

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 Abdul Qayum
Manchester Youth Academy Ltd
10A Dig Street
Ashbourne
DE6 1GF

Agent (if used)

Mr David Hemstock
Hemstock Design Ltd
Ashbourne
DE6 1GF

Part 1 – Particulars of the application/development

Proposal: Installation of 3G synthetic sports pitch area, comprising 2 x 5-a-side and 1 x 7-a-side pitches with associated boundary treatment, floodlighting landscaping and works to the parking area

Location: Rushford Park Sports Complex , Slade Lane, Manchester, M19 2AH

Date of application: 10 September 2020

Application number: 127153/FO/2020

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 based on seeking solutions to problems arising in relation to dealing with the planning application. Early discussions took place regarding various aspects of the scheme including community use, fencing height, trees and relationship to Network rail land. The proposal is considered to be acceptable and therefore determined within a timely manner.

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 drawings and documents:

Drawings numbered 2005-ZZ-LL-DR-A-09001 rev P-0, 2005-ZZ-LL-DR-A-20001 rev P-0, 2005-ZZ-LL-DR-A-52001 rev P-0, 2005-ZZ-LL-DR-A-20101 rev P-0, 2005-ZZ-LL-DR-A-20102 rev P-0 and 2005-ZZ-LL-DR-A-52101 rev P-0
Flood Risk assessment dated 11 June 2020
All stamped as received by the City Council, as Local Planning Authority, on 12 June 2020.

Drawing titled 'Rushford Park Base Update_3-8-2020, stamped as received by the City Council, as Local Planning Authority, on 12 June 2020.

Design and Access Statement Revision A, dated 6 August 2020
Nova Acoustics Noise Impact assessment dated 26 June 2020
Transport Statement dated 10 July 2020
All stamped as received by the City Council, as Local Planning Authority, on 26 August 2020

Drawings titled 'HLS918 ISO CONTOUR PLA1 ', 'HLS918 NEW OR REV1 DUCT-DRAWING', 'HLS918 NEW OR VERTICAL SPILL' and 'OPTIVISION GEN3',
S & C Drain Services Report dated 15 July 2020
All stamped as received by the City Council, as Local Planning Authority, on 10 September 2020

Email from David Hemstock, dated 19 November 2020, which confirms that no trees are to be removed on site.

Emails from Abdul Qayum, dated 20 November 2020, which confirms the security arrangements at the site, compliance with Network Rail criteria and community use arrangements at the site.

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) No above ground works shall commence until details of the design and layout of the Artificial Grass Pitches have been submitted to and approved in writing by the Local Planning Authority. The details shall include dimensions of the playable area and run off areas, cross sections of the sub layers, fencing type and height, overhead ballstop fencing, and materials to be used in the construction of the Artificial Grass Pitch. The Artificial Grass Pitch, and associated works, shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and 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.

4) Prior to the installation of flood lighting of the sports pitches/multi use games courts elevation/height details of the lighting columns and hours of use of the flood lighting shall be submitted to and approved in writing by the City Council as Local Planning Authority. The flood lighting to the sports pitches/multi use games courts shall then be used in accordance with these approved details.

If, when the lighting units are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as LPA confirm in

writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

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

5) No activity shall take place on the pitch/field/court outside the hours of:

Monday to Sunday, 08:00 to 23:00.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation

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.

6) In the event that ground contamination, groundwater contamination and/or ground gas are encountered 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 detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy.

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

7) The details for waste management as indicated in the Design and Access Statement Revision A, dated 6 August 2020 and stamped as received by the City Council, as Local Planning Authority, on 26 August 2020 shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies DM1, EN19 and SP1 of the Manchester Core Strategy.

8) Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Artificial Grass Pitch and include details of pricing policy, hours of use, access by non-Manchester Youth Academy users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy, pursuant to policies EN9 and EN12 of the Manchester Core Strategy and guidance contained in the National planning Policy Framework.

9) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the first use of the playing pitches hereby approved. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies DM1 and T2.6 of the Manchester Core Strategy.

10) Car parking at the site shall only operate in accordance with a car parking management strategy that shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority prior to the first use of the pitches hereby approved. For the avoidance of doubt this includes the staggering of activities, and use of car park marshalls and arrangements for coaches/minibuses. The site shall thereafter operate in accordance with this approved car parking management strategy.

Reason

To ensure the effective management of car parking at the site and in order to reduce levels of on-street parking in the vicinity of the site, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

11) Prior to any above ground works commencing a detailed hard and soft landscaping treatment scheme shall be 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 buildings are first occupied. 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

12) 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.

13) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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.

14) Prior to the first use of the development hereby approved, full details of the design and locations of the indicated 'ecology area' and biodiversity enhancement measures shall be submitted and agreed with the Local Planning Authority. The permanent enhancement measures shall be installed in accordance with the agreed details and thereafter maintained.

Reason - To provide ecological improvements to comply with policy EN15 of the Manchester Core Strategy.

15) No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies DM1, EN14 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework.

16) Prior to above ground works commencing on site details should be submitted to and approved in writing by the City Council, as Local Planning Authority which demonstrates that foul and surface water associated with the development will be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution,, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework

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

1. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property must be agreed with Network Rail Construction Manager.
2. The lighting associated with the development must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains.
3. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 30 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Drainage plans subject to Network Rail acceptance.
4. The applicant is advised to provide a suitable ball proof mesh netting. The netting should be 5m in height to prevent all potential sports equipment, i.e. footballs etc from over-sailing the railway boundary.
5. Network Rail will need to review and agree all excavation and earthworks within 10m of the railway boundary/retaining wall to determine if the works might impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree to any alterations to ground levels, de-watering or ground stabilisation and we would need to agree to the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure.
6. There is an area of land owned by Network Rail, which has been leased to Manchester City Council/Manchester Youth Academy (classified in Network Rail as Miscellaneous Asset Portfolio). Any works in this area to be agreed by Asset Protection

and Property Services (propertyserviceslnw@networkrail.co.uk) - this is in addition to any planning consent.

The applicant is advised that the design and layout of the Artificial Grass Pitch should comply with the relevant industry Technical Design Guidance, including guidance published by the Football Association.

(2) The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.

(3) The applicant is advised that for any football match play to take place the pitch should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS) as a minimum.

Informative: Guidance on preparing Community Use Agreements is available from Sport England <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/community-use-agreements>. For artificial grass pitches it is recommended that you seek guidance from the Football Foundation on pitch construction when determining the community use hours the artificial pitch can accommodate

Date: 7 December 2020

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.