

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

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Agent (if used)

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Architecture:M
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14 Fairfield Square
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Part 1 – Particulars of the application/development

Proposal: Creation of 112 space surface car park, modification to existing boundary treatment, installation of lighting columns and associated landscaping following demolition of foundations of previous buildings for a temporary period of three years

Location: 19 Lind Street, Manchester, M40 7ES

Date of application: 23 March 2022

Application number: 132458/FO/2021

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Temporarily 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. Amendments have been sought during the course of the planning application to ensure that the proposal is acceptable and is only temporary in duration. The proposal is considered to be acceptable and in accordance with the development plan and therefore determined in a timely manner

Condition(s) attached to this decision

- 1) The permission hereby granted is for a limited period only, expiring on 11 May 2025.

Reason - The use hereby granted is for a temporary period only to help meet the short term demand for parking associated with a local employment use and to not preclude the long term development strategy for the area pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

2) The use hereby permitted shall be discontinued no later than the 11 May 2025 and the works comprising the development are required to be removed no later than one month from the use ceasing.

Reason - The use is required to cease within a specified timescale in order to allow reinstatement of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) Prior to the expiration of the temporary period, a scheme to restore the land shall be submitted for approved in writing by the City Council, as Local Planning Authority. The scheme shall be implemented within one month of the use ceasing and thereafter retained and maintained in accordance with this scheme.

Reason - To ensure that the land is reinstated to an appropriate standard in the interest of visual amenity of the site pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

4) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings 200 Rev B and 210 Rev A stamped as received by the City Council, as Local Planning Authority, on the 3 May 2022

Transport statement, drainage strategy and Car park management plan stamped as received by the City Council, as Local Planning Authority, on the 15 March 2022

Air quality assessment stamped as received by the City Council, as Local Planning Authority, on the 23 March 2022

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.

5) Prior to the first use of the development, a lighting scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include, location, height, appearance of any lighting and hours of use. The approved details shall be implemented and maintained and retained for as long as the development is in use.

Reason - To ensure that an adequate lighting scheme is put in place in the interest of the safety and security of the car park pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

6) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

7) Prior to the first use of the development, a car park management plan shall be submitted for approval in writing by the City Council, as Local Planning Authority. This document shall include details of the management and operations of the car park and details of security measures including CCTV and staff management. The approved strategy shall be implemented upon first use of the development and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure the car park is managed and operated appropriately in the interests of policies SP1 and DM1 of the Manchester Core Strategy (2012).

8) Prior to the first use of the car park, the car park (including disabled bays) shall be surfaced and laid out in accordance with drawing 200 Rev B stamped as received by the City Council, as Local Planning Authority, on the 3 May 2022

The approved layout shall be implemented and made available prior to the first use of the development and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure an appropriate parking layout and provision of disabled spaces pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

9) Prior to the first use of the car park, the 21 7kw electric vehicle charging points shall be implemented in accordance with drawing 200 Rev B stamped as received by the City Council, as Local Planning Authority, on the 3 May 2022

The approved electric vehicle charging points shall be implemented and made available prior to the first use of the development and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure an appropriate number of electric vehicle charging points are installed pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

10) (a) Notwithstanding the drainage strategy stamped as received by the City Council, as Local Planning Authority, on the 15 March 2022, the development shall not commence until a scheme for the drainage of surface water from the development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- 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 a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- 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.
- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving

half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.

- 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. Note the attached correspondence from UU regarding a possible SW connection to the public sewer network is for the 375mm combined sewer on Cyrus Street - whereas the proposed drainage layout outfalls North to the sewer on Lind Street

- For sites where proposed development would cause unusual pollution risk to surface water, evidence of pollution control measures (preferably through SuDS) is required - including clarification that the proposed pollution control measures are suitable for the site.

- Hydraulic calculation of the proposed drainage system;

- Construction details of flow control and SuDS elements.

(b) The development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

11) Prior to the first use of the car park, the weldmesh boundary treatment and access barrier, as indicated on drawings 200 Rev B and 210 Rev A stamped as received by the City Council, as Local Planning Authority, on the 3 May 2022, shall be installed and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure the boundary treatment is acceptable in the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

12) Prior to the first occupation of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority.

- Installation of dropped kerbs and tactile paving to car park access and reinstatement of footway along Lind Street;

- Review and revisions to Traffic Regulation Orders (TROs) along Lind Street.

The approved scheme shall be implemented and be in place prior to the first use of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

Informatives

This permission does not grant approval under Building Regulations.

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.

Date: 11 May 2022

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

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 their 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.