheme shall be implemented and be in place prior to the first occupation of the development hereby approved and thereafter retained and maintained in situ.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy

22) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

23) a) Prior to above ground works commencing an affordable housing statement shall be submitted to and approved in writing by the City Council as local planning authority. The statement shall include the level of affordable housing provision together with the proposed tenure of the apartments.

b) The development shall be implemented in accordance with the level of affordable housing provision and tenure as set out in the approved affordable housing statement.

c) Prior to above ground works of the apartments hereby approved:
(i) 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
(ii) 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) ;
shall be submitted to and approved by the local planning authority.

d) The approved affordable housing scheme shall be implemented as part of the development and thereafter observed 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 - In order to provide affordable housing at the site and to deliver an identified housing need in accordance with policies H4 and H8 of the Manchester Core Strategy (2012) and 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:
http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

MCC records highlight that the underground culvert (unnamed ordinary watercourse) is located within close proximity to the site (approximately 82m to the west of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant 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.

The applicant should be aware of the laws which are in place to protect wildlife, such as nesting birds. Should they find or suspect any protected species on the site during the development, work should cease and the LPA should be contacted for further advice.

Date: 25 March 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.