

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

Jones
33 Hardy Lane
Manchester

Agent (if used)

Mr Jitesh Bhatt
Bhatt Architects Ltd
5 Platt Court
Wilmslow Road
Manchester
M14 5LT

Part 1 – Particulars of the application/development

Proposal: Erection of a single storey prefabricated building to form childcare facilities

Location: Chorlton Sports And Social Club, Hardy Lane, Manchester, M21 7BL

Date of application: 14 December 2021

Application number: 132371/FO/2021

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 this delegated report. A total of 34no. neighbours were notified of the application; no comments were received. The scheme is considered to be in accordance with the guidance contained within saved policies of the Unitary Development Plan for the City of Manchester 1995 and the Core Strategy Development Plan Document 2012.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only, expiring on the 31.01.2027, and the buildings and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within one month; in accordance with a scheme previously approved in writing by the City Council local planning authority before this permission expires.

Reason - To enable the City Council to reconsider the suitability, consequences and acceptability of development on the site in relation to residential and visual amenity which are not foreseeable beyond the expiry of this temporary permission, pursuant to the Manchester Core Strategy policies SP1 and DM1 and saved UDP policy DC26.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents received on the 1st of December 2021 or as stated:

Application Form

Amended Page 1 of Application Form received on the 14th of December 2021

Location Plan received on the 9th of December 2021 P125/P/01 REV C

Proposed Site Plan received on the 9th of December 2021 P125/P/02 REV C

Proposed GF Plan P125/P/03 REV A

Proposed Elevations P125/P/04 REV A

Design and Access Statement prepared by Bhatt Architects Ltd P0125/ P1 - Version 1 dated the 22nd November 2021

Waste Proforma

Environment Agency Flood Risk map

TF Jackson - Portable Accommodation Technical Specification

Photos

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) 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 part of the premises shall be used for any purpose within Class E(f) other than as a day nursery for the care of children between the ages of 0 and 11 (inclusive).

Reason - In the interests of residential amenity, to safeguard the character of the area pursuant to policies SP1, DM1 and T1 of the Core Strategy for Manchester, saved UDP policy DC26 and the guidance contained within the National Planning Policy Framework.

4) The premises shall not be open outside of the following hours:-

Monday to Friday 07.30 - 18.00

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.

5) a) Within three months of the commencement of development, 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. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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 policy DM1 of the Core Strategy for the City of Manchester.

6) The car parking layout indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the buildings hereby approved being occupied. The car parks shall remain in use at all times thereafter.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

7) a) Any fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby residential properties, pursuant to saved UDP policy DM1 and policies SP1 and DM1 of the Core Strategy for Manchester.

8) a) Any externally mounted ancillary plant, equipment and servicing required to serve the development, shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme 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 minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved UDP policy DC26 and policies SP1 and DM1 of the Core Strategy for Manchester.

9) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

10) Music and amplified sound is not permitted to be played within the external areas of the childcare facility at any time.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of Manchester's Core Strategy, and saved policy DC26 of the Unitary Development Plan.

11) The cycle parking indicated on the Proposed Site Plan drawing: P125/P/02 Rev C, shall be implemented prior to first use of the development hereby approved and shall be retained in situ and available whilst the development is in use.

Reason - To secure an increase in the modes of sustainable travel options available to the site and to improve local air quality pursuant to Core Strategy policies T1, T2 and EN16.

12) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

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 EN17 of the Unitary Development Plan for the City of Manchester.

13) Prior to first occupation of the development hereby approved, details, including elevations and materials of the proposed boundary fencing to secure the external play area, together with details of the new metal gates alongside the access road, are required to be submitted and approved in writing to the City Council as Local Planning Authority. The approved fencing and gates shall be retained and maintained at all times thereafter whilst the childcare facility is in use or operation.

Reason - In the interests of highway and pedestrian safety pursuant to Core Strategy policies SP1, DM1, T1 and T2.

14) Prior to first use of the development, a scheme for the removal of the works/contractors' compound or any other works associated with the development, and the reinstatement of the affected playing field has been submitted to and approved in writing by the City Council as Local Planning Authority.

The works/contractors' compound and any other works associated with the development must be removed from the site before first use of the development in accordance with the approved scheme.

Within three months of the removal of the works/contractors' compound and any other works associated with the development the affected playing field land must be reinstated in accordance with the approved scheme.

Reason: To ensure the site is restored to a condition fit for purpose and to accord with Core Strategy policy EN10 and paragraph 99 of the NPPF.

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

If hot meals are being prepared and cooked on site for children, the applicant will need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement air.

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy. *The applicant should refer to our

noise from building sites webpage for further information/guidance and also
IAQM/EPUK Construction Guidance

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

It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011).

Date: 28 February 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.