

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 Alfred Yeung
ARE Assets
C/o Agent

Agent (if used)

Mr Tom Flanagan
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Change of use and conversion to provide 14no. apartments (use class C3) on first to fourth floors, retention of existing restaurant use (in an altered format) on lower ground floor and upper ground floor (use class E(b)), with associated internal and external alterations

Location: 36 Charlotte Street, Manchester, M1 4FD

Date of application: 28 December 2022

Application number: 135858/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

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. Concerns were raised during the processing of the application about the need to reduce the impact on the character of the listed building in terms of the level of intervention. Suggestions were made about ways in which the scheme could be revised such that it would be acceptable.

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:

Drawings

2022-1008M - 010 B	Accommodation Schedule
2022-1008M - 011 E	Proposed Basement Plan
2022-1008M - 012 D	Proposed Lower Ground Floor Plan
2022-1008M - 013 D	Proposed Upper Ground Floor Plan
2022-1008M - 014 D	Proposed First Floor Plan
2022-1008M - 015 D	Proposed Second Floor Plan
2022-1008M - 016 D	Proposed Third Floor Plan
2022-1008M - 017 E	Proposed Fourth Floor Plan
2022-1008M - 018 C	Proposed Roof Plan
2022-1008M - 019 C	Proposed Disabled Access Details / Elevation
2022-1008M - 021 D	Removed Elements Basement Plan
2022-1008M - 022 C	Removed Elements Lower GF Plan
2022-1008M - 023 C	Removed Elements Upper GF Plan
2022-1008M - 024 C	Removed Elements First Floor Plan
2022-1008M - 025 B	Removed Elements Second Floor Plan
2022-1008M - 026 B	Removed Elements Third Floor Plan
2022-1008M - 027 D	Removed Elements Fourth Floor Plan
2022-1008M - 031 D	Wall Finish Details - Basement Wall
2022-1008M - 032 C	Wall Finish Details -Lower Ground Floor
2022-1008M - 033 C	Wall Finish Details -Upper Ground Floor
2022-1008M - 034 C	Wall Finish Details -First Floor
2022-1008M - 035 C	Wall Finish Details -Second Floor
2022-1008M - 036 C	Wall Finish Details -Third Floor
2022-1008M - 037 D	Wall Finish Details -Fourth Floor
2022-1008M - 041 D	Basement Ceiling
2022-1008M - 042 C	Ceiling Plan-Lower Ground Floor
2022-1008M - 043 B	Ceiling Plan-Upper Ground Floor
2022-1008M - 044 C	Ceiling Plan-First Floor
2022-1008M - 045 C	Ceiling Plan-Second Floor
2022-1008M - 046 C	Ceiling Plan-Third Floor
2022-1008M - 047 D	Ceiling Plan-Fourth Floor
2022-1008M - 051 B	Proposed Charlotte Street Elevation
2022-1008M - 052 E	Proposed Raynor Street Elevation
2022-1008M - 053 C	Proposed Portland Street Elevation
2022-1008M - 054 D	Proposed Cross Sections Fire Strategy
2022-1008M - 055 D	Proposed Window Schedule
2022-1008M - 056 B	Proposed Window Schedule
2022-1008M - 057 B	Proposed Door Schedule
2022-1008M - 058 A	Lift Schedule
2022-1008M - 059 A	Site Elevation
2022-1008M - 060 A	Proposed Floor Buildup Details
2022-1008M - 061	Reyner Street Ventilation Detail

SK-S-0020 P05 - Basement level indicating lower ground floor structure over
SK-S-0021 P04 - Lower ground floor indicating upper ground floor structure over
SK-S-0022 P03 - Upper ground floor indicating upper ground floor structure over
SK-S-0023 P01 - First floor structure indicating second floor structure over
SK-S-0024 P03 - Second floor structure indicating third floor structure over

SK-S-0025 P03 - Third floor structure indicating fourth floor structure over
 SK-S-0026 P03 - Fourth floor structure indicating roof structure over
 SK-S-0027 P01 - Roof structure indicating platform access

4193-B-SK102 P5 Mechanical & Electrical Services - Basement Level
 4193-LG-SK103 P5 Mechanical & Electrical Services - Lower Ground Level

4193-UG-SK104 P4 Mechanical & Electrical Services - Upper Ground Level

4193-1-SK105 P4 Mechanical & Electrical Services - First Floor
 4193-2-SK106 P3 Mechanical & Electrical Services - Second Floor
 4193-3-SK107 P4 Mechanical & Electrical Services - Third Floor
 4193-4-SK108 P4 Mechanical & Electrical Services - Fourth Floor
 4193-R-SK109 P4 Mechanical & Electrical Services - Roof Level
 4193-1-SK110 P3 Electrical Services - Typical Apartments
 4193-B-SK111 P3 Mechanical Services - Drainage Layout Basement
 4193-LG-SK112 P3 Mechanical Services - Drainage Layout Lower Ground Level
 4193-UG-SK113 P2 Mechanical Services - Drainage Layout Upper Ground Level

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 4193-1-SK114 P2 Mechanical Services - Drainage Layout Typical Apartments
 4193-2-SK115 P2 Mechanical Services - Drainage Layout Second Floor
 4193-3-SK116 P2 Mechanical Services - Drainage Layout Third Floor
 4193-4-SK117 P2 Mechanical Services - Drainage Layout Fourth Floor
 4193-0-SK118 P4 Mechanical Services - External Elevation
 4193-0-SK119 P1 Mechanical Services - External Ventilation Elevation - Reyner Street
 4193-0-SK120 P1 Mechanical Services - External Ventilation Elevation - Portland Street

Documents

- o Planning Statement prepared by Paul Butler Associates (13.12.2022).
- o Heritage Statement prepared by Paul Butler Associates (12.05.2023).
- o Outline Structural Engineering Proposals by Dyse Structural Engineers (LM21346-DYSE-XX-ZZ-RP-S-0002 P02, 13.12.2022)
- o Sustainable Drainage Strategy prepared by Dyse Structural Engineers (LM21346-DYSE-XX-ZZ-TN-S-0003, Technical Note 3 P01, 13.12.2022)
- o Mechanical and Electrical Engineering Services Strategy Report by Parker Wilson Consulting (PG/AL/4193, Revision A, 02/12/22)
- o Mechanical and Electrical Engineering Services Kitchen Ventilation Report by Parker Wilson Consulting (PG/4193, Revision C, 28/07/23)
- o Environmental Standards Statement prepared by Parker Wilson Consulting (PG/4193 Revision A)
- o Crime Impact Statement prepared by Greater Manchester Police Design for Security. (ref:
- o 2013/0472/CIS/03
- o Daytime Bat Survey & Nesting Bird Survey prepared by Rachel Hacking Ecology (November 2022).
- o Air Quality Assessment prepared by Redmore Environmental. (15.11.2023)
- o Noise Survey and Noise Impact Assessment prepared by dBx Acoustics (22101-R01D-BT- Fraser House, Manchester, 13/04/2023)
- o Waste Management Strategy prepared by Paul Butler Associates.

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.

3) Notwithstanding the details as set out in condition 2 above before the following element proceeds final details (including where appropriate specification and method statement) of the following shall be submitted to and approved in writing by the City Council as Local Planning Authority:

- (a) Full and final details of the new accessible entrance from Charlotte Street.
- (b) Final details of the proposed joiner, fixing and method statement for works to the existing bricked-up opening and roller shutter to the GF of Rayner Street (WLG13).
- (c) Final details of new external wall vents proposed as part of MVHR system.
- (d) Full and final details of opaque panels proposed to 2no. windows at 4th level to Charlotte Street elevation.
- (e) Full and final details of the proposed repair schedule and refurbishment works to windows
- (f) Full and final details of the proposed new windows, including works to accommodate new access on the fourth floor
- (g) Paintwork analysis and the full and final details of the works to original/historic features, including method statement and redecoration.
- (h) Full and final detail of any external louvre proposed for commercial use.

All of the above shall be implemented in accordance with the approved details before first use of the building.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

4) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

In order to achieve this the scheme hereby approved shall be implemented in accordance with the recommendations in the dBx Acoustics Noise Survey and Noise Impact Assessment (22101-R01C-BT- Fraser House, Manchester)

b) Upon completion of the development and prior to occupation of the development 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 acceptable criteria has 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 safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 , H1and DM1 of the Core Strategy.

5) a) Prior to the first use of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. For the avoidance of doubt, externally mounted 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 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved under part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant noise on the local area 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).

6) Before development commences details to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. 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 secure by design accreditation.

Reason : To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy

7) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, 10:00 to 18:00, Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

8) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences. The scheme must include detailed designs of the any flues and associated equipment. Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties. The approved scheme shall be implemented prior to first use of the ground floor of the building.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

9) The restaurant premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Thursday 11am to 23:00

Friday and Saturday 10am to 00:00

Sunday 10am to 23:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

10) The scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed within the Waste Management Proforma received on 28.12.2023 for the ground floor commercial use shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

11) Prior to the occupation of the development hereby approved, details of the provision of nesting opportunities for birds or roosting opportunities for bats on the refurbished building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to first use of the development and thereafter retained.

Reason: With regards to biodiversity enhancement, in accordance with policy EN15 of the Core Strategy and the National Planning Policy Framework.

12) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties 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 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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.

13) 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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - 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 policies DM1

and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

14) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o 24 hour emergency contact number;
- o Hours of operation;
- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- o Routes for construction traffic;
- o Locations for loading/unloading and storage of plant, waste and construction materials;
- o Method of preventing mud being carried onto the highway;
- o Measures to protect vulnerable road users (cyclists and pedestrians)
- o Any necessary temporary traffic management measures;
- o Arrangements for turning vehicles;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses. Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended. Development shall be carried out in accordance with the approved construction management plan.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

15) The development hereby approved shall be carried out in accordance with the targets within the Environmental Standards Statement by Parker Wilson Consulting (PG/4193 Revision A 13/12/2017) and a post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

16) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Portland Street and Charlotte Street 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 such as existing external plant on Reyner Street and Vina Karaoke Bar.

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. The following noise criteria shall be required to be achieved when providing adequate

ventilation as defined by Approved Document F of the Building Regulations (whole dwelling ventilation):

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

Higher internal noise levels than those specified above may be allowed when higher rates of ventilation are required in relation to the overheating condition.

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

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 and to reduce the potential for overheating. To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 , H1and DM1 of the Core Strategy.

17) a) Before the development commences for the residential element of the scheme 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 SP1 , H1and DM1 of the Core Strategy.

18) a) Prior to commencement of the development, an air quality impact and exposure assessment together with any mitigation measures to safeguard local air quality 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.

19) No development that is hereby approved shall commence unless and until 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 approved scheme shall be implemented.

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.

20) a) Prior to the commencement of the development, details of a Local Labour Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Labour Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Labour Proposal
- iii) measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

21) The ground floor commercial premises shall be used for Class E (Commercial, Business and Services) within the following criteria: E(b) (Food and Drink) only and for no other purpose (including any other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 No.757) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The use of the premises other than in accordance with the approved use would require further consideration by the Local Planning Authority and may not be appropriate in this locality, for reasons of impact upon the vitality and viability of town and local centres, residential amenity and highway safety, in accordance with policies SP1 and DM1 of the Core Strategy.

22) The development hereby approved must include and retain the 14 cycle spaces as shown on drawing : 2022-1008M - 013 D Proposed Upper Ground Floor Plan. The cycle store shall be implemented in accordance with the details and be in place prior to the first occupation of the development hereby approved.

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.

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.

Date: 18 August 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