

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

Mr Andy Rushton
J Allcock and Sons Ltd
Ambrose Street
Manchester
M12 5DD

Agent (if used)

Mr Paul Casebourne
Engineered Solutions Projects Ltd
379 Stamfordham Road
Newcastle upon Tyne
NE5 2LH

Part 1 – Particulars of the application/development

Proposal: Creation of external storage area, on existing open space, in association with adjacent industrial use, involving the erection of 2.5 metre high paladin fencing, around the site, and the storing of containers up to a height of 4.3 metres

Location: J Allcock And Sons Ltd , Ambrose Street, Manchester, M12 5DD

Date of application: 25 October 2021

Application number: 131664/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 based on seeking solutions to problems arising in relation to dealing with the planning application. There were extensive pre-application discussions about the details required with the application, and during the application process in relation to matters including drainage, hours of operation and highways matters. The proposal is now considered to be in accordance with City Council policy and the applicant has agreed to the proposed pre-commencement conditions.

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 drawing and documents:

Advanced Turf System document, SUDS Permeable Pavement document and Flood Risk Assessment dated January 2021 (ref:LM3005-AAS-LE-GEN-XX-RP-CE-FRA01-Flood Risk Assessment), stamped as received by the City Council, as Local Planning Authority, on 6 October 2021.

ASL Site Investigation report dated April 2021 (ref:317-20-365-09) and drawings numbered 16976.0 Issue A, 16976.1 Issue A, 16976.2 Issue A (which confirms that paladin fencing will be erected along site boundaries, at a height of 2.543 metres and that items will be store to a maximum height of 4.273 metres), 16976.3 Issue A and 16976.0 Issue A, stamped as received by the City Council, as Local Planning Authority, on 25 October 2021.

Email from the planning agent, dated 23 November 2021, confirming access arrangements for site.

Email from the planning agent, dated 2 December 2021, confirming hours of operation.

Email from the planning agent, dated 17 December 2021, which confirms that the site edged red extends beyond the indicated fence line and runs along edge of the watercourse to the south of the site and is that shown on drawing numbered 16976.0 Issue A and labelled 'Plan of application perimeter with boundary measurements and square meterage of plot subject to survey', and stamped as received by the City Council, as Local Planning Authority, on 25 October 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy and saved policy DC26, of the Unitary Development Plan for the City of Manchester.

3) Prior to first use of the external storage area hereby approved, the proposed operating hours shall be submitted to and approved in writing by the City Council, as Local Planning Authority. Thereafter the use of the external storage area shall be confined to the approved operating hours

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 7.30 am to 8.00 pm, 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 Manchester Core Strategy.

5) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and policies EN08 and EN14 of the Manchester Core Strategy.

6) Prior to commencement of the use hereby approved a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority. The NMP shall include an assessment of noise from all activities associated with the use of the site, and relate this assessment to the proposed hours of operation. The scheme shall be implemented in full before the use commences.

Reason - To safeguard the amenities of the occupiers of nearby residential properties. pursuant to policies SP1, H1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

7) No development shall take place until verification has been provided that the proposed surfacing can adequately accommodate the necessary vehicle loads. The development shall only be completed in accordance with these approved details.

Reason - In the interests of site safety and the satisfactory development of the site , pursuant to Policies SP1 and DM1 of the Manchester Core Strategy.

8) The materials and storage containers to be located on the site shall not exceed a height of 4.3m above ground level.

Reason - In the interests of visual amenity pursuant of policy DM1 of the Core Strategy.

9) The 2.5m high paladin fencing boundary treatment shall be completed in accordance with drawing number 16976 rev.A, shall thereafter be retained.

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 in order to comply with policies SP1 and DM1 of the Core Strategy.

10) The external storage area hereby approved shall only be used, in association with adjacent industrial use, and shall not be used as a separate business.

Reason - In the interests of residential amenity , pursuant of policy DM1 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.

Environment Agency records identifies that site currently holds a U9 waste exemption (using waste to manufacture finished goods). For the purpose of continued operation without modification, the site must remain in compliance with the parameters of the present exemption. If as a consequence of the development proposal the site will no longer be compliant with the parameters of its present exemption, then an updated exemption or an environmental permit may be necessary- in accordance with Regulation 12 the Environmental Permitting (England and Wales) Regulations 2016 More information on the definition of waste can be found here:

<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:

<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

If you require any advice or guidance on waste permitting requirements then please contact the Environment Agency Waste Team via:

GMMCWasteEnquiries@environment-agency.gov.uk.

Date: 20 December 2021

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