

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134517/FO/2022

Date registered valid: 27 July 2022

Proposal: Erection of a part single /part two storey building to form Medical Clinic (use class E) with associated access ramp, boundary treatments, landscaping, car parking, bin and bike store

Address: Land To The Rear Of 120 & 120A Withington Road, Manchester, M16 8FA

Ward(s): Whalley Range Ward

Applicant: Dr. Ugo Umeadi, 6 Somerdale Avenue , Bolton, BL1 5HS

Agent (if any): Mr Lee Richards, LR-Design, 131A Bury New Road, Prestwich, Manchester, M25 9NX

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 08.11.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 25 August 2022

Standard consultations:

Printed: 21 October 2022 Expired: 4 November 2022

Neighbour notifications

Printed: 21 October 2022 Expired: 4 November 2022

Site notice

Posted: 25 August 2022 Expired: 15 September 2022

Press advert

Published: 9 August 2022 Expired: 30 August 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Tree protected by virtue of location in Conservation Area

Description of site/building/area

The site is land to the rear of a property located to the south of a parade of commercial properties fronting Withington Road as it turns the corner with May Road within Whalley Range local centre, which lies within Whalley Range Conservation Area.

This application follows the approval of a previous application for the erection of a part single/part two storey building to form clinic (Class E) on the 18th May 2021 under planning approval reference 129757/FO/2021.

Description of development

Erection of a part single /part two storey building to form Medical Clinic (use class E) with associated access ramp, landscaping, car parking, bin and bike store. The changes proposed from the original planning approval are an increase in the height of the building and installation of boundary treatments to the May Road frontage.

Consultations

The application was subject to a site notice, advertisement in the Manchester Evening News by virtue of its location within the Whalley Range Conservation Area and letters were sent to neighbouring properties. A renotification to neighbours was also sent out following the submission of amended boundary treatment plans. One objection from neighbouring business owner was received to both sets of notification, a summary of the comments made is set out below:

- The developer has made no contact to discuss the project with us. We have made no allowances or agreement on any matter relating to the development. We will insist on The Party wall etc. Act and the provisions within it are followed as the proposed building is within 3m of our building and intends to use Engineered foundations - I believe that was the proposal that was approved on previous scheme
- The new fence drawings shows intention of putting a fence on our land- we have not given any such permission.
- The location of the building as proposed encroaches on our established right of way and affects the use and access to our building.
Especially at the corner pinch point where it would prevent us from moving furniture or maintenance equipment to serve our building.
- The proposed fence line, BLOCKS fire escape route established for the Laundrette over many years.
- Again the new drawing prepared by LR no. 2282/02-200B and Site plan 1178/600 show different location for the building.
- The construction of the building will lead to loss of trees
- The pattern of enclosure of the 'Whalley Range Conservation Area' is an important part of the area. The positioning of the building relative to the May Road is not in keeping with the status quo.
- The developments proximity to our building will be detrimental to the habitable space and be oppressive. It will have an overbearing impact on the existing flats.
- The creation of nooks and cranny at the rear of our building from current open aspects has crime and disorder implication as it fails to take adequate measures to design out crime. I.e. removal of the natural surveillance from the public domain.
- As you may be aware there have been issue regarding drug paraphernalia being discovered on this land (entrance to the flats at the rear of the land) and we have had to continuously be vigilant of unauthorised use of the land.
- Is there a need for another surgery in the area? Please note there is already a large Health Centre on the other side of the Withington Road
- There is already an issue with the parking in the vicinity of the site. The development does not have sufficient parking amenity and the traffic/ parking generated by Patients and their mobility issue will affect the surrounding area and may also be a hazard to other road users.
- We have had continuous use of the adjacent land since it is purchase in 1998 and have established the right of way over the land for the purpose of reasonable access and maintenance of our buildings.
- We understand the access has been available to our properties from early eighties when the flats were created.
- The proposed development will affect our reasonable access and ability to maintain the properties.

MCC Highways - The proposed development will provide a clinic space and surgery area. It anticipated that the vehicular trips associated with the site will be minimal.

Highways are aware of existing on-street parking that occurs along May Road. Congestion can be an issue along May Road and Highways have concerns that there will be limited on-street parking available.

The site is well accessed by sustainable modes. Regular bus services are routed along Alexandra Road South and provide connections to Chorlton, Arrowfield Street and Piccadilly Gardens.

Vehicular access to the site is proposed from May Road. It is note that an existing vehicular access is in place in this location. The proposals are to retain this access.

The applicant should ensure that access to/from the Legal Alleyway adjacent to the rear of the site should be retained. This alleyway should not be blocked. It is requested that a H-bar is installed at the vehicular access.

It is required, in line with MCC Guidelines, that the provision of an Electrical Vehicle charging point (minimum 7kW) is made available.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

It is recommended that a Construction Management Plan is conditioned and attached to any planning permission that may be granted.

The proposed boundary treatment is considered acceptable and Highways would accept this arrangement. It is requested that the applicant maintains the boundary treatment and ensures that any gravel is removed from the adopted highway.

United Utilities - Recommend a condition be attached to any approval relating to the submission and approval of a surface water drainage scheme.

GMP Design for Security - Recommend that a condition to reflect the physical security specifications set out in appendix B of the design & access statement should be added, if the application is to be approved.

MCC Environmental Health - No response received, previous conditions attached to planning approval have been carried over to this decision.

Policies

National Planning Policy Framework

The National Planning Policy Framework replaced previous guidance in PPGs and PPSs, setting out the Government's planning policies and how they are expected to be applied. The NPPF underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the Framework is a material consideration in planning decisions. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester and states that, outside the City Centre and the Airport, the emphasis is on the

creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 seeks to ensure that new development contributes to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities and particularly by contributing to neighbourhoods of choice.

Policy EN3 - Heritage - This policy addresses historic and heritage features, the aim being to preserve or enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance.

Saved UDP Policy DC18.1a - Conservation Areas - The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues: the relationship of new structures to neighbouring buildings and spaces; the effect of major changes to the appearance of existing buildings; the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees); the effect of signs and advertisements; any further guidance on specific areas which has been approved by the Council.

Legislative Requirements - Section 72 of the Planning (Listed Building and Conservation Areas) Act imposes a general duty as respects conservation areas in exercise of planning functions and requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Sections 16(2) and 66(1) of the Act state that decision makers must have "special regard to the desirability of preserving the building or setting or any features of special architectural or historic interest.

For reasons to be outlined below, it is considered the proposal accords with the principles of the Above mentioned policies.

Issues

Principle - The principle of the use of a premises within a local centre for a Class E use in this location is acceptable and this together with the siting and type of development has been established through the granting of planning permission reference 129757/FO/2021.

The amendments sought through this application relate to the increase in height of the building which would have an increase in the height to ridge of 1 metre, the introduction of improved boundary treatments to the May Road frontage and the movement of the on-site car parking space to the side of the building adjacent the alleyway rather than the front of the site. Further consideration of the impact of these amendments on adjacent properties and the character of the conservation area

Development in Whalley Range Conservation Area - The amended scheme is considered for the reasons set out below that the proposal would cause less than substantial harm that is outweighed by the benefits of the development proposals, subject to the imposition of appropriate conditions.

Scale, Massing and Layout - This application follows the approval of a previous application for the erection of a part single/part two storey building to form clinic (Class E). The building had a surgery, a store, a clinic and a reception room at ground floor. At first floor the building has a staff room, storage and shower and WC.

The building proposed as part of this planning application would be part single /part two storey building to form Medical Clinic (Use Class E) with associated access ramp, bin and bike store.

The building has been increased in height, the design and use of materials is the same as that previously approved and is considered to be acceptable in the Conservation Area.

Use and Car Parking- The clinic would be operational between the hours of 08.00 and 18.00 Monday to Friday and 10.00 to 16.00 on a Saturday. They would not be open on Sundays/Bank Holidays.

The application forms submitted show that there will be 6 part time members of staff. The level of car parking requirement for these employees and the patients that they are attending to on site is considered to have a low parking requirement in this in centre location.

The scheme includes for one dedicated car parking facility and 3 secure cycle parking spaces.

This broadly reflects the arrangements that were previously approved for the sites development and is still considered to be acceptable.

Residential Amenity - The proposed building has a close relationship to the neighbouring property, however, access to that building has been maintained as part of this application. Greater Manchester Police are satisfied with the relationship subject to the applicant following the recommendations in the Design for Security Specification and Design and Access Statement Submitted, an appropriately worded condition is proposed to deal with these matters.

The building is not considered to unduly impact upon the amenity of the nearest neighbouring property at 120 Withington Road by virtue of loss of privacy, due to obscure glazing and high level windows to be utilised to the north elevation (to be conditioned).

The building whilst increasing in overall height is still considered to be of a smaller scale to adjacent buildings and is not considered to be unduly dominant or to result in a loss of light that would warrant the refusal of planning consent. It is noted that there are windows on the side elevation of 120 Withington Road, the ground floor window is above a door whilst the first floor has security bars over it. Whilst the ridge and eaves height has increased the hipped nature of the roof is considered sufficient to minimise impacts to acceptable levels.

It is not considered that the scheme would have any undue impact upon property to the west on May Road by virtue of the distance provided and screening retained. Nor is that any adverse impact upon the property opposite which fronts Withington Road.

The hours of opening are restricted and the comings and goings associated with the use are not considered to adversely impact residential amenity in this centre location. A construction management plan is conditioned to control disruption during construction.

Trees, Landscaping and Boundary Treatment - The development would see the removal of one dead thorn tree (Category U T2) and the retention of trees T1, T3, T4 and T5. This reflects the previously approved scheme. A condition is proposed to ensure that retained trees are not lost as part of the development and that works progress in accordance with the submitted arboricultural reports and assessments.

The submitted proposals include landscaping in the form of hedging and lawned areas which is shown on the submitted site plans, which would positively impact upon the appearance of the

site, which is largely hard surfaces at present. The submitted details are to be approved within an appropriately worded condition.

Following negotiations with the applicant the proposals seek to install an improved boundary treatment to the May Road frontage in the form of removal of existing concrete panel and post fence and replacement with a 2 m high solid bar metal fence and vehicle gates. Comments have been raised by an objector about the imposition of fencing on adjacent land the submitted drawings indicate that existing security fencing is to be maintained to adjoining land with the removal of one aspect which cross the location of the proposed building. An access to the adjacent building is maintained as a result of the proposal as per the previous approval and the applicants agent has confirmed that all works are proposed on land in the applicants ownership.

Other matters relating to party wall and land ownership are outside the scope of the planning legislation and would be civil matters between the applicant and adjacent landowners.

Refuse - The amount of storage and location area acceptable for both commercial and medical waste and reflect those previously approved under the condition discharge reference CDN/21/0549. The details of the use of a contractor for commercial waste is again included within the submitted waste management strategy as are the details and locations of the bin store and collection points. A condition is proposed to ensure these details are implemented as part of the development and retained in-situ thereafter.

Flood Risk - The development is small scale, the existing site is hard landscaped and would have landscaping introduced, the site is not within a Flood Risk Area. United Utilities have requested that the development be subject of a drainage condition, and this is reflected on the proposed conditions.

Accessibility -The scheme has been designed to allow for wheelchair use with a ramped access and door widths and turning and appropriate WC facilities.

Sustainability -The building would achieve BREEAM very good with regards to the submitted pre-assessor.

Conclusion - The proposal is considered acceptable in this location in terms of design and it is not considered that the proposal would create any undue loss of amenity to neighbouring occupiers. It is considered of sufficient quality with regards to its siting within the Whalley Range Conservation Area. The proposal therefore complies with policies DC1 and DC18 of the Unitary Development Plan, DM1, SP1 and EN3 of the Core Strategy.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights

posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

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. The scheme is considered to be in accordance with the guidance contained within saved policy DC18 of the Manchester Unitary Development Plan and to policies SP1, DM1 and EN3 of the Core Strategy.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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:

2282/L2 -205 Proposed floor plans

2282/L21-300 Proposed elevations Sheet 1 of 2

2282/L21 -305 Proposed elevations Sheet 2 of 2

2282/L21 - 400 Section A-A

Design & Access Statement

Design for Security specification

Arboricultural Impact Assessment Report No: LTM0055.AIA.01 dated 13/12/2020

BS 5837:2012 Method Statement Report No: LTM0055.MS.01 dated 13/12/2020

Tree Survey and Preliminary Assessment Report No: LTM0055.PAA.01 dated 22.06.2020

Sustainability Statement with BREEAM Pre-Assess Revision: P01

All received on the 27th July 2022

Waste Management Strategy Document reference : 2282_sch01 as received on the 16th September 2022

2282/Q2-500 Perimeter Boundary fence details

2282/L2-201 Rev C Proposed fence and boundary treatments

2282/L2-200 Rev B Proposed site plan

All received on the 20th October 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.

3) The external finishes of the development hereby approved shall be carried out in accordance with the materials schedule as listed within condition 2 of this decision notice.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the City Council as local planning authority.

The development shall be implemented in accordance with the agreed Construction Management Plan. The Plan shall include:

- The routing of construction traffic;
- The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- Identify measures to control dust and mud on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned;
- Specify the working hours for the site;
- Identify advisory routes to and from the site for staff and HGVs;
- Dust management statement;
- Noise management statement.

Reason - In the interest of pedestrian and highway safety, and to ensure that construction works are not prejudicial or a nuisance to adjacent dwellings and properties pursuant to policy DM1 of the Core Strategy.

5) Prior to the installation of any surface water drainage on the site, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policy EN14 and EN17 of the Core Strategy.

6) The premises shall not be open outside the following hours:
08.00 to 18.00 hours Monday to Friday
10.00 to 16.00 hours on Saturday

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

7) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the premises is occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise 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.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved UDP policy DC26.

8) The waste management of the site shall be carried out in accordance with the submitted and approved waste management strategy as received by the City Council on the 16th September 2022. The approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

9) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained within the approved drawings, documents and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the use or occupation of the phase of development within which the retained tree is located for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction) in the presence of an independent arboricultural consultant.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Evidence of the installation of fencing shall be supplied in writing to the City Council as local planning authority prior to any works commencing on site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies SP1, DM1 and EN3 of the Core Strategy.

10) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

11) The hard and soft landscaping scheme and boundary treatments approved by the City Council as local planning authority shown on drawing references: 2282/L2-200 Rev B, 2282/Q2-500, and 2282/L2-201 Rev C shall be implemented not later than 12 months from the date of commencement of works. 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 carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

12) The development hereby approved shall incorporate the physical security specifications as set out within appendix B of the Design and Access Statement. A verification report confirming the inclusion of these measures together with associated evidence shall be submitted prior to the first occupation of the development hereby approved.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

13) Prior to occupation of the development hereby approved the windows to the rear elevation of the building as annotated on the approved plans shall be obscurely 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 property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

14) 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 Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in

proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting the following reference LSBUD Ref: 26573564

2) The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

3) 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 for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police
Whalley Range Conservation Area Group
Whalley Range Forum
Environmental Health
Highway Services
Neighbourhood Team Leader (Arboriculture)
Whalley Range Conservation Area Group
Whalley Range Forum
Greater Manchester Police

131B Withington Road, Manchester, M16 8EE
133 Withington Road, Manchester, M16 8EE
Second Floor, The Madina Hall, 122 Withington Road, Manchester, M16 8FB
First Floor, The Madina Hall, 122 Withington Road, Manchester, M16 8FB
114A Withington Road, Manchester, M16 8FA
Top Flat, 116 Withington Road, Manchester, M16 8FA
120A Withington Road, Manchester, M16 8FA
Flat 2, 120B Withington Road, Manchester, M16 8FA
131 Withington Road, Manchester, M16 8EE
The Madina Hall, 122 Withington Road, Manchester, M16 8FB
Flat 12, 2 May Road, Manchester, M16 8DG
Flat 9, 2 May Road, Manchester, M16 8DG
Flat 6, 2 May Road, Manchester, M16 8DG
Flat 3, 2 May Road, Manchester, M16 8DG
118A Withington Road, Manchester, M16 8FA
120 Withington Road, Manchester, M16 8FA
114 Withington Road, Manchester, M16 8FA
1 May Road, Manchester, M16 8DG
Flat 3, 120B Withington Road, Manchester, M16 8FA
Flat 1, 120B Withington Road, Manchester, M16 8FA
120B Withington Road, Manchester, M16 8FA
Flat 2, 4 May Road, Manchester, M16 8DG
Flat 1, 4 May Road, Manchester, M16 8DG
Flat 11, 2 May Road, Manchester, M16 8DG
Flat 10, 2 May Road, Manchester, M16 8DG
Flat 8, 2 May Road, Manchester, M16 8DG
Flat 7, 2 May Road, Manchester, M16 8DG
Flat 5, 2 May Road, Manchester, M16 8DG
Flat 4, 2 May Road, Manchester, M16 8DG
Flat 2, 2 May Road, Manchester, M16 8DG
Flat 1, 2 May Road, Manchester, M16 8DG
118 Withington Road, Manchester, M16 8FA
116 Withington Road, Manchester, M16 8FA
3 May Road, Manchester, M16 8DG
Flat 9, 4 May Road, Manchester, M16 8DG
Flat 8, 4 May Road, Manchester, M16 8DG
Flat 7, 4 May Road, Manchester, M16 8DG
Flat 6, 4 May Road, Manchester, M16 8DG
Flat 5, 4 May Road, Manchester, M16 8DG

Flat 4, 4 May Road, Manchester, M16 8DG
Flat 3, 4 May Road, Manchester, M16 8DG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Whalley Range Conservation Area 1992
Area Team Boundary - Name: SOUTH AREA