

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 T Keane
C/o Maybern Planning & Development
Hurstwood Court Business Centre
New Hall Hey Road
BB4 6HR

Agent (if used)

Mrs Katie Delaney
Maybern Planning & Development Ltd
Hurstwood Court
New Hall Hey Road
BB4 6HR

Part 1 – Particulars of the application/development

Proposal: Change of use to create short stay emergency accommodation for homeless people (sui generis)

Location: 247 Upper Brook Street, Manchester, M13 0HL

Date of application: 15 December 2022

Application number: 134705/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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, officers have engaged with the applicant's agent to secure clarification of the characteristics of the proposed development and the arrangements for its management. The submitted and supplementary details have allowed the appropriate assessment of the development and its future operation.

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 stamped as received by the City Council on 9 November 2022, 15 December 2022 and 30 January 2023:

Planning application forms

Location plan with a red edge

Proposed site plan 1328

Propose floor plans and elevation Ref: 1328 detailing the provision of nine bedrooms for use as emergency accommodation for families attached to email from Maybern Planning and Development dated 30 January 2023

Planning and Development dated 30 January 2023

Covering letter from Maybern Planning and Development dated 8 November 2022.

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) The planning permission hereby granted relates to the use of 247 Upper Brook Street as nine bedroom house for the provision of short stay emergency accommodation for homeless families (sui generis) and for no other purpose.

Reason - For the avoidance of doubt and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) Before the occupation of the development, a site management plan shall be submitted to and approved in writing by the City Council as local planning authority detailing the following operational arrangements:

i. Maximum number of residents;

ii. Occupancy by families only and maximum periods of occupation;

iii. Arrangements for on going staffing and accommodation referrals and timings for moving in and leaving the premises.

The approved site management plan shall be implemented upon occupation of the development and maintained in situ at all times thereafter.

Reason - For the avoidance of doubt and in the interests of residential amenity pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

5) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision cycle storage and details of the appearance and specification of related secure enclosures. The approved scheme shall be implemented upon first occupation of the development and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and highway safety pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

6) Before the occupation of the development, a scheme for the storage (including bin capacities for segregated waste recycling and general waste) and collection of refuse and recycling has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall include details of the siting and appearance of an external enclosure for the storage of segregated waste and recycling bins. The approved details shall be implemented upon occupation of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

7) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision of measures to improve on-site security and to reduce the risk of crime. The scheme shall review existing security arrangements and detail related improvements that can be incorporated into the development. The approved scheme shall be implemented prior to the occupation of the development and maintained in situ at all times thereafter.

Reason - To reduce the risk of crime, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

8) Before the occupation of the development, a hard and soft landscaping treatment scheme shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the development is 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 implemented and respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy for the City of Manchester.

9) Notwithstanding the detail of drawing referenced Proposed site plan 1328, the planning permission hereby granted does not confer consent for the siting of a storage container within the rear 247 Upper Brook Street.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

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 following security and crime reduction measures are recommended:

- i. The main entrance to the building should be certified to BS PAS 24, or LPS 1175 SR2, including a lock capable of being operated via an electronic access control system controlled by an audio intercom linked to each bedroom, so that residents can vet callers to the building before allowing them access.
- ii. Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.
- iii. Doors to the new individual rooms with the accommodation should be certified to BS PAS 24, door viewers within these doors should be provided.
- iv. If a postal lobby is not created it is essential that through-the-wall mailboxes are provided for individual residents.
- v. Secure storage for bicycles and other property must be certified to LPS 1175
- vi. Any external bin store should be a secure, lockable and fire resistant enclosure.
- vii. Dusk till dawn lighting should be installed to all external doors and to the side elevations illuminating the path the rear of the property.

Guidance for developers can be found via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Date: 20 February 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