MANCHESTER
CITY COUNCIL

IMPORTANT

Planning Permission and 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 required to protect trees.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- 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.
- For advice on any of these matters, please contact the Planning Service, Manchester City Council, PO Box 463, Manchester M60 3NY or email planning@manchester.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant

Mr Ross MacKenzie
Sankeys Ltd
1F Beehive Mill
Jersey Street
Manchester
M4 6JG

Name and Address of Agent

Part I – Particulars of Application

Date of Application	Application ref. no.
20 June 2008	086809/FO/2008/C1

Particulars and location of development:

Temporary use of land as an 'urban beach' including sandpits, boardwalk, decking, bar and stage, until 14th September 2008

Hardman Square
Spinningfields
Manchester
M3 3EB

Part II – Particulars of Decision

The Manchester City Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 of the following decision

Decision Approved
Approved on the basis that the proposal is in accordance with the City Council's Unitary Development Plan, in particular policies: I2.1, L1.9, RC6, DC9, DC10, DC26, along with Policy RC20 (Area 25), in that the development would be fully accessible by all forms of transport, add vibrancy to the area, promote the development of tourism, provide access for disabled people, provide a food and drink use in a suitable location, have an acceptable impact on amenity, and there are no material planning considerations to indicate otherwise.
Date of Decision 25 July 2008

for the carrying out of development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

Part III – Conditions and Reasons

1) The permission hereby granted is for a limited period only, expiring on Sunday 14 September 2008. All building, works, uses of land or other development hereby permitted shall be removed or discontinued and the land reinstated to its former condition within one month of the use ceasing or before the expiration of the period specified in this condition, whichever is sooner.

Reason - In the interests of amenity and in accordance with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

2) No loading or unloading of vehicles for deliveries, servicing and collections, including waste collections, shall be carried out outside the following hours: 0730 to 0830 and 1830 to 1930 Monday to Saturday, and no deliveries/collections on Sundays/Bank Holidays.

Reason - In order to protect the amenity of local residents and occupiers of nearby properites in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester.

3) Any waste produced by the use bereby approved shall be stored at all times within the application site until immediately prior to collection and it shall be stored in such manner as to allow the waste to be recycled. The provisions for storage and waste recycling shall remain in situ whilst the use is in operation.

Reason - In the interests of amenity and in accordance with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

4) The application site and all the facilities within it, including public routes within the site, shall be available to all persons (in terms of appropriate route widths, levels and gradients), including those with impaired mobility, at any time that the site is open to members of the public.

Reason - To ensure satisfactory access is provided for those with impaired mobility and in accordance with Policy DC9.1 of the Unitary Development Plan for the City of Manchester.

5) The proposal, unless otherwise agreed in writing by the local planning authority, shall be operated and managed at all times in accordance with the 'Operating Schedule and Document' dated May 2008.

Reason - In order to protect the amenity of occupiers of nearby buildings and users of the City Centre in accordance with Policies H2.2, E1.4 and DC26 of the Unitary Development Plan for the City of Manchester.

6) The proposal shall include the recommendations made on pages 11 and 12 of the Crime Impact Statement reference 2008/0583.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

7) Trees on the site shall be protected at all times so as to avoid damage to any part of the tree during installation, operation, and de-rigging of the proposed use. A record of the appearance and condition of the trees at each stage of the

proposal identified above, and of measures put in place to protect the trees so as to comply with this condition shall be made and shall be available for inspection at any time during the period of this consent. Any trees damaged during the period of consent shall be treated or replaced at the expense of the applicant in accordance with a scheme of remedial works and within a timescale to be submitted to and approved in writing by the City Council as local planning authority within one month of the expiry of this consent.

Reason - To protect the amenity of the area and in accordance with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

8) The details of an emergency telephone contact number for the management of the site shall be displayed in a publicly accessible location on the site at all times during the installation, operational and de-rigging phases of the use hereby approve, unless otherwise agreed in writing by the local planning authority.

Reason - In the interest of the amenity of occupiers of nearby buildings and users of the City Centre in accordance with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

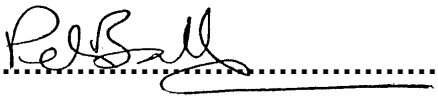
9) The use and all equipment associated with the use shall be operated in accordance with the noise limits and recommendations of the AEC Noise Assessment ref. P1892-R1/PNG dated 12 May 2008 and with a noise limiter, the details of which shall be submitted to and approved in writing by the local planning authority before the use commences

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

10) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority:

The site edged red plan received by the local planning authority on 29 May 2008;
The Waste Management Strategy received by the local planning authority on 29 May 2008;
The Additional Notes document received by the local planning authority on 6 June 2008;
The AEC Noise Assessment dated 12 May 2008.
The Beach Club Manchester Operating Schedule and Document dated May 2008;
The Crime Impact Statement reference 2008/0583;
Drawing numbers: 21- I, 22 A, 401, 402, 403, 404, 405, 406 A, 407 A, 408, 409 A, 410 A, and 411A.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the City of Manchester Unitary Development Plan.

Signed**.....**

Peter Babb, Head of Planning

on behalf of the Council
Town Hall,
Manchester M60 3NY

NOTES

1. Leaflets attached:

2. 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**.**

3. 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, he may appeal to the First 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 Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

4. 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.

5. If either the local planning authority of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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

6. 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.