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

Mr Nabeel Javaid
Diamond Investments Ltd
151-163 Lees Street
Manchester
M18 8QL

Agent (if used)

Mr V Alyas
Architek
916 Stockport Road
M19 3AB

Part 1 – Particulars of the application/development

Proposal: Variation of condition 2 (specified plans) attached to planning permission referenced 128043/FO/2020 to allow addition of rear roof dormer

Location: 151 Lees Street, Manchester, M18 8QL

Date of application: 24 July 2023

Application number: 137642/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 based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this development where early discussions took place regarding the scale, design and appearance of the development, and accommodation type, along with highway impacts. There were also negotiations during the application process in relation to highways matters. The proposal is considered to be acceptable and therefore determined within a timely manner. The applicant has also been advised of pre-commencement conditions

Condition(s) attached to this decision

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

Design and Access Statement
Waste Management Strategy dated 29 September 2020
Stamped as received by the City Council, as Local Planning Authority, on 1 October 2020.

Drawing numbered A3/05, stamped as received by the City Council, as Local Planning Authority, on 4 February 2021.

Drawings numbered A103 rev P1, A104 rev P1, A105 rev P1 and A106 rev P1, stamped as received by the City Council, as Local Planning Authority, on 24 July 2023.

Email from Vikas Alyas, dated 30 September 2023, which confirms that the proposed site layout is that shown on drawing numbered A3/05, with one car parking space, in front of the detached unit.

Email from Vikas Alyas, dated 28 November 2023, which confirms the proposed materials.

Email from Vikas Alyas, dated 29 November 2023, which confirms that the application relates to the variation of condition 2, of planning permission ref: 128043/FO/2020 only.

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) The development shall only be constructed with the following materials:

Anglian red multi rustic brick
Marley Edgemere interlocking black slates
Anglian White Knight Outward Opening and Tilt and Turn PVC-U Window Systems in white PVC-U finish
Anglian White Knight PVC-U Residential Doorsets

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, EN1 and DM1 of the Manchester Core Strategy.

3) When the development commences, the development shall be carried out in accordance with the previously approved documents:

Enviro Solution Remediation Strategy, dated 21 April 2021, Envirocheck Geology Maps document, Encia Environmental Preliminary Geoenvironmental Investigation dated July 2009 (ref: 7505/2), Encia Environmental Geoenvironmental Appraisal dated August 2009 (ref:7505/3) and Encia Environmental Trial Pit Log Sheets (ref:7505), all stamped as received by the City Council, as Local Planning Authority on 1 June 2021

Envirocheck Historical maps documents (ref: ES090721), stamped as received by the City Council, as Local Planning Authority on 9 July 2021

enSAFE Phase II Geo-Environmental Site Assessment dated March 2021 (ref:1CO109853P1RO), stamped as received by the City Council, as Local Planning Authority on 24 September 2021

Enviro Solution Phase I Environmental Site Assessment Report dated 17 November 2021 and stamped as received by the City Council, as Local Planning Authority on 17 November 2021

No occupation of the development shall take place until A completion/verification report is submitted to and approved 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 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 policies DM1 and SP1 of the Manchester Core Strategy

4) The proposed residential accommodation shall be acoustically insulated in accordance with the details contained in the Martin Environmental Solutions Acoustic Assessment report dated March 2021 (ref:2072-1), stamped as received by the City Council, as Local Planning Authority on 1 June 2021. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Upon completion of the development and before first occupation of the residential units, a verification report will 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 has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

5) The development shall be carried out in accordance with the approved Construction Management Plan document, stamped as received by the City Council, as Local Planning Authority on 12 July 2021

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy.

6) The measures contained in the Brennanwood Developments Ltd Code for Sustainable Homes Design Stage Assessment Analysis document, dated 28 April 2011 and Energy Council Energy Statement dated 29 January 2021 (ref: Z45994), stamped as received by the City Council, as Local Planning Authority on 1 June 2021, shall be implemented in the construction of the approved development. Prior to occupation of any of the houses a post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of Manchester's Core Strategy, policy DP3 of Regional Spatial Strategy for the North West (RSS), and the principles contained within

The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

7) The development hereby permitted shall be carried out only in accordance with the approved drainage scheme, as indicated in the following documents:

Flood Map for Planning dated 27 May 2021 and stamped as received by the City Council, as Local Planning Authority on 1 June 2021

Enviro Solutions amended Suds Strategy document dated May 2021, stamped as received by the City Council, as Local Planning Authority on 4 August 2021

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding,, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to national policies within the NPPF and NPPG and policy EN14 of the Manchester Core Strategy

8) The approved landscaping scheme, as indicated in drawing number BG21.718-BRGR-ZZ-ZZ-DR-L-00001 rev P01, stamped as received by the City Council, as Local Planning Authority on 1 June 2021, 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 and DM1 of the Manchester Core Strategy.

9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's 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 provision of accommodation that is suitable for people living as families pursuant to policy 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 Manchester Core Strategy.

10) 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 openings, including windows and doors, shall be inserted within the elevations of the building, other than those shown on the approved drawings.

Reason - In the interests of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

11) The permanent biodiversity enhancement measures indicated in the Brindle and Green Ecology report, stamped as received by the City Council, as Local Planning Authority on 1 June 2021, shall be installed in accordance with these details and thereafter maintained.

Reason - To provide bird and bat boxes to comply with policy EN15 of the Manchester Core Strategy.

12) Prior to the first occupation of any of the residential units, the electric vehicle charging points indicated on drawing numbered A3/05, stamped as received by the City Council, as Local Planning Authority, on 4 February 2021, shall then be fully implemented in accordance with the approved scheme and thereafter maintained.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant to policies SP1, EN16 and DM1 of the Manchester Core Strategy and Greater Manchester Air Quality action plan 2016.

13) The development hereby approved shall operate in accordance with the submitted Waste Management Strategy dated 29 September 2020 and, stamped as received by the City Council, as Local Planning Authority, on 1 October 2020 and drawing numbered A3/05, stamped as received by the City Council, as Local Planning Authority, on 4 February 2021.

The details of the agreed scheme shall be implemented upon commencement of the authorised use and maintained in situ thereafter.

Reason - In the interests of residential amenity pursuant to policies SP1, DM1 and EN19 of the Manchester Core Strategy and the guidance within the National Planning Policy Framework.

14) Prior to the first occupation of any of the residential units, the car parking and cycle storage arrangements indicated on drawing numbered A3/05, stamped as received by the City Council, as Local Planning Authority, on 4 February 2021, shall be fully implemented in accordance with the approved scheme and thereafter maintained.

Reason - To ensure there is adequate off street car parking provision and bicycle parking provision, pursuant to policies DM1, T1 and SP1 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

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.

Date: 13 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 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.