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 Dale Maybury
Manchester City Council
Manchester Specialist Markets
New Smithfield Market
Whitworth Street East
Manchester
M11 5HD

Agent (if used)

Mr James Kearns
Manchester City Council
Level 8 Town Hall Extension
St Peters Square
Manchester
M60 2LA

Part 1 – Particulars of the application/development

Proposal: CITY COUNCIL DEVELOPMENT for temporary change of use of public open space for the purpose of a Christmas Market for a period of 43 days.

Location: King Street, Manchester

Date of application: 28 October 2019

Application number: 125151/VO/2019

Part 2 – Particulars of decision

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

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only between 8th November 2019 and 21st December 2019; and the use comprising the development for which permission is hereby granted is required to be discontinued on that date and on removal of this any damage to the application site is to be made good.

Reason - The use hereby approved is of a temporary nature only and pursuant to Core Strategy Policies SP1, CC1, CC2, CC4, CC9 and EN3 and DM1 and saved UDP policies DC18.1, DC19.1.

2) The development hereby approved shall be operated in accordance with the following plans and documents:

Site Location Plan MCC XX DR B 004 Rev - stamped as received by the City Council as local planning authority on 14 October 2019

Layout Plan MCC XX DR B 012 Rev - stamped as received on stamped as received by the City Council as local planning authority on 14 October 2019

Manchester Christmas Market 2019 Event Management Health and Safety Plan (V2-22 October 2019) received by the City Council as local planning authority on 24 October 2019.

Phasing of works received by the City Council as local planning authority on 24 October 2019.

Site Specific Traders Information - Appendix 1 King Street received by the City Council as local planning authority on 28 October 2019.

Manchester Christmas Markets 2019 Trader Information Pack received by the City Council as local planning authority on 28 October 2019.

Reason - Pursuant to Core Strategy Policies SP1, CC1, CC2, CC4, CC9 and EN3 and DM1 and saved UDP policies DC18.1, DC19.1, DC26.1 and DC26.5

3) The development hereby granted temporary permission shall be fully managed and operated in accordance with the following event management and operational documents:

Manchester Christmas Market 2019 Event Management Health and Safety Plan (V2-22 October 2019) received by the City Council as local planning authority on 24 October 2019.

Phasing of works received by the City Council as local planning authority on 24 October 2019.

Site Specific Traders Information - Appendix 1 King Street received by the City Council as local planning authority on 28 October 2019.

Manchester Christmas Markets 2019 Trader Information Pack received by the City Council as local planning authority on 28 October 2019.

Reason - To safeguard residential amenity and ensure no unacceptable impacts on the highway, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy and saved Unitary Development Plan policy DC26.

Informatives

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.

Date: 23 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 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.