

## **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](mailto:planning@manchester.gov.uk)

## **Town & Country Planning Act 1990 (as amended)**

### **Planning Permission**

#### **Applicant**

Mr Henry Litherland  
Manchester City Football Club  
City Football Academy  
400 Ashton New Road  
Manchester  
M11 4TQ

#### **Agent (if used)**

### **Part 1 – Particulars of the application/development**

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**Proposal:** Temporary planning permission for 34 catering/retail/activation units around the ring road of the Etihad stadium, as well as in the City Square area to the North of the stadium, for a period of 5 years

**Location:** Etihad Stadium , Ashton New Road, Manchester, M11 3FF

**Date of application:** 12 November 2021

**Application number:** 132161/FO/2021

### **Part 2 – Particulars of decision**

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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**

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### **Condition(s) attached to this decision**

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0) 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. Clarification has been sought during the application about the period of use, identification of numbers of units in each of the zones proposed. The proposal is considered to be in accordance with the development plan and therefore determined in a timely manner.

1) The permission hereby granted is for a limited period only, expiring on 5th January 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 The buildings proposed will help support the operations and uses at the Etihad stadium, however, the buildings proposed are of a temporary nature. Consideration must be given to a long term strategy for dealing with food/drink and merchandising uses at the stadium. In the interim period the proposal is acceptable pursuant to policies SP1, EC7, C10 and DM1 of the Manchester Core Strategy (2012).

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

Rapid retail unit plan ref: ( RAP\_9m3mOPN01A Tab 2 of 2 ) ;

Licensed bar dimension plan;

White Circle Rental Structure visuals and dimensions document ;

received by the City Council, as Local Planning Authority on 8th November 2021.

Applicant email dated 30.11.2021 confirming no impacts any service/emergency routes, or any access to parking.

Location plan Etihad stadium forecourt plan ref: ET-CS 01 rev.02 received by the City Council, as Local Planning Authority on 4th January 2022.

Email from agent dated 4th January 2022 confirming numbers of units to be located within the referenced zones Location plan Etihad stadium forecourt plan ref: ET-CS 01 rev.02.

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 catering/retail/activation units hereby approved, as indicated on the site plan received by the City Council, as Local Planning Authority, on 4th January 2022 shall only be in use on football match days and any other major events.

Reason - The interest of residential amenity and impact on the nearby Eastlands District Centre pursuant to policies SP1 and C10 of the Manchester Core Strategy (2012).

4) Prior to the first use of the development, details of the location and waste management requirements (including litter picking around the public realm) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development and thereafter be retained and maintained for as long as the development remains in use.

Reason - To ensure that there are adequate refuse arrangements for the development pursuant to policy DM1 of the Manchester Core Strategy (2012) .

## **Informatives**

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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.

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The catering/retail/activation units should be of robust construction, locked securely and consideration should be taken to install appropriate alarms.

The roof should be of robust construction to prevent criminal intrusion. Certified lightweight roof systems are available to LPS 1175 SR1.

There should be no features of the building or any nearby hard/soft landscaping features (e.g. trees, rainwater downpipes, nearby boundaries, louvered features, projecting window cills, lighting columns etc.) that would facilitate climbing. Cash should not be stored in the premises overnight.

Consultation should be had with the Safety Advisory Group (SAG), or any other relevant body, who can consider the safe movement of the public visiting the stadium before the units are installed .

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](https://cadentgas.com/diversions).

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](https://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

Date: 5 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](http://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](mailto:planning@manchester.gov.uk)) and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](http://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.

## 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](mailto:planningconsultation@coal.gov.uk)

Website: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

### **INFORMATIVE NOTE**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

*This Informative Note is valid from 1<sup>st</sup> January 2019 until 31<sup>st</sup> December 2020*