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

Sumner
National Car Parks Ltd
NML House
61 High Street
Manchester
M4 1AZ

Agent (if used)

Mrs Tess Cook
Ruth Jackson Planning Ltd
Bridge Street Studios
62 Bridge Street
Manchester
M3 3BW

Part 1 – Particulars of the application/development

Proposal: Use of land for a temporary 110 space surface level car park for a three-year period

Location: Land Adjacent To NCP Hulme Street Car Park , Wilmott Street, Manchester, M15 6BQ

Date of application: 12 November 2018

Application number: 121766/FO/2018

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. This has included information required to support the application, and discussions regarding drainage and motorcycle parking.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only, expiring on 25th January 2022; and the works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within 6 months or such other time as previously agreed in writing by the local planning authority; in accordance with a scheme and a timetable of implementation which shall be submitted to and approved in writing by the City Council local planning authority before this permission expires.

Reason - Consent is sought for a temporary period only , and to enable the City Council to consider the acceptability of the continuance of the use at the site on the expiry of the period of consent, having regard to visual amenity and changing circumstances in the locality in order to comply with policies SP1 and DM1 of the Core Strategy.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Proposed site plan Dwg No. 07474_03 Rev K
Location Plan 07474_01
NCP Wilmott Street Security and Maintenance Plan November 2018
Lighting Assessment ref. LG-RPT-001-LightingAssessment Rev B
Curtins Preliminary Site Assessment Ref. 069831-CUR-00-XX-RP-GE-001 Rev V02
Secured By Design Pre-planning consultation letter
Curtins Transport Statement ref. 069831-CUR-00-XX-RP-TP-001-V03 Rev V03
stamped as received by Manchester City Council as Local Planning Authority 6th November 2018.

Planning Statement by Ruth Jackson Planning Ltd
stamped as received by Manchester City Council as Local Planning Authority 9th November 2018.

Boundary Treatment photo
Heads of terms for new lease
stamped as received by Manchester City Council as Local Planning Authority 12th November 2018.

Email from Tess Cook dated 8th January 2019 confirming proposed CCTV coverage received via email 8th January 2019.

Curtins Drainage Statement ref. 069831-CUR-00-XX-RE-C-001 Rev V04
received via email 14th January 2019.

Reason - Consent is sought for a temporary period only and on this basis pursuant to Core Strategy Policies SP1, DM1, T1, T2 and EN14.

3) Development shall not begin until a surface water drainage scheme for the site including a scheme to evidence the pollution control measures (preferably through SuDS) to manage the pollution risk to surface water has been submitted to and approved in writing by the local planning authority. The development shall be constructed, completed and implemented throughout its use in accordance with the approved details.

Reason - 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.

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.

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

The car park entrance is to be used for vehicle and pedestrian access and is being widened to 5m which is acceptable to Highways. Should the planning application be approved then alterations to the highway will be required and are to be undertaken through S278 agreement between the developer and MCC which would include any required technical approval. The following link can be used:

https://www.manchester.gov.uk/directory_record/287709/permission_to_work_on_the_highways__section_278_agreements/category/355/highways_and_pavements

Date: 25 January 2019

Signed: 

Julie Roscoe
Head 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/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

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.

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.