

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 Aidan Jackson
The Guinness Partnership Limited
Bower House
1 Stable Street
Oldham
OL9 7LH

Agent (if used)

Mr David Smith
John McCall Architects
No1 Arts Village
Henry Street
Liverpool
L1 5BS

Part 1 – Particulars of the application/development

Proposal: Erection of 20 no. two storey residential dwellings (Class C3) with associated parking, landscaping and boundary treatment and access from Benmore Road

Location: Former White Moss Road Day Care, Manchester , M9 6DN

Date of application: 1 February 2023

Application number: 135788/FO/2022

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 this case, 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. The applicant's agent engaged in pre-application discussions with officers thereby ensuring the application was submitted with satisfactory information that has allowed the planning application to be assessed with limited negotiation. On balance, it is considered that the development is of a scale and magnitude that would relate positively to the surrounding area and would be capable of achieving a high quality development in accordance with Core Strategy Policies DM1 and SP1.

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 (references to be included):

- Application Form, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Supporting Information- Crime Impact Statement, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Supporting Information- Environmental Standards Statement, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Supporting Information- Highspeed Broadband Connection Details, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Supporting Information- Open Space Assessment, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Supporting Information- Topographical Survey, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ecology Report- Part 1- Preliminary Ecological Appraisal Report, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ecology Report- Part 2- Preliminary Ecological Appraisal Report, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ecology Report- Part 3- Preliminary Ecological Appraisal Report, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment, ref.077873-CUR-00-XX-RP-GE-008, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment, ref.077873-CUR-00-XX-RP-GE-008- Section 4- 7, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment, ref.077873-CUR-00-XX-RP-GE-008- Appendix B Envirocheck Report, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck- Agency & Hydrological (1) stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck- Agency & Hydrological (2) stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck- Geological, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck- Industrial Land Use, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck- Data Suppliers, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck- Historical Mapping & Photography, stamped as received by the City Council as Local Planning Authority on 19 December 2022.
- Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck- Lancashire and Furness, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

-Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck- Manchester, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

-Ground Survey- Phase 1 Preliminary Risk Assessment- Envirocheck10k Raster Mapping, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

-Transport Assessment, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

-Tree Survey or Information- Arboricultural Constraints and Opportunities Report, stamped as received by the City Council as Local Planning Authority on 1 February 2023.

-Drawing- Proposed- Benmore Road Street Elevations, numbered PL.004A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- 2B 4P- Unit Type A1- Block 4, numbered PL.009C, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- 2B 4P- Unit Type 2A- Block 3, numbered PL.010C, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- 3B 5P- Unit Type 1B- Block 10, numbered PL.011B, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- 3B 5P- Unit Type 1- Blocks 1,2,6,8, numbered PL.012B, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- 2B 4P- Unit Type 1- Block 7, numbered PL.013C, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- 2B 4P- Unit Type 2- Blocks 5,9, numbered PL.014C, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- Elevations 3B 5P Type 1- Blocks 1,2,6,8, numbered PL.015A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- Elevations 2B 4P Type 1- Block 7, numbered PL.016A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- Elevations 2B 4P Type 2- Block 5,9, numbered PL.017A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- Elevations 2B 4P Type 1A- Block 4, numbered PL.018A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- Elevations 2B 4P Type 2A- Block 3, numbered PL.019A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- Elevations 3B 5P Type 1B- Block 10, numbered PL.020A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Supporting Information- Affordable Housing Statement, stamped as received by the City Council as Local Planning Authority on 13 June 2023.

-Supporting Information- Typical Window Detail, stamped as received by the City Council as Local Planning Authority on 16 June 2023.

-Design and Access Statement, stamped as received by the City Council as Local Planning Authority on 17 July 2023.

-Supporting Information- Swept Path Analysis, numbered 1570 REV P02, stamped as received by the City Council as Local Planning Authority on 21 July 2023.

-Ecology Report- Bat Roosting Assessment, stamped as received by the City Council as Local Planning Authority on 3 August 2023.

-Tree Survey or Information- Landscaping Scheme, stamped as received by the City Council as Local Planning Authority on 7 August 2023.

-Drawing- Proposed- Boundary Treatments, numbered PL.008E, stamped as received by the City Council as Local Planning Authority on 7 September 2023.

-Drawing- Site Plan- Proposed, numbered PL.003F, stamped as received by the City Council as Local Planning Authority on 7 September 2023.

-Drawing- Proposed- Position of Air Source Heat Pumps, numbered PL.024, stamped as received by the City Council as Local Planning Authority on 15 September 2023.
-Correspondence- Agent Confirming Use of Fabric First Approach and ASHPs, stamped as received by the City Council as Local Planning Authority on 15 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 Core Strategy for the City of Manchester.

3) Before the commencement of above ground construction works, 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 be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

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 for the City of Manchester.

4) The proposal shall be carried out in accordance with 'Supporting Information- Typical Window Detail', stamped as received by the City Council as Local Planning Authority on 16 June 2023, in relation to window reveals. For the avoidance of doubt the window reveal should be minimum 195mm deep.

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

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 windows shall be inserted into the elevations of the dwellinghouses hereby

approved other than those shown on the approved drawings referenced:

-Drawing- Proposed- Benmore Road Street Elevations, numbered PL.004A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- 2B 4P- Unit Type A1- Block 4, numbered PL.009C, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- 2B 4P- Unit Type 2A- Block 3, numbered PL.010C, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- 3B 5P- Unit Type 1B- Block 10, numbered PL.011B, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- 3B 5P- Unit Type 1- Blocks 1,2,6,8, numbered PL.012B, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- 2B 4P- Unit Type 1- Block 7, numbered PL.013C, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- 2B 4P- Unit Type 2- Blocks 5,9, numbered PL.014C, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- Elevations 3B 5P Type 1- Blocks 1,2,6,8, numbered PL.015A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- Elevations 2B 4P Type 1- Block 7, numbered PL.016A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- Elevations 2B 4P Type 2- Block 5,9, numbered PL.017A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

-Drawing- Proposed- Elevations 2B 4P Type 1A- Block 4, numbered PL.018A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- Elevations 2B 4P Type 2A- Block 3, numbered PL.019A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.
-Drawing- Proposed- Elevations 3B 5P Type 1B- Block 10, numbered PL.020A, stamped as received by the City Council as Local Planning Authority on 5 June 2023.

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

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

- i. Display of an emergency contact number;
- ii. Details of wheel washing;
- iii. Compound locations where relevant;
- iv. Location, removal and recycling of waste;
- v. Routing strategy and swept path analysis;
- vi. Parking of construction vehicles and staff;
- vii. Sheeting over of construction vehicles.
- vii. Parking of construction vehicles and staff;
- viii. 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.

7) Before the commencement of above ground construction works, details of highways works to Benmore Road and new access road that are required as part of the implementation of the development, for the avoidance of doubt, including:

- Traffic regulation order for new estate road,
 - Full kerb height footway reconstruction,
 - Re-surfacing of adjacent footway along the north-west side of Benmore Road,
- 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.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, EN19, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

8) a) Notwithstanding the details as shown on 'Drawing- Site Plan- Proposed, numbered PL.003F', stamped as received by the City Council as Local Planning Authority on 7 September 2023, 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 - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

9) Before the occupation of the development, car parking areas shown on 'Drawing-Site Plan- Proposed, numbered PL.003F', stamped as received by the City Council as Local Planning Authority on 7 September 2023, shall be surfaced and made available for use. The car parking spaces shall be maintained in situ prior to the occupation of the authorised houses and remain in situ thereafter.

Reason - In the interest of residential amenity and pedestrian and highways safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

10) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason- To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

11) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

12) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from White Moss Road shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units, a verification report shall 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 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 internal noise criteria.

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 and DM1 of the Core Strategy for the City of Manchester.

13) a) The development hereby approved shall be carried out in accordance with 'Ground Survey- Phase 1 Preliminary Risk Assessment, ref.077873-CUR-00-XX-RP-GE-008', stamped as received by the City Council as Local Planning Authority on 19 December 2022, in relation to all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site.

Before development commences a report outlining measures required to remediate the land (Site Investigation Report and Remediation Strategy) 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 Core Strategy for Manchester.

14) a) Notwithstanding the EV charging points as shown on the 'Drawing- Site Plan- Proposed, numbered PL.003F', stamped as received by the City Council as Local Planning Authority on 7 September 2023, prior to commencement of the development, a scheme for electric vehicle charging and any other considerations, for example boiler emissions, shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

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 EN16, SP1 and DM1 of the Core Strategy.

15) Prior to the first occupation of the development the Boundary Treatment shall be implemented in accordance with the approved plans 'Drawing- Proposed- Boundary Treatments, numbered PL.008E', stamped as received by the City Council as Local Planning Authority on 7 September 2023. The approved details shall be retained in accordance with the details and maintained in situ thereafter.

Reason - In order to secure the site boundaries, achieve appropriate noise attenuation and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

16) Prior to occupation of the development the Landscaping Plan shall be implemented in accordance with the approved plans 'Tree Survey or Information- Landscaping Scheme', stamped as received by the City Council as Local Planning Authority on 7 August 2023.

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.

17) Prior to first use, details of the specifications, elevations, siting and appearance of the secured cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The agreed details shall be fully implemented prior to the first use of development, retained and maintained thereafter.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

18) Prior to any vegetation clearance and prior to any earthworks, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason - To prevent the spread of Japanese Knotweed, which has been found on part of the site in accordance with the Wildlife and Countryside Act 1981.

19) Before the occupation of the authorised dwellinghouses, a scheme to encourage biodiversity within the application site shall be submitted to and approved in writing by the City Council as local planning authority, including the provision measures to encourage habitats for native species and bird and, if appropriate, bat species. The development shall be implemented in accordance with approved scheme prior to the occupation of the authorised properties and shall be maintained in situ thereafter.

Reason - in the interests of residential development and to encourage bio-diversity pursuant to policies SP1, EN1, EN15 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

20) The development hereby approved shall be carried out in accordance with the 'Supporting Information- Environmental Standards Statement', stamped as received by the City Council as Local Planning Authority on 19 December 2022, 'Drawing- Proposed- Position of Air Source Heat Pumps, numbered PL.024', stamped as received by the City Council as Local Planning Authority on 15 September 2023 and 'Correspondence- Agent Confirming Use of Fabric First Approach and ASHPs', stamped as received by the City Council as Local Planning Authority on 15 September 2023.

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, 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.

21) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise 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 agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

22) Prior to any above ground works, details of any locations of enclosures and samples of the materials, design and colouration to be used for any acoustic enclosures of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be constructed only using the approved materials and shall be retained as such at all times thereafter.

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 policy DM1 of Manchester's Core Strategy.

23) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

24) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

25) No vegetation clearance shall take place during the optimum period for bird nesting (March- September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

26) The development hereby approved shall be carried out in accordance with the 'Supporting Information- Crime Impact Statement', stamped as received by the City Council as Local Planning Authority on 19 December 2022. The development shall only be carried out in accordance with these approved details at all times thereafter.

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.

27) Upon first the occupation of the authorised houses, the development shall be fully implemented in accordance with the following document 'Supporting Information- Affordable Housing Statement', stamped as received by the City Council as Local Planning Authority on 13 June 2023, which confirms the provision of a total of 20 houses for Social Rent in relation to the Former White Moss Road Day Care site (10no. 2B 4P and 10No. 3B 5P).

The approved details shall be retained in accordance with the requirements of the statement at all times thereafter.

Reason - In order to provide affordable housing at the site in accordance with policy H8 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

28) 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, roof alterations, 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.

29) 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.

30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the dwelling houses hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3(a) 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 - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; 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.

31) The removal of trees called T01, T02, T05, T06, T09 & T10 may have the potential to cause harm to bats as detailed within 'Ecology Report- Bat Roosting Assessment', stamped as received by the City Council as Local Planning Authority on 3 August 2023. The trees shall not in any circumstances occur unless a Precautionary Method of Working has been provided to and agreed in writing by the local planning authority.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

32) Prior to any vegetation clearance and prior to any earthworks, a reasonable avoidance measures method statement for hedgehog covering both site clearance and construction, shall be submitted to and approved by the local planning authority. The measures shall be carried out strictly in accordance with the approved scheme.

Reason- To protect hedgehogs, which could be found on the site and to improve the ecological value of the application site pursuant to policies SP1 and EN15 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 is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

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 highlights an underground culverted watercourse (Lionfield Brook) is located within close proximity to the site (approximately 30m north of the site and 60m 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.

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).

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

Date: 22 September 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