

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

City in the Community
Manchester City
Etihad Stadium
Etihad Campus
Manchester
M11 3FF

Agent (if used)

Roberta Paludi
Darntonb3
4th Floor
10 South Parade
Leeds
LS1 5QS

Part 1 – Particulars of the application/development

Proposal: Creation of new activity space within existing playground area including mini football pitch with associated lighting and boundary treatment

Location: Land Off Scotland Hall Road To The Rear Of Amos Avenue, Manchester, M40 2RE

Date of application: 18 November 2021

Application number: 131917/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

Officers have worked with the applicant/agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about the overspill lighting features, ground contamination and the additional noise generated across the activity space, further details are required to resolve the issues and the appropriate conditions will be attached.

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 documents and drawings:

Plan ref: 13034 DBS S01 ZZ DR A 90103 P6 Proposed Site Plan
Plan ref: 13034 DB3 B01 XX DR A 90105 P3 Remediation Plan
Plan ref: 13034 DBS S01 ZZ DR A 90104 Site Sections
Plan Ref: 13034-DB3-B0X-XX-DR-A-90201 Equipment A Football Panna
Plan Ref: 13034-DB3-B0X-XX-DR-A-90202 Equipment B Football Tennis
Plan Ref: 13034-DB3-B0X-XX-DR-A-90203 Equipment C Passing Squares
Plan Ref: 13034-DB3-B0X-XX-DR-A-90204 Equipment D Large Goal
Plan Ref: 13034-DB3-B0X-XX-DR-A-90205 Equipment E Play Cross Goal
Plan Ref: 13034-DB3-B0X-XX-DR-A-90206 Equipment F Large Goal
Plan Ref: 13034-DB3-B0X-XX-DR-A-90209 Equipment J Run Loop Markers
Plan Ref: 13034-DB3-B0X-XX-DR-A-902014 Equipment I Large Goal + 1v1+Basketball
Plan Ref: 13034-DB3-B0X-XX-DR-A-902015 Equipment P Full Height Fence Panel
Plan Ref: 13034-DB3-B0X-XX-DR-A-902016 Equipment Q Mini Fence
Plan Ref: BS 5837:2012 No. 18-1673.02 Arboricultural Survey
Plan Ref: BS 5837:2012 No. 18-1673.04 Arboricultural Survey
Design & Access Statement ref: 13034-DB3-B01-ZZ-RP-A-00007
Construction (Design & Management) Regulations 2015- Residual Risk Assessment Form
Construction (Design & Management) Regulations 2015- Cleaning Access & Maintenance Statement
Electrical Services Performance Specification
Geo-Environmental Assessment ref: 18-1673.04
Remediation and Verification Strategy ref: 18-1637.04

The documents and drawings stated above were stamped as received by the City Council as Local Planning Authority on 13 October 2021.

Plan Ref: DR-A-900001 P4 Location Plan stamped as received by the City Council as Local Planning Authority on 18 November 2021

Plan Ref: Musco Design 203646C
Plan Ref: 203646_ULR

Stamped as received by the City Council as Local Planning Authority on 03 February 2022.

Performance Specification Ref: 13034-DB3-B0X-XX-SP-A-00002 stamped as received by the City Council, as Local Planning Authority on 08 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 Manchester Core Strategy (2012).

3) The boundary treatment hereby approved shall be carried out in accordance with the following documents in relation to boundary treatment:

Plan Ref: 13034-DB3-B0X-XX-DR-A-902015 Equipment P Full Height Fence Panel
Plan Ref: 13034-DB3-B0X-XX-DR-A-902016 Equipment Q Mini Fence

Stamped as received by the City Council as Local Planning Authority on 13 October 2021.

The boundary treatment shall be implemented prior to the first use of the development hereby approved and thereafter retained and maintained in situ

Reason- To ensure an appropriate appearance for the boundary treatment, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (1995).

4) a) The lighting scheme hereby approved shall be carried out in accordance with the following documents:

Plan Ref: Musco Design 203646C

Plan Ref: 203646_ULR

Stamped as received by the City Council as Local Planning Authority on 03 February 2022.

The lighting scheme shall be implemented prior to first use if the development hereby approved and thereafter retained and maintained in situ

b) Prior to first use of development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirement in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 criteria. Any additional mitigation measures should be implemented within a timescale agreed in writing by City Council, as Local Planning Authority.

Reason - To ensure an appropriate lighting scheme is installed, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

5) The operating hours of the lighting system are as follows as approved as part of Condition 4:

Monday-Sunday- Must cease at 9pm

The operating hours of the lighting system shall remain in place for as long as the development remains in use.

Reason- To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

6) Prior to the commencement of development, a detailed construction management plan outlining working practices during construction of the development has been submitted to and approved in writing by the Local Planning Authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust and dirt suppression measures;
- o Highway dilapidation survey;

- o Compound locations were relevant;
- o Consultation with local residents;
- o Location, removal/loading, storage and recycling of waste, plant and materials;
- o Routing strategy and swept path;
- o Parking of construction vehicles and staff;
- o Sheeting over of construction vehicles;

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

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

Reason- To safeguard the amenities of nearby residents, highway safety and the safety and operations of the adjacent tramway, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) The development hereby approved shall be carried out in accordance with Geo-Environmental Assessment, ref 18-1673.04 (Deltasimons December 2019) and Remediation and Verification Strategy ref 18-1673.04 (Deltasimons 2020) stamped as received by the City Council, as Local Planning Authority on 13 October 2021 in respect to the clean cover layer. The clean cover layer shall be 300mm.

b) Prior to first use of development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirement in part (a) of this planning condition. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria which shall be implemented in line with a timescale agreed in writing with 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 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- Reason- To ensure that the presence of contaminated land is appropriately treated at the site pursuant to EN18 of the Unitary Development Plan for the City of Manchester.

8) Prior to the commencement of works associated with the removal of earthwork at the site, as indicated on drawing Plan ref: Plan ref: 13034 DB3 B01 XX DR A 90105 stamped as received by the City Council, as Local Planning Authority, on the 13 October 2021, a Material Management Plan shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how material will be excavated and moved on, around and off the site. The earthworks shall be carried out in accordance with the agreed Material Management Plan.

Reason- To ensure that earthworks and removal of contaminated material is carried out in accordance with an appropriate method statement pursuant to EN18 of the Unitary Development Plan for the City of Manchester.

9) All tree work should be carried out by a competent contractor in accordance with British Standard BS 5837 "Trees in relation to Design, Demolition and Construction'.

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 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

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 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 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