

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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Part 1 – Particulars of the application/development

Proposal: Variation of condition nos. 3 (drainage), 4 (bird hazard), 10 (ecology), 15 (contam land) and 18 (construction management) attached to planning permission 122638/FO/2019 to amend the trigger for the submission of information

Location: Land To The South Of Wilmslow Old Road And West Of Aviation Viewing Park, Manchester, WA15 8XQ

Date of application: 30 November 2021

Application number: 132366/JO/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

Officers have worked with the applicant in a positive and proactive manner to resolve any 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 the original planning permission (122638/FO/2019) approved on 1 July 2019.

Reason - Required to be imposed pursuant to Section 92 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:

- a) Drawing no. 60578226-MAN-CBB-DR-008 P1, stamped as received on 27th February 2019
- b) Drawing no. DR 007 P9, stamped as received on 29th May 2019
- c) Drawing no. CBB LL 101 P9, stamped as received on 29th May 2019
- d) Drawing no. CBB LL 102 P8, stamped as received on 29th May 2019
- e) Drawing no. MAN CBB SK LUX P3, stamped as received on 29th May 2019
- f) Drawing no. DR 05 101 P4, stamped as received on 7th February 2019
- g) Drawing no. DR 05 102 P3, stamped as received on 7th February 2019
- h) Drawing no. CBB EE 001 P8, stamped as received on 29th May 2019
- i) Drawing no. 403 A, stamped as received on 7th February 2019
- j) Drawing no. GA01, stamped as received on 7th February 2019
- k) Drawing entitled "location plan", stamped as received on 7th February 2019

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) With the exception of site clearance, no development, or any phase thereof, shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to the local planning authority for approval in writing except where that phase would involve connection to the foul drainage network when the details for the full site will be required. The surface water drainage scheme shall include a timetable for implementation and details of the future management and maintenance of the scheme.

Reason - To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system, pursuant to Policies DM1, EN8 and EN14 in the Manchester Core Strategy.

4) No development to take place, or any phase thereof, until a Bird Hazard Management Plan has been submitted to and approved by the City Council as local planning authority. The development will take place in accordance with the approved Bird Hazard Management Plan at all times.

Reason - In the interests of aerodrome safety, pursuant to Policy DM2 in the Manchester Core Strategy.

5) Prior to the first use of the car park and installation of the following, samples and specifications of all materials to be used in the development, including lighting and CCTV columns and associated street furniture, shall have been first submitted to and approved in writing by the City Council as local planning authority. The development shall not be brought into use unless constructed utilising the approved material specifications.

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 Manchester Core Strategy.

6) Prior to the commencement of above ground works, a highway improvement scheme for Pinfold Lane and Wilmslow Old Road, including a timetable for implementation, shall be submitted to and approved by the City Council as local planning authority.

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

7) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing no. CBB LL 101 P8, stamped as received on 17th May 2019, shall be implemented not later than 12 months from the date of commencement of works. 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 Manchester Core Strategy.

8) Notwithstanding the details shown on drawing no. CBB LL 101 P8, stamped as received on 17th May 2019, no above ground works shall commence until a detailed landscaping scheme for the SSSI and SBI "buffer zone" has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the development becomes operational. 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 Manchester Core Strategy.

9) Any trees or buildings to be removed to facilitate the scheme shall be inspected for the possible presence of bats prior to removal work commencing. A methodology for the surveying of Vicarage Cottages, based on the details contained within the AECOM letter stamped as received on 29th May 2019, shall be submitted to and approved by the City Council as local planning authority and thereafter undertaken in accordance with those approved details.

If bats are found to be present then all tree removal and demolition work shall cease and no further work shall proceed until a scheme to mitigate the impact on bats has been submitted to and approved in writing by the Council as local planning authority. Any such scheme shall be implemented in full in accordance with the approved details and a timetable agreed in writing by the Council as local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

10) Prior to the commencement of the development hereby approved, or any phase thereof, a further inspection of the site for the presence of badger setts shall be submitted to and be approved by the City Council as local planning authority. If badger setts are discovered on the site a Method Statement shall be submitted giving details of the measures to be incorporated to avoid any possible harm to the badgers. The

development shall then be carried out in accordance with the approved Method Statement.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

11) Prior to the commencement of the development hereby approved or any phase thereof, an ecology mitigation, maintenance and management scheme shall be submitted and approved by the City Council as local planning authority and implemented in accordance with the approved details:

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

12) DISCHARGED ON 23/3/21, UNDER APPLICATION CDN/21/0014 - Prior to the development commencing, details of the Great Crested Newt mitigation, based on drawing no. 60578226-MAN-CBB-DR-08-001 R1 stamped as received on 20th June 2019, shall be submitted to and approved by the City Council as local planning authority. The approved scheme shall be provided prior to any works taking place and thereafter retained.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

13) Details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Park Mark accreditation will be achieved shall be submitted to and approved in writing by the City Council as local planning authority. 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 Park Mark accreditation.

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

14) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery

or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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 Manchester Core Strategy.

15) Before the development hereby approved commences, or any phase thereof, 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.

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 Manchester Core Strategy.

16) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

17) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy incorporated into the Planning Statement, stamped as received on 7th February 2019 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

18) No development shall take place, or any phase thereof, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction, including details of and position of any proposed cranes to be used on the site, a detailed programme of the works and risk assessments, has been submitted to, and approved in writing by the Local Planning Authority. The CMP shall provide for:-

1. the designated route for construction and delivery vehicles
2. the parking of vehicles of site operatives and visitors;
3. loading and unloading of plant and materials;
4. storage of plant and materials used in constructing the development;
5. construction and demolition methods to be used; including the use of cranes
6. the erection and maintenance of security hoarding;
7. measures to control the emission of dust and dirt during construction and;
8. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason - In the interests of highway safety, to safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances, pursuant to policies SP1 and DM1 in the Manchester Core Strategy.

19) Prior to the commencement of the development hereby approved or any phase thereof a Construction Environmental Management Plan must be submitted to and be approved by the City Council as local planning authority and thereafter implemented in accordance with those approved details. The Construction Environmental Management Plan must show how the main construction effects of the development are to be minimised, with include detailed mitigation measure such as:

1. details of construction and demolition waste management;
2. details of pollution prevention;
3. dust control measures during demolition;
4. details of any lighting scheme proposed during construction;
5. details of site access, working and safety zones, together with temporary fencing proposals for the site access and site perimeter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 in the Manchester Core Strategy.

20) The installation of lighting shall not commence until full details of the schemes of lighting required during construction and for the completed development have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme is to be designed so as not to conflict with any safeguarding criteria and shall specify that lighting is of flat glass, full cut off design with horizontal mountings and no light spill above the horizontal.

Reason - To ensure that the lighting does not confuse or distract pilots and Air Traffic Controllers in the vicinity of the aerodrome and to ensure the safe operation of aircraft, pursuant to Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 and Policy DM2 in the Manchester Core Strategy.

21) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

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: 28 March 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 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.