MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Nathan Still
JCDecaux UK Limited
991 Great West Road
Brentford
TW8 9DN

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Installation of 1no. 2.63m high public payphone unit including interactive public information screen following the removal of multiple associated existing telephone kiosk units (associated advertisement consent application ref. 127638/AOH/2020).

Location: Pavement On Deansgate, Deansgate, Manchester, M2 7BR

Date of application: 3 August 2020

Application number: 127638/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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached with the agreement of the Applicant.

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:

Location Plan Os Hunters Deansgate, Manchester, M2 7BR 1:200

Site Plan Os Hunters Deansgate, Manchester, M2 7BR 1:1250
Proposed Site Location Photo - Outside Hunters Deansgate
Application Document Part 1 Proposal Background and City Maps
Application Document Part 2 Hub Detail - New Sites
Application Document Part 3 Sustainability Aims and Achievements
Application Document Part 4 Pavement Remediation
Cover Letter (30 July 2020)
Letter response to sound & light comments (dated 1 September 2020)
Letter response to TfGM and GMP (DfS Team) (dated 16th September 2020)
Appendix B Suggested Conditions and Reasons
Appendix C Noise Level Report - Aug 2020

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies EN3, CC9, SP1 and DM1 of the City of Manchester Core Strategy and saved City of Manchester Unitary Development Plan policies DC17, DC18, DC19 and DC26

3) Prior to the installation of the telecommunications kiosk unit hereby approved, all existing telecommunication kiosk units as identified on Plan A (Existing INFOCUS Locations) within the submitted document; Application Document Part 1 Proposal Background and City Maps, shall be entirely removed and the land reinstated to its former condition using the same paving materials as surround the existing kiosk site (maintaining any detail or pavement flows) to a standard to accord with the guidance in Department of Transport Specification document for the Reinstatement of Openings in Highways (4th Edition Feb 2019).

Reason - To ensure the wider public benefits of the proposal are delivered in the interests of visual amenity, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy.

4) Notwithstanding the approved plans and documents as specified in condition 2, the telecommunications kiosk unit hereby approved shall be installed to a standard to accord with the submitted document; Application Document Part 4 Pavement Remediation.

For the avoidance of doubt:
(i) the existing pavement materials at the proposal site shall be retained where possible and appropriate;
(ii) Should the existing pavement materials be damaged during installation of the telecommunications kiosk unit, said damaged paving materials shall be wholly replaced with the same materials in size, texture, colour, and detail including matching the pavement flow as relevant, within two calendar months of said damage occurring; and
(iii) No temporary pavement remediation such as temporary tarmac shall be permitted during installation, unless the existing pavement material is tarmac.

Reasons - To ensure a high quality development that does not harm visual amenity, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy.

5) Notwithstanding the approved plans and documents as specified in condition 2 and condition 6, prior to the first operation of the telecommunications kiosk unit hereby approved a management plan shall be submitted to and approved in writing by the City Council as local planning authority, in consultation with Greater Manchester Police and other relevant parties, concerning the use and operation of the free to use service and public information display associated with the unit. The telecommunications kiosk unit

shall be managed and operated in accordance with the approved management plan thereafter.

Reason - To ensure that the use of the associated communication apparatus is properly managed to prevent unlawful use, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy.

6) Notwithstanding the approved plans and documents as specified in condition 2 or condition 5, the telecommunications kiosk unit hereby approved shall not use voice activated or handsfree technology unless and until a Noise Management Plan (NMP) detailing the volume and sound levels have been submitted to and approved in writing by the City Council as local planning authority. The development shall be operated in accordance with the approved NMP thereafter.

Reason - In the interests of residential amenity, pursuant to policy DM1 of the City of Manchester Core Strategy and saved Unitary Development Plan policy DC26.

7) The development hereby approved shall be entirely removed from the land on which it is situated as soon as it is no longer maintained in reasonable working order or operated as a telecommunications service, and the land shall be made good using materials to match the surrounding pavement materials in size, texture, colour, and detail including matching the pavement flow as relevant, within two calendar months of the unit ceasing function.

Reason - In order to safeguard the character and appearance of the local area, pursuant to the City of Manchester Core Strategy policies SP1 and DM1.

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: 4 November 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 of 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 2019 until 31st December 2020