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 J Heenan
Eton Park Consulting Ltd
Unit B1
Hercules Office Park
Cheadle Hulme
Stockport
SK3 0UX

Agent (if used)

Mr Philip Garner
Garner Town Planning Ltd
High Lane House
148 Buxton Road
High Lane
Stockport
SK6 8ED

Part 1 – Particulars of the application/development

Proposal: Rooftop extension to form 3 two-bedroom apartments and provision of an additional 3 car parking spaces

Location: The Quadrangle , 6 Albany Road, Manchester, M21 0AW

Date of application: 23 September 2019

Application number: 124848/FO/2019

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The proposed extension was amended following concerns about the design and materials as originally submitted and raised both objections and comments in support from residents, on second consultation. No objections were raised by the Highway Authority or Environmental Health on either consultation.

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:

The application form received 16 September 2019;
Location Plan received 16 September 2019;
Existing Floor Plans Ref: 018-181-01 received 16 September 2019;
Existing Elevations (1 of 2) Ref: 018-181-05 received 16 September 2019;
Existing Elevations (2 of 2) Ref: 018-181-06 received 16 September 2019;
Existing Roof Top Amenity received 1 October 2020;
Existing Roof Top Amenity received 1 October 2020;
Proposed Floor Plan Ref: 20-263-01A received 4 November 2020;
Proposed Elevations (1 of 2) Ref: 20263-02A received 5 November 2020;
Proposed Elevations (2 of 2) Ref: 20263-03 received 1 October 2020;
Planning Statement prepared by Steven Redfern-Blair and John Thornley dated 4 August 2019
Statement of Community Involvement letter written by John Dolan (Eton Park Consulting Ltd)
MCC Waste Proforma received 23 September 2019

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3) 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. The development shall be constructed only using the approved materials.

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 pursuant to policies SP1 and DM1 of the adopted Manchester Core Strategy and to the guidance contained within the National Planning Policy Framework.

4) Before first occupation the bathroom / WC windows in the development and the lower sections of the living room windows to Units 2 and 3 facing Cosgrove Hall Court, 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 residential properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Albany Road and the Metrolink

shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq
Gardens and terraces (daytime) 55 dB LAeq

Upon completion of the development and before first occupation of the residential units, 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 consultant's report. The report shall also undertake post completion testing to confirm that the internal 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 internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policy DM1 of the Core Strategy.

6) Prior to the commencement of construction works, details of a swept path for vehicular movements into and out of the basement car park showing the relationship between moving and parked vehicles and the cycle store, and the location of the electric vehicle charging point in relation to the parking spaces, shall be submitted to and approved in writing by the City Council as local planning authority. The relevant works shall be undertaken in accordance with the agreed details.

Reason - In the interests of pedestrian and highway safety pursuant to policy DM1 of the Core Strategy.

7) Prior to the commencement of any development, a Construction Management Plan, including sections on Noise and Vibration and dust emission based on the British Standard BS5228 and with reference to other relevant standards, shall be submitted to and approved in writing by the City Council as local planning authority.

For the avoidance of doubt, the Construction Management Plan and shall also include:

- Dust suppression measures;
- Noise and Vibration Assessment;
- Compound and material storage locations where relevant;
- Location, removal and recycling of waste;
- Details of including the display of an emergency contact telephone number;
- Routing and parking of construction vehicles and staff vehicles;
- Sheeting over of construction vehicles.
- Swept paths and size of the largest vehicle;
- Access arrangements for pedestrians;

- Methods of working adjacent to the Metrolink Hazard Zone;
- Community Consultation Strategy including days and hours of work.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

8) Construction work shall be confined to the following hours:

Monday - Friday 7.30am to 6pm
Saturday - 8.30am to 2pm
Sunday/Bank Holiday - No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction phase, pursuant to Core Strategy policies SP1 and DM1.

9) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied. The car parking shall then be made available at all times whilst the site is occupied.

Reason - To ensure that there is adequate cycle storage and car parking for the development proposed when the building is occupied, pursuant to policies SP1 and DM1 of the Core Strategy.

10) The development (or phase thereof) hereby approved shall not be occupied or used until written confirmation of a secure by design accreditation has been submitted to the local authority.

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.

11) Notwithstanding the submitted waste proforma and waste plan and before development commences, a scheme for the storage and disposal of refuse, including confirmation of the area of the bin store to confirm there is 0.43m2 per apartment and the provision of recycling in addition to general waste bins, shall be submitted to and approved in writing by the City Council as local planning authority. 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 to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 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

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

Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Date: 5 November 2020

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

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 of 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.