

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 Zaheer Aslam & Mr Muhammad
Sohrab
48 & 50 Wilton Road
Manchester
M8 4EL

Agent (if used)

Mr M. Amjad
77 Fields New Road
Oldham
OL9 8BT

Part 1 – Particulars of the application/development

Proposal: Erection of part two, part three storey rear and two storey side extension to form additional living accommodation

Location: 48 & 50 Wilton Road, Manchester, M8 4EL

Date of application: 28 January 2021

Application number: 129161/FH/2021

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 based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, some negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework

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:

-Location Plan received by the City Council as Local Planning Authority 21 January 2021.

-Existing Plans and Elevations drawing ref. ZA PP 01 received by the City Council as Local Planning Authority 21 January 2021.

-Existing Plans and Elevations drawing ref. ZA PP 02 received by the City Council as Local Planning Authority 21 January 2021.

-Existing and Proposed Plans and Elevations drawing ref. ZA PP 04 received by the City Council as Local Planning Authority 21 January 2021.

-Proposed Plans and Elevations drawing ref. ZA PP 03 received by the City Council as Local Planning Authority 21 January 2021.

-Existing & Proposed Block Plan drawing ref. ZA PP 04 received by the City Council as Local Planning Authority 21 January 2021.

-Proposed Elevations drawing ref. ZA PP 05 received by the City Council as Local Planning Authority 22 March 2021.

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) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012)

5) Prior to the commencement of development, including any works of demolition, a Construction Management Plan (CMP), shall be submitted to, for approval in writing by City Council as Local Planning Authority. The construction management plan shall include information relating to necessary system clearances and safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system. The approved CMP shall be implemented throughout the construction of the development.

Reason: To ensure compliance with safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system pursuant to policy DM1 of the Core Strategy.

6) Prior to the commencement of development, a Geotechnical Report to consider any impacts of the development on the stability to the tramway cutting slope shall be submitted to, for approval in writing by the City Council as Local Planning Authority. The report shall include measures to minimise and monitor the stability of the cutting slope

and any measures agreed shall be implemented throughout the construction of the development.

Reason: To protect integrity of Metrolink infrastructure pursuant to Core Strategy policy EN18.

7) Prior to the commencement of development, drainage design details shall be submitted to for approval in writing by the City Council, as Local Planning Authority. The drainage details should ensure any water run off does not adversely impact the adjacent Metrolink tramway. The approved details shall be implemented as part of the development and thereafter retained and maintained in situ.

Reason: To manage the risks associated with water run-off which may affect Metrolink infrastructure and tramway pursuant to Core Strategy policies DM1 and EN17.

8) Prior to the commencement of the development, full details of the root protection measures to the trees located within the Metrolink boundary shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development and retained throughout the construction.

Reason: To protect trees against root damage and to maintain the status quo with regards the stability of the cutting slope pursuant to Core Strategy Policy DM1.

9) Prior to the commencement of the development, details of any changes to the boundary treatment adjacent to the Metrolink tramway shall be for approval in writing by, the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development and thereafter retained and maintained in situ.

Reason: To ensure that a safe and secure boundary treatment is installed on the boundary of the Metrolink pursuant to Core Strategy Policy T1 and DM1.

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: 25 March 2021

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/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.

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.