

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 A Flaherty
C/o Agent

Agent (if used)

Mr Jim Seymour
Seymour Planning Limited
27 Central Drive
Romiley
Stockport
SK6 4PE

Part 1 – Particulars of the application/development

Proposal: Change of use of premises from A2 to D1 (Clinic) with minor external alterations to building including foldaway wheelchair lift to entrance door frontage and louvre panels to rear.

Location: 79 Newton Street, Manchester, M1 1EX

Date of application: 15 November 2019

Application number: 125468/FO/2019

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. Further information was sought from officers during the application and amendments were made to the proposal. Appropriate conditions were attached to the decision to ensure an acceptable development with the agreement of the applicant.

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:

Site Location Plan Drawing No. AG19-0024 08, stamped and received by the City Council as local planning authority on 15 November 2019.

Drawings No. AG19-0024 15 Revision A, AG19-0024 Revision P04, stamped and received by the City Council as local planning authority on 22 January 2020.

Drawing No. AG19-0024 Revision P03, AG19-0024 Revision P05, AG19-0024 Revision P01, AG19-0024 Revision P02, stamped and received by the City Council as local planning authority on 15 November 2019.

Planning Statement, stamped and received by the City Council as local planning authority on 15 November 2019.

Noise Impact Assessment, stamped and received by the City Council as local planning authority on 06 January 2020.

Secure by Design Statement (DFS Ref: 2019/0524/CLT/01), stamped and received by the City Council as local planning authority on 15 November 2019.

Optimum 200, stamped and received by the City Council as local planning authority on 12 December 2019.

Curved Incline Lift, stamped and received by the City Council as local planning authority on 15 November 2019.

Waste Proforma, stamped and received by the City Council as local planning authority on 15 November 2019.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies T1, T2, SP1, DM1 EN19 of the Manchester Core Strategy and saved Unitary Development Plan policy DC26.

3) The use hereby approved shall not operate outside the following hours:-

08:00 - 18:00 Monday to Sunday

Reason - In the interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

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

5) a) The development shall be acoustically insulated and treated to limit the break out of noise in accordance with the recommendations within the submitted Noise Impact Assessment, stamped and received by the City Council as local planning authority on 06 January 2020.

The recommendations contained within the above report shall be implemented in full before the use commences.

b) Prior to the use commencing a verification report shall be submitted to and approved in writing by 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 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. Any further mitigations measures proposed shall be implemented prior to the use commencing and retained thereafter while the use is operational.

Reason - In the interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

6) Prior to the use commencing the scheme for the storage and disposal of refuse shall be implemented in full as part of the development and shall remain in situ whilst the use or development is in operation in accordance with the submitted waste documents:

Planning Statement, stamped and received by the City Council as local planning authority on 15 November 2019.

Waste Proforma, stamped and received by the City Council as local planning authority on 15 November 2019.

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

7) Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation of the development hereby approved full access into and through the site and into and throughout all areas of the applicants demise for all persons, including those whose mobility is impaired must be fully implemented and retained thereafter in accordance with the submitted and hereby approved documents:

AG19-0024 Revision P03, stamped as received by the City Council as local planning authority on 15 November 2019.

Drawings No. AG19-0024 15 Revision A, AG19-0024 Revision P04, stamped and received by the City Council as local planning authority on 22 January 2020.

Planning Statement, stamped as received by the City Council as local planning authority on 15 November 2019.

Curved Incline Lift, stamped and received by the City Council as local planning authority on 15 November 2019.

Optimum 200, stamped and received by the City Council as local planning authority on 12 December 2019.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policy DM1 of the City of Manchester Core Strategy.

8) Notwithstanding the approved plans and documents as specified in condition 2, the security considerations and recommendations as set out in the submitted Secure by Design Statement (DFS Ref: 2019/0524/CLT/01), stamped and received by the City Council as local planning authority on 15 November 2019, shall be implemented in full prior to the first use of the development and shall be retained thereafter while the development is operational.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy and to reflect the guidance contained in the revised National Planning Policy Framework (2019).

9) The development hereby consented shall only be used for the following purposes as defined in the Town and Country Planning (Use Classes) Order 1987, as amended:

Clinic within Class D1 and for no other purpose within Class D1.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy SP1 and DM1 of the Manchester 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.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with MCC Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Date: 28 January 2020

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/planning-inspectorate. 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

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/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

This Standing Advice is valid from 1st January 2019 until 31st December 2020