

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 Scott Newton
Dragonfly Contracts Ltd
C/o Agent

Agent (if used)

Mr Ralph Taylor
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Provision of access ramp, hard and soft landscaping, bin and bike storage and associated works.

Location: Land To The East Of The Junction Of Blossom Street And Gun Street, Manchester, M4 5AW

Date of application: 28 June 2023

Application number: 137419/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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included ongoing advice that has resolved the issues associated with the proposal.

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:

- o Location Plan (Received 28/06/2023)

- o 2303-XX-GF-DR-L-001 Revision PO7: Site Layout (Received 02/10/2023)
- o 2303-XX-GF-DR-L-002 Revision P04: Sections (Received 28/06/2023)
- o 2303-XX-GF-DR-L-004 Revision P02: Elevations (Received 03/10/2023)
- o 2303-XX-GF-DR-L-005 Revision P01: Planting Plan (Received 28/06/2023)
- o 2303-XX-GF-DR-L-006 Revision PO2: Drainage Plan (Received 28/06/2023)
- o 2303-XX-GF-DR-L-009 Revision DO1: Construction Details - Bin Store (Received 02/10/2023)
- o 2303-XX-GF-DR-L-011 Revision PO2: Blossom St Proposed Wall, Indicative Elevations and Details (Received 13/11/2023)
- o Materials Schedule (Received 13/11/2023)

Reason - 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.

3) Prior to the commencement of any above ground works samples and specifications of all material to be used in the finish of the development shall be submitted to and approved writing by the Local Planning Authority. The approved materials shall then be implemented as part of the development.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework.

4) a) Prior to the commencement of above ground works an external lighting shall be designed and installed in accordance with a scheme that shall be submitted to and approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties. The development shall then proceed in accordance with the approved details.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

5) The landscaping measures as shown on drawing no.2303-XX-GF-DR-L-005 Rev P01 shall be implemented prior to the occupation of the development and be retained thereafter. If within five years of the date of the completion of the development any tree or shrub is removed, uprooted, destroyed, fails, 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 in its 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.

6) The development hereby approved shall be implemented in accordance with the submitted Construction Management Plan prepared by Dragonfly Contracts Ltd (Dated & Received 24/08/2023) and shall be adhered to for the entirety of the construction phase of the development.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

7) The refuse storage facilities as shown on the approved plans shall be made available for use prior to the occupation 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 in accordance with Core Strategy Policy DM1 and the National Planning Policy for Waste.

8) The cycle storage facilities as shown on the approved plans shall be implemented and made available for use prior to the occupation of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of promoting sustainable forms of transportation to and from the application site in accordance with Core Strategy Policies CC5 and DM1, 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

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 development hereby approved will require the applicant to enter into a Section 278/184 agreements for the alterations to the existing footway on Gun Street. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

The proposed cycle storage facilities hereby approved shall be incorporated into the travel plan required to be discharged under application 106852/JO/2014/N1.

The applicant should design and construct drainage system 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 EN14 & EN17 of the Core Strategy.

Date: 24 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