

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

Mr Noel Igoe
100 Ogden Lane
Manchester
M11 1NG

Agent (if used)

Dr Kanadi Jagafa
Mason and Marlowe Ltd
Colony
5 Piccadilly Place
Manchester
M1 3BR

Part 1 – Particulars of the application/development

Proposal: Change of use of public house (sui generis) to dwellinghouse (Class C3)

Location: 100 Ogden Lane, Manchester, M11 1NG

Date of application: 19 June 2023

Application number: 136291/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. In this case officers and the applicants (through their appointed representatives) engaged in discussions regarding the future use of the property and the internal and external layout the development, including arrangements for car parking. This discussion facilitated the satisfactory assessment of the development based on the submitted and supplementary details.

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 received by the City Council as local planning authority on 17 February 2023, 24 October 2023 and 22 November 2023:

Planning application forms (amended by revised Certificate B received on 18 July 2023)

Existing location plan Ref: A3 dated 20/10/23

Existing site plan Ref: A3 dated 20/10/23

Proposed site plan Ref: A3 dated 20/10/23

Proposed basement plan Ref: N10/R5

Proposed ground floor plan Ref: N11/R5

Proposed first floor plan Ref: N12/R5

Proposed second floor plan Ref: N13/R5

Proposed roof plan Ref: N14/R5

Proposed front elevation Ref: N15/R5

Proposed rear elevation Ref: N16/R5

Proposed right side elevation Ref: A3 Dated 14/08/2023

Proposed left side elevation Ref: A3 Dated 14/08/2023

Proposed setting out plan Ref: A3 Dated 14/08/2023

Design and access statement

Justification statement (for loss of public house supplemented by email from Mason and Marlowe dated 15 August 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 for the City of Manchester.

3) The planning permission hereby granted relates to the use of 100 Ogden Lane as an eight bedroom dwellinghouse (Class C3).

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

4) 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 part of the residential units 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 2015, 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) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) 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 garages, extensions, porches or outbuildings shall be erected other than those expressly authorised by this permission.

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

6) 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 shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings referenced: Proposed site plan Ref: A3 dated 20/10/23; Proposed ground floor plan Ref: N11/R5; Proposed first floor plan Ref: N12/R5; Proposed second floor plan Ref: N13/R5; Proposed roof plan Ref: N14/R5; Proposed front elevation Ref: N15/R5; Proposed rear elevation Ref: N16.R5; Proposed right side elevation Ref: A3 Dated 14/08/2023; Proposed left side elevation Ref: A3 Dated 14/08/2023 and Proposed setting out plan Ref: A3 Dated 14/08/2023.

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

7) Before the occupation of the development windows to bathrooms / shower rooms and WCs as so indicated on the approved drawings ref: Proposed site plan Ref: A3 dated 20/10/23; Proposed ground floor plan Ref: N11/R5; Proposed first floor plan Ref: N12/R5; Proposed second floor plan Ref: N13/R5; Proposed roof plan Ref: N14/R5; Proposed front elevation Ref: N15/R5; Proposed rear elevation Ref: N16.R5; Proposed right side elevation Ref: A3 Dated 14/08/2023; Proposed left side elevation Ref: A3 Dated 14/08/2023 and Proposed setting out plan Ref: A3 Dated 14/08/2023 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 Core Strategy for the City of Manchester.

8) Upon occupation of the development, the car parking shown on drawing referenced Proposed ground floor plan Ref: N11/R5 shall be surfaced, demarcated and made available for use and maintained in situ at all times thereafter.

Reason - To ensure that development is supported with appropriate car parking and in the interests of residential amenity pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

9) Before the occupation of the development, details of the design, specification and charging capacity of the electric vehicle charging point as shown on drawing referenced Proposed ground floor plan Ref: N11/R5 shall be submitted to and approved in writing by the City Council as local planning authority. The charging points shall be installed upon occupation of the development and maintained in situ at all times thereafter.

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 SP1, EN16 and DM1 of the Core Strategy for the City of Manchester.

10) Before the occupation of the development, details the design, appearance and specification of all boundary treatments, including fencing and inward opening gates to

service the car parking area accessed via Ogden Lane, shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented before the occupation of the development and maintained in situ at all times thereafter.

Reason - In the interest of residential amenity, site security and to reduce the risk of crime, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

11) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision of measures to improve on-site security and to reduce the risk of crime, including the protection of ground floor windows presented to Ogden Lane. The scheme shall review existing security arrangements and detail related improvements that can be incorporated into the development. The approved scheme shall be implemented prior to the occupation of the development and maintained in situ at all times thereafter.

Reason - To reduce the risk of crime, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

12) Before the occupation of the development, a scheme of acoustic attenuation shall be submitted to and approved in writing by the City Council as local planning authority to safeguard against noise transfer to, from and between the authorised basement apartments and reduce harmful noise and disturbance from any other identified noise sources. The approved scheme shall be implemented before the occupation of the basement apartment and retained in situ thereafter.

Reason - To secure a reduction in noise transfer to, from and between the authorised basement apartments and reduce harmful noise and disturbance from any other identified noise sources, in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy for the City of Manchester.

13) Before its installation, any external lighting required in support of the development shall be related to a scheme to be submitted to and approved in writing by the City Council as local planning authority. Lighting shall only be installed in accordance with the approved scheme and maintained in situ unless any lighting installed as part of the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority is harmful to adjoining and nearby residential properties. In such circumstances and within 14 days of its written request, a scheme for the elimination of glare and/or light spillage shall be submitted to and approved in writing by the Council as local planning authority. The approved scheme shall be implemented to a timescale agreed with the City Council as local planning authority and maintained in situ thereafter.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

14) Before the occupation of the authorised development, details of the capacity, design and appearance of the bin store as on drawing referenced: Proposed ground floor plan Ref: N11/R5 shall be submitted to and approved in writing by the City Council and local planning authority. The approved details shall be implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of bin, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

15) Before the occupation of the authorised development, details of the capacity, design and appearance of the cycle store as on drawing referenced: Proposed ground floor plan Ref: N11/R5 shall be submitted to and approved in writing by the City Council and local planning authority. The approved details shall be fully implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

16) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy and validated. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action taken in the interests of public safety, pursuant to DM1 and EN18 of the Core Strategy for the City of Manchester.

17) The second floor centrally positioned windows as shown on drawing Ref: Proposed second floor plan Ref:N13/R5 and Proposed front elevation Ref: N15/R5 shall be installed in accordance with the approved details prior to the occupation of the development and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

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.

Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Date: 28 November 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 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 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