

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

EAM Lodge CIC
21 Fouracres Road
Manchester
M23 1FG

Agent (if used)

Mrs Hayley Knight
Hayley Knight Planning Ltd
205 Stockport Road
Altrincham
WA15 7SW

Part 1 – Particulars of the application/development

Proposal: Variation of condition no. 5 (company restriction) and removal of condition no. 9 (staff numbers) attached to planning permission 100997/FO/2012/S2 to allow the care home to continue operating under a different company

Location: EAM Lodge CIC, 21 Fouracres Road, Manchester, M23 1FG

Date of application: 31 August 2023

Application number: 137944/JO/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.

Condition(s) attached to this decision

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a) Drawing FPS-BPP-0555/02 stamped on 23 March 2013.
- b) Drawing FPS-BPP-0555/03 REV D received on 10 May 2013.
- c) Operating Strategy, received on 28 September 2023.

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.

2) Before first occupation the bedrooms within the extension hereby approved, the side glazing in the conservatory facing 19 and 23 Fouracres Road as indicated on drawing FPS-BPP-0555/02 stamped as received by the City Council, as Local Planning Authority, on the 23 April 2013 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 Manchester Core Strategy.

3) The property known as 21 Fouracres Road shall be used as a Class C2 nursing care home and for no other purpose (including any other purpose in Class C2 of the schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order, with or without modification.

Reason - Having regard to the nature of the site and the particular circumstances of the application, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and extant policy DC2 of the Unitary Development Plan for the City of Manchester.

4) The refuse bins shall be stored in the location as indicated on drawing FPS-BPP-0555/03 REV D stamped as received by the City Council, as Local Planning Authority, on the 10 May 2013, for as long as the development remains in use.

Reason - To ensure that the refuse bins are store at the rear of the property to reduce the impact on the front of the property and the street scene pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) Prior to the commencement of the development hereby approved, details of a suitable material to surface and demarcated the car parking areas, as indicated on drawing FPS-BPP-0555/03 REV D stamped as received by the City Council, as Local Planning Authority, on the 10 May 2013, shall be submitted and approved in writing by the City Council. The approved material must then be used to surface and demarcated the car parking areas and these must be in place prior to the first use of the additional living accommodation hereby approved. The car parking area must be retained and maintained for as long as the development remains in use.

Reason - To ensure a suitable material is use for surface water run off and to ensure that the parking are is available prior to the first use of the accommodation pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy

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: 4 December 2023

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

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.