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 of £97 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

Clarksdale Ltd
C/o Agent

Agent (if used)

Miss Rachel Allwood
Dandara Ltd
KD Tower
Cotterells
Hemel Hempstead
HP1 1FW

Part 1 Particulars of the application/development

Proposal: Variation of condition 2 of planning permission 069455/FO/2003/C3 to remove the requirement to provide pool cars and replace it with the provision of two car parking spaces for use by car club cars.

Location: Estate Management Office , Saint Georges Island, Kelso Place, Hulme, Manchester, M15 4GT

Date of application: 29 October 2012

Application number: 100626/JO/2012/C1

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 31 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. The issue of car parking at the site was discussed in extensive pre-application discussions between the applicant and planning officers.

Reason(s) for decision

The application is approved on the basis that the proposal is in accordance with the City Council's Core Strategy, in particular policies CC5 (Transport), T1 (Sustainable Transport), T2 (Accessible Areas of Opportunity and Need), EN3 (Heritage) and DM1 (Development Management), and saved policy DC26 of the City of Manchester Unitary Development Plan, in that the development would provide adequate parking provision at a level that reflects the accessible nature of the location as well as the requirements of

the users of the development, would have an acceptable impact on traffic generation, the City's heritage assets and residential amenity.

Condition(s) attached to this decision

1) 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:

P1910 Rev A
P2000 Rev B
P2001 Rev B
P2002 Rev B
P2005 Rev B
P2006 Rev B
P2007 Rev B
P2008 Rev B
P2009 Rev B
P2010 Rev B
P2011 Rev B
P2012 Rev B
P2013 Rev B
P2014 Rev B
P2015 Rev B
P2016 Rev B
P2100 Rev C
P2101 Rev B
P2102 Rev C
P2103 Rev B
P2104 Rev B
P2105 Rev B
P2106 Rev B
P2107 Rev B
P2108 Rev B
P2109 Rev B
P2110 Rev B
P2111 Rev B
P2113 Rev B
P2114 Rev B
P2115 Rev B
P2116 Rev B
P2117 Rev B
P2118 Rev B
P2119 Rev B
P2120 Rev B
P2121 Rev B
P2122 Rev B
P2123 Rev B
P2124 Rev B
P2125 Rev B
P2126 Rev B
P2127 Rev B
P2128 Rev B

P2130 Rev B
P2201 Rev C
P2203 Rev B
all stamped as received by the Local Planning Authority on 26 February 2004;

Drawing number P2 received by the City Council as local planning authority on 5 October 2012;

The John McAslan and Partners letter of 13 November 2003 in relation to the fact that the development will not be marketed as having the benefit of on street car parking and that preferential rates on car hire and taxi companies for occupiers will be made available; and

The Dandara letter dated 4 October 2012 referring to the provision of two car parking spaces adjacent to the Estates Management office for use by car club cars.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans, pursuant to Policy DM1 of the Core Strategy for the City of Manchester.

2) The permission hereby granted is for the provision of two car club car spaces as shown in the approved drawings. The car club cars, or an alternative that must be agreed in writing by the City Council as local planning authority should car club cars no longer be available, shall be made available and retained for use by residents at all times.

Reason - To ensure that adequate provision is made so that persons occupying or visiting the development have a range of options in relation to mode of transport, pursuant to Policies CC5 (Transport), T1 (Sustainable Transport), T2 (Accessible Areas of Opportunity and Need) and DM1 (Development Management) of the Core Strategy.

3) The development hereby approved shall include a building lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority, which has been approved in writing by the City Council as local planning authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development, pursuant to Policy DM1 of the Core Strategy for the City of Manchester.

4) The landscaping scheme approved by the City Council as local planning authority shown on the approved drawings shall be fully implemented. Any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within 3 years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out, pursuant to Policies SP1, EN9 and DM1 of the Core Strategy.

5) The development hereby approved shall incorporate measures, including a building lighting scheme, to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in

compliance with this condition shall seek to achieve the 'Secure by Design' accreditation awarded by the Greater Manchester Police.

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.

6) The car parking indicated on the approved plans shall be demarcated and made available for use and accessible at all times whilst the apartments hereby approved are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies CC5, T2 and DM1 of the Core Strategy for the City of Manchester.

7) The development shall include public display boards for the presentation and interpretation of the canal related industrial heritage of the site that have been approved in writing by the City Council as the Local Planning Authority. The boards must be erected at the site before the development is first occupied.

Reason - To commemorate the industrial heritage of the site by means of suitable presentations and interpretation boards, pursuant to Policy EN3 of the Core Strategy for the City of Manchester.

8) The residential accommodation hereby approved shall include acoustic glazing and acoustically treated ventilation in accordance with an acoustic attenuation scheme approved in writing by the City Council as local planning authority.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policy DM1 of the Core Strategy and saved policy DC26 of the City of Manchester Unitary Development Plan.

9) No deliveries, loading, unloading or other servicing activities shall take place at the site other than between the hours of 07.30 - 20.00 Monday to Friday, 09.00 - 18.00 Saturday, and no similar activity on Sundays or Public holidays.

Reason - To protect neighbouring residents from noise and nuisance, pursuant to Policy DM1 of the Core Strategy.

10) In terms of bicycle parking, the development must be implemented in accordance with the space and facilities shown on the approved plans. These facilities shall then be retained and permanently reserved for bicycle parking.

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, pursuant to Policies CC5 and T1 of the Core Strategy.

11) In terms of fully accessible car parking spaces, the development must be implemented in accordance with the provision shown on the approved plans. These facilities shall then be retained and permanently reserved for use as such.

Reason - To ensure that adequate provision is made for fully accessible parking spaces for all persons occupying or visiting the development, pursuant to Policies CC10 and DM1 of the Core Strategy.

12) Before any A3 use hereby approved commences a scheme for the extraction of any fumes, vapours and odours from any A3 kitchen areas within the development hereby approved shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The approved scheme shall be fully implemented before any A3 use commences and shall be retained as long as the A3 use is in operation.

Reason - In the interests of the amenities of the occupiers nearby properties, pursuant to Policy DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

Date: 20 December 2012

Signed: 

Julie Roscoe
Head of Planning
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, 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.

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 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

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 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.

Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.
Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com