

## **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](mailto:planning@manchester.gov.uk)

## **Town & Country Planning Act 1990 (as amended)**

### **Planning Permission**

#### **Applicant**

Mr Tahir Hussain  
49 Cringle Road  
Manchester  
M19 2RP

#### **Agent (if used)**

Mr Mamoon Khan  
3 Meade Grove  
Manchester  
M13 0SG

### **Part 1 – Particulars of the application/development**

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**Proposal:** Erection of single storey side and rear extension to form additional living accommodation, including front porch

**Location:** 49 Cringle Road, Manchester, M19 2RP

**Date of application:** 25 October 2022

**Application number:** 135155/FH/2022

### **Part 2 – Particulars of decision**

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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**

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In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, following negotiations, the initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 15/03/2023). Clarification was also sought regarding refuse management arrangements. Details were subsequently provided, (dated, 06/04/2023). Further information was also subsequently submitted, (dated, 10/05/2023). The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan, the Core Strategy, the National Planning Policy Framework and all other material considerations. The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

### **Condition(s) attached to this decision**

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1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

- o EXISTING SITE & LOCATION PLAN with application sight edged in red, Drawing Number: 001-PL-P-002-A, Revision: A, received by the city council as the local planning authority on 15 March 2023.
- o EXISTING GF & FF PLAN, Drawing Number: 001-PL-E-003-B, Revision: B, received by the city council as the local planning authority on 15 March 2023.
- o EXISTING FRONT ELEVATION, Drawing Number: 001-PL-E-004-A, Revision: A, received by the city council as the local planning authority on 15 March 2023.
- o EXISTING REAR ELEVATION, Drawing Number: 001-PL-E-005-A, Revision: A, received by the city council as the local planning authority on 15 March 2023.
- o EXISTING SIDE ELEVATION, Drawing Number: 001-PL-E-006-C, Revision: C, received by the city council as the local planning authority on 15 March 2023.
- o EXISTING FLOOD PLAN, Drawing Number: 001-PL-E-007-A, Revision: A, received by the city council as the local planning authority on 15 March 2023.
- o PROPOSED SITE & LOCATION PLAN with application sight edged in red, Drawing Number: 001-PL-P-008-C, Revision: C, received by the city council as the local planning authority on 15 March 2023.
- o PROPOSED GF & FF PLAN, Drawing Number: 001-PL-P-009-E, Revision: E, received by the city council as the local planning authority on 15 March 2023.
- o PROPOSED FRONT ELEVATION, Drawing Number: 001-PL-P-010-D, Revision: D, received by the city council as the local planning authority on 15 March 2023.
- o PROPOSED REAR ELEVATION, Drawing Number: 001-PL-P-011-C, Revision: C, received by the city council as the local planning authority on 15 March 2023.
- o PROPOSED SIDE ELEVATION, Drawing Number: 001-PL-P-012-E, Revision: E, received by the city council as the local planning authority on 15 March 2023.
- o Correspondence from agent (dated, 06/04/2023), regarding bin store details.
- o Correspondence from agent (dated, 10/05/2023) and attached PROPOSED GROUND FLOOR PLAN, Drawing Number: 001-GA-C-015-A, Revision: A; and PROPOSED REAR ELEVATION, Drawing Number: 001-GA-C-016-A, Revision: A
- o 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 Development Plan Document (2012).

3) The external facing materials to be used on the extension hereby approved shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information and approved drawings.

Reason - To ensure that the appearance of the building is not adversely affected by the materials to be used for the proposed elevational alterations, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester(1995) and policy DM1 and SP1 of the Manchester Core Strategy Development Plan Document (2012).

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on:

- o PROPOSED GF & FF PLAN, Drawing Number: 001-PL-P-009-E, Revision: E, received by the city council as the local planning authority on 15 March 2023.
- o PROPOSED FRONT ELEVATION, Drawing Number: 001-PL-P-010-D, Revision: D, received by the city council as the local planning authority on 15 March 2023.
- o PROPOSED REAR ELEVATION, Drawing Number: 001-PL-P-011-C, Revision: C, received by the city council as the local planning authority on 15 March 2023.
- o PROPOSED SIDE ELEVATION, Drawing Number: 001-PL-P-012-E, Revision: E, received by the city council as the local planning authority on 15 March 2023.
- o Correspondence from agent (dated, 10/05/2023) and attached PROPOSED GROUND FLOOR PLAN, Drawing Number: 001-GA-C-015-A , Revision: A; and PROPOSED REAR ELEVATION, Drawing Number: 001-GA-C-016-A, Revision: A.

Reason - In the interests of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester(1995) and policy DM1 of the Manchester Core Strategy Development Plan Document (2012).

5) 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.

6) Wheeled bins shall be stored in the proposed bin store as shown on: Correspondence (dated, 06/04/2023); and PROPOSED SITE & LOCATION PLAN with application sight edged in red, Drawing Number: 001-PL-P-008-C, Revision: C; and PROPOSED GF & FF PLAN, Drawing Number: 001-PL-P-009-E, Revision: E, both received by the city council as the local planning authority on 15 March 2023, and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity, and be maintained.

Reason - In the interests of visual and residential amenity, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19, SP1 and DM1 of the Core Strategy (July 2012).

## Informatives

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This decision relates to the extension or improvement of an existing dwellinghouse, falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and does not infer or imply approval for the use of the property for any other purpose.

Manchester City Council has made an Article 4 Direction to remove permitted development rights that allow for a change of use from Class C3 - *Dwellinghouses* to Class C4 - *House in Multiple Occupation*. This means that from 8 October 2011, planning permission is required for a change of use from a Dwellinghouse to a House in Multiple Occupation. Further information regarding the Article 4 direction can be found on Manchester City Council's website:

[www.manchester.gov.uk/info/200074/planning/4847/article\\_4\\_direction](http://www.manchester.gov.uk/info/200074/planning/4847/article_4_direction)

If you intend to use the property to which this decision relates for any purpose other than a dwellinghouse, you should first contact Manchester City Council's Planning Service. Failure to obtain any necessary planning permission prior to carrying out a material change of use or physical development could result in enforcement action being taken, which can have serious implications.

This permission does not grant approval under Building Regulations.

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email [contact@manchester.gov.uk](mailto:contact@manchester.gov.uk) for advice on how to proceed.

Date: 11 May 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 12 weeks 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-householder-planning-decision](https://www.gov.uk/appeal-householder-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.

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.