

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

Qais Hamed
93 Victoria Road
Manchester
M14 6BP

Agent (if used)

Mr Saghir Hussain
Create It Studio Architects
Universal Square
Devonshire Street North
Manchester
M12 6JH

Part 1 – Particulars of the application/development

Proposal: Retention of a part single, part two-storey side extension, single-storey rear extension and a front porch

Location: 93 Victoria Road, Manchester, M14 6BP

Date of application: 7 November 2022

Application number: 135404/FH/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

The Local Planning Authority have worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

Condition(s) attached to this decision

1) The development hereby approved has been considered following assessment of the drawings and documents listed below:

A1368(02)001 REV E - Proposed Site Plan Received 20 February 2023
A1368(02)002 REV F - Proposed Floor Plans Received 20 February 2023
A1368(02)003 REV F - Proposed Elevations Received 20 February 2023

Reason - To ensure that the development has been carried out in accordance with the aims of the development plan; pursuant to policies SP1 and DM1 of the Core Strategy.

2) Within 3 months of the date of this decision, the windows in the side elevation shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

3) (a) Within 3 months of the date of this decision, a scheme for mitigating the development from flood risk shall be submitted to the local planning authority in writing for its written approval. The scheme shall:

(i) provide details of flood risk mitigation already installed in the development,
(ii) demonstrate whether and, if so, how the following flood resilient measures have been installed and/or implemented:

- o Water, electricity and gas meters are located above predicted flood level.
- o Non-return valves have been used in the drainage system to prevent back-flow of diluted sewage in situations where there is an identified risk of the foul sewer surcharging.
- o All service entries have been sealed (e.g. with expanding foam or similar closed cell material).
- o Closed cell insulation has been used for pipes which are below the predicted flood level.
- o Boiler units and ancillary devices have been installed above predicted flood level or preferably on the first floor of two-storey properties.
- o Wiring for telephone, TV, Internet and other services has been protected by suitable insulation to minimise damage.
- o Building materials that are effective for a 'water exclusion strategy' have been used which include: engineering bricks, cement-based materials including water retaining concrete and dense stone.
- o A copy of the site-specific Flood Emergency Plan

(iii) where the flood mitigation already carried out does not achieve all of the flood resilient measures stated above, the scheme must provide details of other measures to be taken and shall demonstrate that these would achieve compliance with the criteria specified above. The scheme must also specify a timetable ("the approved timetable") for the carrying out of such further measures.

(b) Within 4 weeks of the end of the approved timetable, a further report ("the verification report") shall be submitted to the local planning authority for approval. The verification report must accord with the details approved by the local planning authority and must demonstrate:

(i) That the further flood resilient works or other measures have been installed or taken, that they achieve the criteria set out above, and

(ii) If the verification report does not demonstrate that the criteria specified above can be met, the report shall include details of the further works or measures to be taken ("the remedial works") to achieve compliance with the criteria specified above, together with a timetable ("the remedial works approved timetable") for their carrying out. The remedial works shall be carried out in accordance with the remedial works approved timetable and the requirements of part (b) of this condition shall apply to the remedial works and any subsequent requirement for further remedial works.

(c) The flood mitigation measures and any other measures forming part of the approved scheme or schemes and any verification report shall be retained in situ for as long as the development hereby permitted remains in place.

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

4) Within 3 months of the date of this decision the bin store as shown on drawings A1368(02)001 REV E - Proposed Site Plan Received 20 February 2023, A1368(02)002 REV F - Proposed Floor Plans Received 20 February 2023 and A1368(02)003 REV F - Proposed Elevations Received 20 February 2023 shall be erected, installed and used to house the bins; this shall be maintained and remain in situ for the life of the approved development.

Reason - In the interests of public health and residential amenity, pursuant to Policy H2.2 of the Unitary Development plan for the City of Manchester.

Informatives

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

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.

Date: 1 March 2023

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

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. 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.