

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 Dipesh Patel
50 Clayton Street
Manchester
M11 4HA

Agent (if used)

Mr Scott Wilkinson
SHWilkinson Architects Ltd
6 Dale Lee
Westhoughton
Bolton
BL5 3YE

Part 1 – Particulars of the application/development

Proposal: Change of use of existing buildings to create nto 4 no. x 1 bedroom apartments (Class C3), with demolition of garages, to form external amenity space, and erection of first floor rear extension

Location: 50-52 Clayton Street, Manchester, M11 4HA

Date of application: 16 March 2022

Application number: 133059/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, changes were sought in relation to the number of apartments and provision of external space.

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:

Drawings numbered 001 (notwithstanding any reference to refuse storage arrangements),
000, 003, 004, 006, 010, 011 ,012, 091 and 092 all stamped as received by the City Council, as Local Planning Authority, on 25 February 2022,

Waste Management Strategy, stamped as received by the City Council, as Local Planning Authority, on 16 March 2022.

Drawings numbered 104 revP3, 106 rev P3 and 110 rev P3, stamped as received by the City Council, as Local Planning Authority, on 13 May 2022.

Drawings numbered 111 rev P4, 112 rev P4, 191 rev P4 and 192 rev P4, stamped as received by the City Council, as Local Planning Authority, on 7 June 2022

Drawing numbered 103 rev P5, stamped as received by the City Council, as Local Planning Authority, on 16 June 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The materials used to construct the external elevations of the development hereby approved shall match the existing building, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the property and surrounding area, pursuant to policy DM1 of the Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on drawings numbered 110 rev P3, stamped as received by the City Council, as Local Planning Authority, on 13 May 2022, and drawings numbered 111 rev P4 and 112 rev P4, stamped as received by the City Council, as Local Planning Authority, on 7 June 2022.

Reason - In the interests of the amenities of the occupiers of the neighbouring properties, pursuant to policy DM1 of the Manchester Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester:

Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

6) Before first occupation of the ground floor apartments, the ground floor windows in the side (John Heywood Street) elevation as shown on drawing numbered 103 rev.P5 and 112 rev P4, 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

7) Before first occupation of the first floor apartments, the proposed bedroom window in the rear elevation as shown on drawing numbered 104 P3 and 111 rev P4, 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

8) Notwithstanding the refuse storage arrangements shown on plan refs: 001, and 103 rev P5, before first occupation of any of the apartments, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. This shall include the provision of individual bins for each apartment. The details of 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 policies DM1, EN19 and SP1 of the Manchester Core Strategy.

9) Prior to any of the apartments being occupied, the cycle storage arrangements shall be provided in accordance with approved drawing numbered 103 rev P5, stamped as received by the City Council, as Local Planning Authority, on 16 June 2022, and in accordance with finalised detailed design of the cycle store, which shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. These facilities shall then be permanently retained for bicycle storage.

Reason - To ensure that adequate provision is made for bicycle storage so that persons occupying or visiting the development have a range of options in relation to mode of transport, pursuant to policies T1 and DM1 of the Manchester Core Strategy.

10) Notwithstanding the design of proposed new window openings to the Clayton Street, and John Heywood Street elevations as shown on plan refs: 191 rev P4 and 192 rev P4, 110 rev P3, 112 rev.P4, the proposed window openings in the Clayton Street, and John Heywood Street elevations shall incorporate headers to match those above the existing retained windows in the side and front facades of the property.

Reason - In the interests of the character and appearance of the property and surrounding area, pursuant to policy 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.

An existing vehicular crossover is present in this location in order to facilitate the access to the existing garage. This cross over will not longer be needed as part of the proposals. Therefore the dropped kerb in place on John Heywood Street be reinstated as it will become redundant as part of the proposals. These works should be done under a Section 278 agreement.

All gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway

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

External communal access doors must be compliant with and certified to STS202 BR2 or LPS 1175 SR2. The communal entrance doors should be self-closing and secured with a multi-point electronic lock and capable of being operated via an electronic access control system, these features should be permitted under the scope of the certification.

Arrangements for residents to admit visitors. Communal entrance and inner lobby / zone doors should be capable of being controlled by means of a video entry phone system (with the picture viewable on a phone unit, rather than on a television set) so that

residents can confirm the identity of visitors before allowing them access themselves, visitors to be greeted in reception by the resident.

Where secure postal lobbies are to be created, the secondary communal door must be to the same specification as the outer door - certified to STS202 BR2, or LPS 1175 SR2, including a lock capable of being operated via an electronic access control system.

Apartment entrance doors must be compliant with and certified to BS PAS 24, STS01, or LPS 1175 SR2. It is advised that these doors do not have fixed sidelights, and are provided with door viewers instead.

Any letterboxes within doors must be located a minimum of 400mm away from internal handle and locking hardware.

Doors to storage / meter rooms should have 44mm solid core doors, 3 hinges, with a mortised sash lock to BS3621/8621 to allow the rooms to be secured when not in use.

External escape-only doors (as with external doors in general) should be certified to BS PAS 24, or LPS 1175 SR2. It is crucial that the door ironmongery is permitted for use on these doors under the security certification of the product.

If an alarm is installed in each apartment then it should comply with either BS EN 50131 and PD 6662 for wired systems, or BS 6799 for wireless systems

If an alarm is installed, it should be linked to contacts on all external doors, and PIR detectors should cover all ground floor rooms with windows.

Access control systems should be operable by swipe card or fob, and not numeric key pads. The following areas/doors should operate on access control:
Main Entrance doors and secondary entrance doors off internal lobbies

External lighting must be provided to pedestrian routes within the site in accordance with BS 5489.

Dusk 'til dawn lights, operated by photoelectric cell/daylight sensor, should be installed to all external doors (manual override is also permissible).

External lighting must be provided to the front and rear of the building, operated by photoelectric cell/daylight sensor (manual override is also permissible). PIR security lighting is not recommended for these locations and should not be employed unless advised.

Lighting to public areas (footpaths and roads) should be evenly distributed and not create areas of shadowing or pooling. Any low level lighting should be positioned to avoid creating glare.

Fittings should produce 'white' light, as opposed to yellow/orange light. Metal halide (or bulbs with a comparable output) should be used, as these offer superior colour rendition over alternatives such as high and low pressure sodium bulbs.

External lighting must be provided to pedestrian routes within the site in accordance with BS 5489.

Any CCTV system that may be used within this proposal will require certain specifications and intelligent placement of cameras to compliment the design of the development. Designers should consider the following points when planning a CCTV strategy:

CCTV systems (and lighting that support them) require regular cleaning and maintenance to remain effective.

Where necessary cameras that are vulnerable to damage should be protected from attack either by relocation to a higher level and using a bigger lens to achieve the view required or through the fitting of a vandal resistant housing.

With regards to the retention of footage, the police prefer quality over quantity. The overall retention period should be dictated by what the system is designed to achieve, though it would be better to have good quality images over a 14-day period than poor ones over a 30-day period.

Procedures for recovery of recordings are recommended to be established (e.g. trained staff / the CCTV system instruction manual to be readily available). This is to ensure that the images produced will be of an acceptable standard that will allow for identification of an individual which will stand up to scrutiny in court.

Acceptable Standard - this generally requires a resolution of 720x576 pixels at a real time frame rate of 25 frames per second. (N.B. Both the camera and DVR must be capable of this - if the camera will only send low resolution images then it does not matter how high the resolution of the recording unit is).

Identification - One of three levels of field of view. To identify an individual, the image must capture no less than 120% of the field of view (at least from the top of the individuals head to their knees). The remaining two levels of field of view are 'Overview' and 'Recognition', which whilst effective for observational purposes, are less likely to result in the identification of a person/offender.

The intelligent placement of cameras helps to provide clear facial identification of individuals. Suitable locations would be: Main entrances, foyer, stairs, lift lobbies, landings, cycle stores, bin store entrances.

It is recommended that the pedestrian/vehicular route/parking area is well illuminated to provide a deterrent to would be criminals; this would also improve surveillance of the area.

The upkeep of a development over its lifetime can be crucial to the level of security and safety within. Aspects of a development, which are left to deteriorate, have the potential to attract further crime - a process known as 'the broken window theory'. A maintenance plan should be drawn up to address issues such as litter removal and repair to communal areas (lighting, signage, access controls)

Any public open space or amenity areas not under the ownership of residents should be subject to an effective maintenance contract. This should ensure that all damage is rectified in a timely manner, and that any such space will not be detrimental to its surroundings.

The success of the proposed development will be dependent upon the effective management and maintenance of the site and the applicant should be required to

provide a security management plan which includes measures to deal with the following:

Frequent inspection and prompt repair of security features (e.g. lighting CCTV, signage, barriers, locks, fencing and rails).

Regular litter and graffiti removal (if applicable)

Maintenance of car parking surface

Vegetation management

Installation & Monitoring of CCTV and procedures for response to any incident /recording of images.

Date: 22 June 2022

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 2021 until 31st December 2022