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 Danny Samuels
J.P.S. Property Company Ltd.
Didsbury Business Centre
137 Barlow Moor Road
Manchester
M20 2PW

Agent (if used)

Mrs Emma Whitney
White Peak Planning Limited
Didsbury Business Centre
137 Barlow Moor Road
Manchester
M20 2PW

Part 1 – Particulars of the application/development

Proposal: Proposed change of use from a church (Use Class D1) to an events centre (Sui Generis Use)

Location: Edgar Wood Centre, 71 Daisy Bank Road, Manchester, M14 5GH

Date of application: 1 May 2018

Application number: 119354/FO/2018

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. Pre-application advice was sought and significant concerns were raised in relation to the potential detrimental impact of an events centre on the surrounding highway network and surrounding residential properties. The application was submitted with detailed information relating to these issues and officers have worked in a positive and proactive manner with the applicant to negotiate the submission of further information to address the concerns raised at the pre-application and application stages. Throught the submission of additional information and through the inclusion of appropriately worded conditions, the scheme is now considered to be acceptable and in accordance with the Development Plan.

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:

Noise Impact Assessment
Heritage Statement
stamped as received by the Local Planning Authority on the 12th March 2018

Site Location Plan
Existing Site Layout Plan 1268-PL02
Existing plan numbered 1178.01
Existing Ground Floor Plan 1268-PL03
Proposed Site Layout Plan 1268-PL04 (notwithstanding the position shown for the proposed bin store)
Waste Management Strategy
Planning Statement
Sequential Assessment
stamped as received by the Local Planning Authority on the 25th April 2018

Content of email from Emma Whitney
Transport Note by Mode Transport Planning dated 21st June 2018
Briefing Note - Response to comments from Environmental Health dated 20th June 2018
Sequential Assessment Addendum
Proposed Ground Floor Plan 1268-PL05 Rev B
stamped as received by the Local Planning Authority on the 25th June 2018

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The events centre hereby approved is limited to a maximum number of guests of 100 at any one time, in accordance with the submitted details approved under Condition 2 of this permission.

Reason - In interests of residential amenity in order to reduce noise and general disturbance and in the interests of car parking levels and highway safety 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.

4) The events centre hereby approved shall only operate in accordance with the following hours:-

a) Building - 8am to 2am Mondays to Sundays including Bank Holidays

b) External Areas (excluding comings and goings from Car Park) - 8am to 10pm Mondays to Sundays including Bank Holidays

c) No amplified or percussive music outside the building within the grounds at any time

d) No amplified or percussive music within the building between the hours of 23:00 and 09:00 hours

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.

5) Prior to the commencement of the use hereby approved, an Event Management Plan for the control of noise emanating from the site, including controls for live bands or amplified music playing, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved Event Management Plan shall be adopted for the first event, and shall be so maintained and reviewed whilst the use is in operation.

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.

6) a) Prior to the commencement of the use hereby approved, full details in relation to the installation of an electronic sound limiter to allow the adjustment and control of tonal content, such as lower base frequencies, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be then be implemented prior to the first event for amplified music and shall be retained whilst the use is in operation.

b) Within two weeks of the first event with amplified sound, a post completion report shall be submitted to and approved in writing by the Local Planning Authority to ensure that the limiters are set correctly.

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) Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00
No deliveries or waste collections on Sundays and Bank Holidays

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

8) The car parking indicated on the approved plans shall be demarcated and made available for use prior to the first use of the building as an events centre. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies T2, SP1 and DM1 of the Core Strategy.

9) Prior to the first use of the building as an events centre, details in relation to space and facilities for bicycle parking shall be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be installed prior to the first use of the building and retained and permanently reserved for bicycle parking for as long as the building is in use.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

10) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the events centre, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

11) Prior to the commencement of the use hereby approved, a fully detailed Events Management Strategy relating to car parking and traffic management, must be submitted and approved in writing by the Local Planning Authority. The management of the events and car parking at the site shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that a satisfactory events and car parking management strategy is implemented for the development that respects the highway network and residential amenity of the area in accordance with Policies T2, SP1 and DM1 of the Core Strategy.

12) Prior to the first use of the events centre hereby approved, a scheme for proposed security enhancements shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The approved scheme shall then be implemented within three months of receipt of written approval and the security measures retained in situ for as long as the use hereby approved is in operation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

13) The development hereby approved shall be operated in accordance with the Waste Management Strategy contained within the City Council Waste Proforma, submitted on the 25th April 2018. The refuse arrangements shall be put in place prior to the first use of the development and remain in situ for as long as the development is in use.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

14) Before the use hereby approved commences, full details of the proposed siting, size, design and means of enclosure including materials for the bin storage area shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The approved scheme shall then be implemented before the first use of the development hereby approved and shall be retained as such for as long as the use is in operation at the site.

Reason -To ensure adequate refuse arrangement are put in place for the development and to ensure an appropriate appearance within the grounds of a listed building, pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

15) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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

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: 17 July 2018

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 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 2017 until 31st December 2018