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

British Telecommunications PLC
Manchester East TEC
Crossley Street
Manchester
M18 8BA

Agent (if used)

Miss Isabelle Furter
Lambert Smith Hampton
9 Bond Court
Leeds
LS1 2JZ

Part 1 – Particulars of the application/development

Proposal: Proposed erection of a detached single storey building within existing car park to provide vehicle repair centre to existing BT Fleet

Location: British Telecom Depot, Crossley Street, Manchester, M18 8BA

Date of application: 15 May 2019

Application number: 122913/FO/2019

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

Condition(s) attached to this decision

0) In making its decision, the local planning authority has had due regard to the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in this delegated report. The original application received a number of queries in relation to noise which were taken into consideration in the assessment of the application and brought to the applicant's attention during the course of negotiations. The application was supported by an acoustic survey with mitigation measures that were acceptable on assessment to Environmental Health. In this instance, there were no new issues to raise with the agent, and the appropriate conditions have been attached.

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:

Plan ref: 0001 (Proposed Xpress Centre elevations); 0002 (BT Fleet Manchester Existing site plan); 0003 (Proposed location for Xpress Centre); Site edged red (site plan in relation to BT Fleet Xpress Centre); Portable centre VB1 dimensions and elevations plan: Concrete base dimensions plan;
Design and Access Statement February 2109; Xpress Centres Project Brief rev.4;
Xpress Centre Environmental Policy statement ; Stamped as received 26th March 2019
Noise survey

Email dated 26th March 2019

Waste arrangements in email from planning agent dated 16th April 2019, and 12th June 2019.
Email from planning agent confirming hours of operation dated 5th June 2019.
Email from planning agent dated 17th July 2019 confirming flue heights;
Circular Straight Circular Straight Silencer SLU 50 specification and technical declaration received by email on 15th July 2019

Noise Impact Assessment dated received by email dated 1st November 2019

Xpress Centres Leicester Emissions report ; Activated Carbon Cube filtration specification; Synthetic Pleated Box Filter specification; Dust filter Synthetic Media specification; Paint Arrestor Fibreglass media specification; and Model VB1 Dimensions overview received by email on 19th November 2019;

Xpress Vehicle solutions emissions report received by email 3rd December 2019;

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policies SP1, DC26 and DM1 of the Manchester Development Plan.

3) The external elevations of the Express Centre shall be implemented using silver coloured profile insulated steel composite panels (RAL 9006) .The Express Centre shall be retained and maintained at all times thereafter in accordance with the approved details.

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, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) The development shall be implemented in accordance with the Circular Straight Silencer SLU 50 specification and technical declaration received by email on 17th July 2019 and Noise Impact Assessment dated received by email dated 1st November 2019
Prior to use of the development post-completion testing shall be undertaken and a verification report submitted to the LPA for written approval. The verification report shall validate that the development conforms to the predicted noise levels contained in the

approved Noise Impact Assessment.Any instances of non-conformity shall be detailed along with measures required to ensure compliance with the approved noise levels and any agreed measures shall be implemented prior to use of the development.

Reason - To safeguard the amenities of the occupiers of nearby properties and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP policy DC26.

5) The development shall be implemented prior to occupancy in accordance with the Email from planning agent dated 17th July 2019 confirming flue heights; 0001 (Proposed Xpress Centre elevations; Xpress Centres Emissions report ; Activated Carbon Cube filtration specification; Synthetic Pleated Box Filter specification; Dust filter Synthetic Media specification; Paint Arrestor Fibreglass media specification; and Model VB1 Dimensions overview received by email on 19th November 2019, and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply policies SP1 and DM1 of the Core Strategy.

6) The premises shall not be open outside the following hours:-
09:00 a.m to 5:00 p.m. on Mondays to Fridays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) No deliveries, servicing and collections, including waste collections to the proposed building , shall be carried out before 07:30 a.m. and after 8.00p.m. on Mondays to Saturdays with no loading and unloading on Sundays and Bank Holidays.

Reason - In the interests of residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Core Strategy for Manchester

8) The single storey building hereby approved shall be used as a vehicle repair centre ancillary to the BT Fleet depot only and for no other use.

Reason -To use the property for any other use or as a vehicle repair centre not connection with the existing BT Fleet depot would result in an over intensive use of the site to the detriment of residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

9) All MOT testing and repair work to vehicles shall be undertaken within the application building with doors (including bi-fold doors) closed at all times, except for access and egress.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1, and DM1 of the Core Strategy for the City of Manchester and policy DC26 of the Saved Unitary Development Plan for the City of Manchester.

10) The permission hereby granted is for a building to be used for servicing, car repairs, paint spraying of body work and the undertaking of MOT's only and for no other purpose (including any other purpose within Use Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision

equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and shall not be used for the dismantling of vehicles for scrap.

Reason - Other uses may have a detrimental effect on the neighbourhood and the restriction of the use proposed will enable the Local Planning Authority to consider any further change of use on its merits, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester and policy DC26 of the Saved Unitary Development Plan for the City of Manchester.

11) The disposal of waste shall be undertaken in accordance with the details set out in e-mails from the planning agent dated 16th April 2019 and 12th June 2019 and maintained in situ thereafter.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

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.

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

The proposed development should be designed and constructed to Secured by Design standards including laminated glazing; security-certified windows and doors (please see www.designforsecurity.org/secured-by-design/ or www.securedbydesign.com for more information). Developments that are built to this standard are less likely to be susceptible to crime.

Date: 6 December 2019

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