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

Natalie Weatherill
Jigsaw Homes North
Turner House
56 King Street
Leigh
WN7 4LJ

Agent (if used)

Jessica Ward
Bernard Taylor Partnership Ltd
Elizabeth House
486 Didsbury Road
Heaton Mersey
Stockport
SK4 3BS

Part 1 – Particulars of the application/development

Proposal: Erection of 4no. dwellings (cottage flats) (Class C3) with associated landscaping and car parking

Location: Land On The Corner Of Old Market Street And Domett Street.

Date of application: 17 August 2023

Application number: 137733/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 based on seeking solutions to problems arising in relation to dealing with the planning application. Alterations to the scale, siting and appearance of the proposed dwellings have been sought through the course of the application. The proposal is considered to be in accordance with the Development Plan and therefore determined in a timely manner.

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:

DS-BTP-00-LP-DR-A-3784_101
DS-BTP-00-SP-DR-A-3784_104
DS-BTP-00-SP-DR-A-3784_105.8
DS-BTP-00-SP-DR-A-3784_106
DS-BTP-00-E-DR-A-3784_107.3
DS-BTP-00-SP-DR-A-3784_108.3
DS-BTP-01-ZZ-DR-A-3784_170.3
DS-BTP-01-E-DR-A-3784_171.3
DS-BTP-01-ZZ-DR-A-3784_172.2
Envirocheck Agency and Hydrological Information
Envirocheck Agency Data Currency Sheet
Energy Council Energy Statement Ref: Z57880 Document,
UCML Utility Study Level 1 by BTP Architects
Old Market Street, Blackley Phase 1 Preliminary Risk Assessment
The Location Plan,
Drainage Strategy C-900 P01, Flood Map and the Ground Survey Information 1,2,3,4,5,6, and 7,
Tree Survey Letter from Elizabeth McBride Consultant Ecologist and Tree Surveyor LM Ecology,
Biodiversity Net Gain Assessment by LM Ecology, stamped as received on the 1 August 2023,

BIODIVERSITY METRIC 4.0 CALCULATION TOOL Speadsheet, stamped as received on the 12 September 2023.

Design and Access Statement REV D, stamped as received on the 17 August 2023.

The Waste Management Plan and the Proforma,, stamped as received on the 10 August 2023.

DS-BTP-00-ZZ-DR-A-3784_108.5 Rev 5 and DS-BTP-00-SP-DR-A-3784_105.11 Rev 11, The Visibility Assessment By Ashley Helme, stamped as received on the 11 December 2023.

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) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. 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 of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) a. Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b. 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.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

5) 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.

6) The car parking areas indicated on drawing numbered DS-BTP-00-SP-DR-A-3784_105.8, received by the City Council as Local Planning Authority on the 1 August 2023, shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being 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.

7) No part of the development shall be occupied until space and facilities for bicycle parking within the sheds, have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space 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 Core Strategy.

8) Notwithstanding details submitted, prior to the first occupation of the residential development hereby approved, full details of electric car charging points 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 any of the residential units.

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

9) Notwithstanding details submitted, no above ground development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed prior to first occupation of the apartments hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

10) Notwithstanding the indicative details submitted, no above ground development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme
shall be implemented not later than 12 months from the date the buildings are first occupied. 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.

11) Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during the construction phase of the development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

Display of an emergency contact number;
Details of wheel washing;
Compound locations where relevant;
Location, removal and recycling of waste;
Routing strategy and swept path analysis;
Parking of construction and staff vehicles;
Sheeting over of construction vehicles.
Dust suppression measures.

Development shall be carried out in accordance with the approved construction management plan upon commencement of authorised works.

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.

12) The consent herby approved shall be carried out in accordance with the Biodiversity Net Gain Assessment by LM Ecology, stamped as received on the 1 August 2023. The proposal shall include compliance with:

* Clearance of the site should follow the Reasonable Avoidance Measures for hedgehog (and other small animals) detailed in paragraphs 50 and 51 of the ecology report.

* Resolving the biodiversity unit loss on site, the species enhancements recommended in paragraph 56 of the Biodiversity Net Gain Assessment

Reason - To ensure the protection of wildlife habitats in the locality, pursuant to policy EN15 of the Core Strategy for Manchester.

13) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

The scheme shall also include:

o Surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.
o Evidence of Drainage Hierarchy adherence.
o 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;
o 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. Provide at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area.
o 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.
o Details of how the scheme shall be maintained and managed after completion.

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 Core Strategy.

14) The consent herby granted shall be carried out in accordance with the Environmental Standards Statement titled,' Energy Council Energy Statement Ref: Z57880 Document, stamped as received on the 1 August 2023 to ensure detail energy efficiency and carbon reduction measures to be incorporated within the development. The development shall only be implemented in accordance with the agreed details.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

15) Before above ground development commences, a scheme for acoustically insulating the residential accommodation against noise from Old Market Street and neighbouring public house shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The approved noise insulation scheme shall be completed before any of the residential units are occupied.

Upon completion of the development and prior to first occupation of the apartments hereby approved, a verification report shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to validate the works undertaken conform to the recommendations and requirements contained within the report. The report should contain details of post completion testing to confirm that the internal noise criteria has been met. Any instances of non conformity with the recommendations contained within the report shall be detailed, along with any measures required to ensure compliance with the internal noise criteria.

Reason - To safeguard the amenities of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Core Strategy.

16) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence 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 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.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to 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 in each phase 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 EN18 of the Unitary Development Plan for the City of Manchester.

17) 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 apartments 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 2010, 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 accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

18) Prior to the first use of the use of the development, electric car charging point shall be installed within the site, in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first use of the development and made available and thereafter retained for as long as the development is in place.

Reason - In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).

19) 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.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

20) Prior to the first occupation of the development, the ground and first floor rear bathroom windows, shown on drawing number
DS-BTP-01-ZZ-DR-A-3784_170.3, DS-BTP-01-E-DR-A-3784_171.3, DS-BTP-01-ZZ-DR-A-3784_172.2, received on the 1 August 2023, shall be obscurely 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

21) Before the commencement of above ground construction works, details of highways works that are required as part of the implementation of the development, for the avoidance of doubt, including:

* Details of how the footways along the site boundary are resurfaced, excludes tree pit works to the highway trees. The works should also include tactile paving provision at the Domett Street/Old Market Street junction.

Shall be submitted to and approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details, which shall be maintained in situ at all times thereafter.

22) Before the commencement of above ground construction works, details of window reveals across the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

Reason - In the interest of visual amenity pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

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.

The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements

willneed discussion and agreement with the council's Highway Applications and Network Resilience teams via Email: highwaylicences@manchester.gov.uk.

The applicant will be required to enter into Section 278/184 agreement for the alterations to the existing highway. This will require agreement/technical approval with MCC'sHighways Statutory Approvals Teams via the following online application: https://www.manchester.gov.uk/directory_record/451887/permission_to_work_on_the_highways__section_278_agreements/category/355/highways_and_pavements
.

Construction 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

MCC records highlight that the underground Pike Fold Drain culvert is located within close proximity to the site (approximately 20 m to the north-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.

Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. The applicant must seek ecological advice should they find or suspect that the proposals will impact on protected species.

Date: 21 December 2023

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.

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