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

Bailey
33 Bankfield Road
Nabwood
Bradford
BD18 4AJ

Agent (if used)

Mr Michael Ainsworth
MADP
11 Woodvale Crescent
Bingley
BD16 4AJ

Part 1 – Particulars of the application/development

Proposal: Erection of two storey building to form 3 x Class B2 (General Industrial) units with associated car parking area, landscaping and formation of vehicular access points to Bertha Street and Welcomb Street

Location: Land Adjacent To Bertha Street And Ashton Old Road, Manchester, M11 2NA

Date of application: 31 March 2021

Application number: 128112/FO/2020

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. Discussions have therefore been undertaken with the applicants' agent to ensure that issues relating to site management, vehicular access and egress, crime and security and the siting and design of the proposed building have been a satisfactorily responded to. The submitted information has allowed the development to be appropriately assessed.

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 stamped as received by the City Council as local planning authority on 1 March 2021, 30 June 2021 and 6 August 2021:

Planning application forms
Block & Site Plan Ref: 1075/ 201I
Proposed Elevations Ref: 1075 / 202F
Landscaping Plan Ref: 1075 / 203D
Ashton Old Road, Manchester, Environmental Standards Statement dated March 2021 by Element Sustainability referenced 2021.004.
Open Space Assessment - Land adjacent to Bertha Street & Ashton Old Road Manchester dated January 2021 by Aire Valley Planning
Transport Technical Note by DTPC dated 10 April 2021 Ref: J1081-TN1

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 the City of Manchester.

3) No above ground construction works 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 for the City of Manchester.

4) The development hereby authorised shall be implemented and maintained as three, Class B2 (General industrial) units at all times, which shall not be sub-divided or used for any other purposes.

Reason - In interests of the visual amenity of the area within which the site is located and to ensure that the development is appropriate related to the capacity of the site, pursuant to in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

i. Display of an emergency contact number;
ii. Details of wheel washing;
iii. Compound locations where relevant;
iv. Location, removal and recycling of waste;
v. Routing strategy and swept path analysis;
vi. Parking of construction vehicles and staff;
vii. Sheeting over of construction vehicles.
vii. Parking of construction vehicles and staff;
ix. Sheeting over of construction vehicles.

Development shall be carried out in accordance with the approved construction management plan upon commencement of authorised works.

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

6) All work, other than the undertaking of servicing, deliveries and the movement of vehicles, shall take place within the authorised Class B2 units and not within the external areas of the of the site.

Reason - In the interests of residential amenity and to avoid undue noise and disturbance pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

7) a) Before first occupation of the authorised Class B2 units, any externally mounted plant and equipment and/or ancillary mechanical equipment and compressors for use inside the respective units that may be required as part of the development shall be acoustically
insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority to secure a reduction in the level of noise from the equipment.

b) Prior to occupation of the development a verification report shall be submitted to and approved in writing by the City Council as local planning authority 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 have 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 safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

8) Prior to its installation, any equipment required relating to the extraction of fumes, vapours and odours from the premises relating to the authorised development, shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to a timescale agreed with the City Council as local planning authority and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

9) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, detailing a strategy for undertaking servicing and deliveries, including the routing of delivery vehicles and the arrangements for the supervision of vehicles accessing, egressing and manoeuvring within the site, including the undertaking of waste and recycling management. The arrangements shall be fully implemented before the occupation of the development and maintained in situ at all times thereafter.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

10) Before the first occupation of the development, a scheme for the storage (including segregated waste recycling) and disposal of refuse 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 residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

11) All waste and recyclable material shall be stored within the authorised storage enclosures or within the authorised Class B2 units at all times prior to its disposal. No waste, recyclable material or parts shall be stored within the external areas at any time, including scrap metal tyres and used oil products.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

12) Before the occupation of any part of the development, a drawing shall be submitted to and approved in writing by the City Council as local planning authority, detailing the appearance, siting and specification of enclosures for the storage of waste. The approved details shall be implemented in accordance with the agreed waste management strategy before the occupation of any part of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

13) Before the first occupation of the authorised development, the car and servicing area shall be surfaced, demarcated and made available for use in accordance with the details of drawing ref: Block & Site Plan Ref: 1075/ 201I and maintained in situ at all times thereafter. The car park shall be in situ upon first occupation of the development and maintained in situ at all times thereafter.

Reason - In order to facilitate the satisfactory operation of the site and ensure the appropriate provision of car, cycle and delivery vehicle parking, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

14) The car park shall on drawing ref: Block & Site Plan Ref: 1075/ 201I shall only be used in conjunction with the authorised Class B2 development.

Reason - In order to facilitate the satisfactory operation of the site and ensure the appropriate provision of car, cycle and delivery vehicle parking, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

15) No development shall take place until details of required highways works to Stockport Road, Bertha Street, Whitworth Street and Welcomb Street have been approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details.

Reason - In order to facilitate the satisfactory operation of the site and to safeguard pedestrian and highway safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

16) Before the occupation of the authorised building, details of the specification and appearance of the enclosure for the storage of cycles in the position shown on drawing referenced Block & Site Plan Ref: 1075/ 201I, shall be submitted to and approved in writing by the City Council as local planning authority. The approved enclosures shall be available for use upon occupation of the authorised building and maintained in situ thereafter.

Reason - In order to ensure appropriate waste and secure cycle storage, pursuant to policies SP1, EN19, T1 and DM1 of the Core Strategy for the City of Manchester.

17) Before the occupation of the authorised building, details of the specification and appearance boundary treatments and shown of drawings referenced: Block & Site Plan Ref: 1075 / 201I, including plinths to the base of the fencing shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In order to facilitate the satisfactory operation of the site, in the interests of the amenity of the area and to safeguard pedestrian and highway safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

18) The landscaping specifications indicated on drawings ref: Landscaping Plan Ref: 1075 / 203D shall be implemented within the first full planting season following the completion of the development and maintained in situ and all times thereafter.

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 the City of Manchester.

19) The authorised development shall be designed and constructed in accordance with the recommendations contained within section 3.3 and section 4 of GM Police Design for Security document referenced: Crime Impact Statement: Land adjacent to Bertha Street and Ashton Old Road Openshaw for MADP Version A dated 17 June 2021. Ref: URN:2019/0882/CIS/01.The development shall only be carried out in accordance with these approved details and occupation or use shall not commence until the City Council as local planning authority has acknowledged, in writing, that it has received written confirmation of 'Secured by Design' accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

20) No part of the authorised development be open outside the following hours:

Monday to Saturday: 9.00 am to 6.00pm; Sunday and Bank Holidays 10.00 am to 4.00 pm.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

21) No loading or unloading shall be carried out on the site outside the hours of:

Mondays to Saturdays: 7:30 am to 8:00 pm with no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

22) No development shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the City Council as local planning authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

23) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

o Verification report providing photographic evidence of construction as per design drawings;
o As built construction drawings if different from design construction drawings;
o Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its
lifetime.

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 policies EN8 and EN14 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

24) 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 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 within each phase 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 in each phase 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 for the City of Manchester.

25) The development shall be implemented in accordance with the detail of document referenced: Air Quality Management Strategy Ashton Old Road, Manchester Client: Mahmood Holdings Ltd Referenced: 4211r1 Date: 20th January 2021 by Redmore Environmental, including the provision of 3 electrical vehicle charging points and boiler specifications (as set out on page 34 of the report). The approve detail shall be implemented prior to the first occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and the contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

26) Notwithstanding the detail of document ref: Electric Vehicle Parking by MADP dated 31 March 2021 and before the first occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing the siting, appearance and specification of 3 electrical vehicle (EV) charging points, including details of cable routes for EV charging infrastructure and details of charging capacities all other spaces. The approved scheme shall be implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and the contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

27) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

i. The measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
ii. A commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
iii. Mechanisms for the implementation of the measures to reduce dependency on the private car
iv. Measures for the delivery of specified travel plan services
v. Measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and the Guide to Development in Manchester SPD (2007).

28) The development shall be implemented in accordance with document referenced: Ashton Old Road, Manchester, Environmental Standards Statement dated March 2021 by Element Sustainability referenced 2021.004. The approved measures shall be implemented upon first occupation of the development and maintained in situ at all times thereafter.

Reason - Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1, T2, EN4, EN8 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.

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.

Information for Developers guidance documents can be downloaded using the followinglink:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

The recommendations of the submitted Chevin Geoenviro Associates Phase 1 Desk Study Report, Ref. C0440 dated 20 January 2021, are acceptable (ground investigation including ground gas monitoring wells). However, these details will need to be related to a remediation strategy, as set out in the related condition 24.

In order to address the above drainage condition 22, the following additional information should to be provided:

i. A drainage layout for the final revised masterplan (showing all components, levels and
connectivity).
ii. Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during the critical 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building.
iii. Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site. The overland flow routes drawing should include both internal
and external elevations so an assessment of the flow routes can be clearly identified.
iv. Hydraulic calculation of the proposed drainage system.
v. Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
vi. Invert level of connecting UU combined manhole - to ensure that a gravity connection to this outfall can be achieved.
vii. Construction details of petrol interceptor.

The specification of the electric vehicle (EV) charge points should consist of mode 3, 7kW (32A) single phase, or 22kW (32A) three phase. British Standard BS EN 61851-

1:2011 to be used (Please note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

The applicant should be advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the City Council Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161234 5004).

The City Council as highways authority should be contacted with regard to the required s278 agreement and technical approval. Related details can be found via the following link:

https://www.manchester.gov.uk/directory_record/287709/permission_to_work_on_the_highways__section_278_agreements/category/355/highways_and_pavements

Date: 25 January 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 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.

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