MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr John Yeo
Lovell Partnerships Ltd.
St. Johns House
Barrington Road
Altrincham
WA14 5DL

Agent (if used)

Mr Graham Locke
PRP
Croxley House
14 Lloyd Street
Manchester
M2 5ND

Part 1 – Particulars of the application/development

Proposal: Erection of 73 x two and three storey dwellinghouses (Class C3) together with associated access roads, parking, landscaping and boundary treatment

Location: Land Bounded By Mellor Street, Tideswell Avenue And Esplanade Adjacent To Rochdale Canal, Miles Platting, Manchester

Date of application: 27 May 2016

Application number: 112305/FO/2016/N1

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.

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 drawings numbered :-

AA6169 2000 Site Location Plan 27th May 2016, AA6169 2001 Existing Site Plan stamped as received 27th May 2016, AA6169 2002 Rev D proposed site layout

received 12th October 2016, AA6169 2003 proposed Boundary Treatment Typologies stamped as received 27th May 2016, AA6169 2004 Existing Site Sections stamped as received 27th May 2016, AA6169-2005 Rev B received 26th May 2016, AA6169 2006 Revision A Proposed Street Scenes C,D,E,F,G stamped as received 27th May 2016, AA6169 2017 Rev D Proposed Hard Landscape stamped as received 12th October 2016, AA6169-2018 Rev A proposed detail hard landscape plan received 12th October 2016, AA6169 2020 Revision A Aylesbury House Type received by email 9th September 2016, AA6169 2021 Aylesbury floor plans stamped as received 27th May 2016, AA6169 2022 Revision A Beresford Elevations received by email 9th September 2016, AA6169 2023 Revision A Beresford Gable type Elevations received by email 9th September 2016, AA6169 2024 Beresford Floor Plans stamped as received 27th May 2016, AA6169 2025 Revision B Elevations Plot 68 received 9th September 2016, AA6169 2026 Revision A Plot 68 Floor Plans received 9th September 2016, AA6169 2027 Floor Plan Plot 68 Second Floor stamped as received 27th May 2016, AA6169 2028 Revision A Daley Elevations received 9th September 2016, AA6169 2029 Daley Floor Plans stamped as received 27th May 2016, AA6169 2030 Revision A Faraley Elevations (except Plot 1, 73) received 9th September 2016, AA6169 2031 Faraley House Type Floor Plans Stamped as Received 27th may 2016, AA6169 2032 Revision A Faraley Elevations Plots 1 and 73 received 9th September, AA6169 2033 Revision A Milford Elevations received 9th September 2016, AA6169 2034 Millford Floor Plans Stamped as Received 27th May 2016, AA6169 2035 Revision A Pendleton Elevations received 9th September 2016, AA6169 2036 Pendleton Floor Plans Stamped as Received 27th May 2016, AA6169 2037 Revision A Singleton Elevations received 9th May 2016, AA6169 2038 Singleton Floor Plans Stamped as Received 27th May 2016, AA6169 2040 Revision D Proposed Street Scenes A and B received by Email 10th October 2016 2016, AA6169 2041 Revision B Proposed Street Scenes C,D,E,F,G received 9th September 2016, 28275/6003 Sutcliffe Drainage Strategy Revision P2 received 27th May 2016.
E-mail dated 2nd September 2016 from John Yeo (Lovell) confirming the width of the carriageway, and the commitment to double yellow lines to the cul-de-sac.
Documents Manchester Interpretive report uploaded 6th June 2016, Code Equivalent Checklist uploaded 6th June 2016, Arboricultural Impact Assessment uploaded 6th June 2016, Hard Landscaping Plan uploaded 6th June 2016, TEP Environmental Impact Assessment uploaded 6th June 2016, Sutcliffe Flood Risk Assessment uploaded 6th June 2016, Design and Access Statement uploaded 6th June 2016 and Crime Impact Statement uploaded 6th June 2016

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 Manchester.

3) Prior to commencement of works on site, a construction method statement , and a strategy for the management of construction traffic, (including information regarding site approach routes, and directional signage) shall be submitted to and approved in writing by the City Council as local planning authority. The construction method statement and strategy shall be implemented in full throughout the construction period.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

4) All contractors vehicles entering and leaving the site during the construction period shall pass through a wheel wash. A 'Wheel Wash Scheme' for the development shall be submitted to and approved in writing by the Council as local planning authority prior to the commencement of development. The Wheel Wash Scheme shall provide details of the location of the wheel wash which shall ensure that it is positioned to allow use

throughout each area of construction. The wheel wash shall be retained and available for use throughout the construction period.

Reason - To ensure, that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

5) All contractors' vehicles entering and leaving the site carrying loose materials, during the construction period shall be sheeted.

Reason - To ensure, that the proposed development is not prejudicial or a nuisance to the adjacent premises in the interests of public health and amenity, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

6) The details of an emergency telephone contact number for the contractor; shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

7) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

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.

8) The car parking shall be surfaced, demarcated and made available for use before the development is occupied, in accordance with details to be submitted to and approved in writing by the City Council as Local Planning Authority. The car parking spaces shall then be available at all times whilst the buildings are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

9) The development shall be carried out in accordance with the details within the submitted Crime Impact assessment stamped as uploaded 6th June 2016. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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

10) The development hereby approved shall be implemented in full accordance with the measures as set out within the code for sustainable homes Pre-Assessment Summary uploaded 6th June 2016, Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

11) Full detailed designs (including specifications) of all highways works including Traffic Regulation Orders shall be submitted to and approved in writing by the City Council as Local Planning Authority, prior to the development commencing. The development shall be implemented in accordance with the approved details prior to any residential property within the development being first occupied.

Reason - In the interests of highway safety, pursuant to policy T1 of the Core Strategy for Manchester.

12) Within 3 months of the commencement of development a scheme showing the provision for disabled people to gain access to the development, including route widths, levels and gradients, shall have been submitted to and approved by the City Council as local planning authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

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

13) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a

Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

14) Within the development, all trees, shrubs and hedges within the development and/or trees whose root structure may extend within the development, which are to be retained shall be fenced off in accordance with British Standard 5837 (1991) before any building or other operation approved by this permission is carried out . Thereafter, no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence during the construction period.

Reason - In order to avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area, pursuant to policy EN9 of the Core Strategy for Manchester.

15) No trees shall be felled, or have any works undertaken on them, during the bird nesting season (March to August inclusive).

Reason - To ensure the protection of wildlife habitats in the locality, pursuant to policy EN15 of the Core Strategy for Manchester.

16) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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 EN9 and EN15 of the Core Strategy.

17) Development shall not begin until a surface water drainage scheme for the site, based on a hierarchy of drainage options in the NPPG with evidence of an assessment of the site conditions has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

18) Notwithstanding the provisions of Class A, D, E, G Part 1, Class A, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 of any subsequent amending legislation, no extensions, free standing buildings or means of enclosure to properties within the development shall be erected on any public sewer or within a 3 metre strip either side of any public sewer; and no deep rooted shrubs and trees should be planted in the vicinity of the public sewer and overflow systems, unless full details of methodology for ensuring no undue impact is caused to the sewerage system, and those works are fully agreed in writing with the local planning authority.

Reason - To preserve access to the sewer for maintenance and improvement in the interests of flood prevention, pursuant to policy EN14 of the Core Strategy for Manchester.

19) 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) none of the dwellings hereby approved shall be used for any other purpose (including any other purpose in Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

20) Prior to the installation of driveways to dwellings, the surfacing materials shall be submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

Reason- To prevent the increased risk of flooding, pursuant to policy EN17 of the Core Strategy.

21) Development shall not begin until a sustainable drainage management and maintenance plan for the lifetime of the development has been submitted to and agreed in writing by the local planning authority, the sustainable drainage management plan shall include as a minimum:
The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a residents management company and;
Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance

mechanism for the lifetime of the development, pursuant to SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

22) The approved scheme for the storage and disposal of refuse shall be implemented in accordance with the Waste Management Strategy submitted with the application uploaded 6th June 2016.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 the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester

23) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no garage shall be used for any purpose which would preclude its use for the parking of a motor vehicle and no development shall be undertaken that would preclude vehicular access to the garage.

Reason - The loss of garage parking space could result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

24) Notwithstanding plan ref:AA6169 2017 before the dwellinghouses hereby approved are occupied, a hard and soft landscaping treatment scheme for all areas of open space and landscaping, together with long term maintenance arrangements (including long-term, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens))has been submitted to and approved in writing by the City Council as local planning authority. The content of the plan should include elements to mitigate for loss of trees, shrubs and bird nesting habitat. The approved scheme shall be implemented not later than 12 months from the date of first occupation of any building within that Phase. 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 for Manchester.

25) Notwithstanding the details on plan ref: AA6169 2017 all highways within the development hereby approved shall be subject to 20 mph speed restrictions. Within 3 months of commencement of development a scheme to achieve this restriction shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the Local Planning Authority.

Reason - In the interests of highway safety, pursuant to policy T1 of the Core Strategy for Manchester.

26) If the tree removal hereby approved does not commence before 1st April 2017, the trees will be reassessed for bat roosting potential, and the finding supplied to and agreed in writing by the City Council as local planning authority.

Reason - Reason - To ensure the protection of wildlife habitats in the locality, pursuant to policy EN15 of the Core Strategy for Manchester

27) Development shall not begin until details of the measures to prevent any contaminated surface water run-off, wind-blown dust, or other debris entering the waterway or construction materials from the development reaching the Rochdale Canal have been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall subsequently be implemented in accordance with the approved measures.

Reason - To prevent pollution of the Rochdale Canal, pursuant to policy EN14 and EN17 of the Core Strategy for 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

Date: 25 October 2016

Signed: 

Julie Roscoe
Head 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, he may appeal to the First 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 Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he 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 of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.