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.
- A fee of £85 is payable for each request to discharge conditions.
- 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	Name and Address of Agent
Manchester City Council Education Dept 4th Floor Overseas House Quay Street Manchester M3 3BB	Robinson Architects 1-2 Merchants Quay Ashley Lane Shipley West Yorkshire BD17 7DB

Part I – Particulars of Application

Date of Application	Application ref. no.
9 June 2008	086871/VO/2008/S1

Particulars and location of development:

CITY COUNCIL DEVELOPMENT for the erection of a two storey, two form entry Roman Catholic Primary School and associated outdoor play provision and parking to replace the existing Bishop Bilsborrow and St. Edwards schools

Part Of Former Maine Road Football Ground
Maine Road
Moss Side
Manchester
M14 7NW

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
The Council has taken the information submitted to accompany this application into consideration and the application is approved on the basis that the proposal will generally accord with the policies contained within the Development Plan, specifically the Unitary Development Plan Policies .The proposal would provide a high quality facility within the area to the benefit of the wider surrounding community allowing the continuing regeneration of the locality and there are no material considerations of sufficient weight to indicate otherwise
Date of Decision 21 August 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 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 unless otherwise agreed in writing by the City Council as Local Planning Authority: 101/01, 01/L, 3801-S1-01/P1, 3801-907/P1, 3801-906/P1, 3801-905/P1, 3801-904/P1, 3801-903/P1, 3801-902/P1, 3801-900/P3, 03A, 04A, 08, 09, 10, 11, 201, 202, 220, 230, 231, 3636/E/108, 201851-1200-0002/A, 07-200-C3LPA Design and Access Statement, Transport Statement.

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

3) Notwithstanding the details submitted, no development shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policy H2.2; of the Unitary Development Plan for the City of Manchester.

4) The hours of construction (and associated deliveries to the site) of the primary school shall be restricted to 0730 to 1800 hours on Monday to Friday, 0730 to 1400 hours on Saturday, with no work at any other time including Sundays and Public Holidays.

Reason: To protect the amenities of nearby residents and the occupiers of nearby property.

5) Notwithstanding the details contained within the scheme submitted, no development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agree in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy H2.2 of the Unitary Development Plan for the City of Manchester.

6) All aspects of the development shall conform with the City Council's Design for Access 2 document in providing disabled access. The approved details shall be satisfactorily implemented before the development is first brought into use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester and the Disability Discrimination Act 1995. However, in approving the relevant drawings, the City Council as the local planning authority does not hereby give any warranty that the provisions of the Disability Discrimination Act 1995 have been complied with.

7) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies H2.2; and T2.6 of the Unitary Development Plan for the City of Manchester.

8) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'very good' or 'excellent' and at least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

9) The details of an emergency telephone contact number for the contractor; shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

10) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted

to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Shower, changing, locker and drying facilities shall be provided prior to the occupation of the approved development and retained at all times thereafter to provide facilities to allow staff or visitors to shower, change and store and dry their clothing, in order to encourage cycling and walking to the premises. Details of the proposed facilities, including the number of showers and lockers, shall be submitted to and approved in writing by the Local Planning Authority.

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 T3.1, T3.6 and T3.7 of the Unitary Development Plan for the City of Manchester.

11) 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. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the development is first occupied unless otherwise agreed in writing by the local planning authority and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in Planning Policy Statement 1 and Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

12) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

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".

13) Details of a Travel Plan with the objective of reducing car travel on journeys to and from the site, and including particulars of its implementation and monitoring of effectiveness and how measures to improve effectiveness shall be implemented shall be submitted to and approved in writing by the City Council as local planning authority before the use commences. For so long as the use is in operation the local planning authority shall be provided with such information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority.

Reason
In accordance with the provisions contained within Planning Policy Guidance Note 13 (Transport) to encourage public transport access to community facilities, and pursuant to Policy T1.1 of the Unitary Development Plan for the City of Manchester.

14) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2; of the Unitary Development Plan for the City of Manchester.

15) Plans and particulars of the public artwork proposed shall be submitted to and approved in writing by the City Council as local planning authority prior to completion of the development unless otherwise agreed in writing. The approved public artwork shall be installed at the aforementioned location prior to completion of the development.

Reason - To provide opportunity for public involvement in the type and design of artwork for the site pursuant to policy L1.8 of the Unitary Development Plan of the City of Manchester.

16) Prior to occupation of the school site, a detailed Community Access Agreement shall be submitted to and agreed in writing by the City Council as local planning authority. The agreement shall cover both the buildings and the associated external areas of the school in order to secure use of these facilities by the local community. The agreement shall incorporate details including hours of operation, type of community use and associated costs of use.

Reason - To maximise the use of the facilities by the community and complement existing services within the area in accordance with policy RF1 of the adopted Unitary Development Plan of the City of Manchester.

17) Prior to occupation of the development details of the specification and design of equipment to extract and disperse cooking odours, fumes or vapours shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the use first commences and shall be retained at all times thereafter. Any alteration or variation to the equipment should receive the written approval of the Local Planning Authority.

Reason: In the interests of amenity and to ensure the appearance of the equipment is acceptable.

18) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.
The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.
b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.
In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to PPS23: Planning and Pollution Control.

19) Facilities for the storage and disposal of refuse and recycling shall be provided to the satisfaction of the City Council as local planning authority prior to occupation of any phase of the development and shall remain in situ whilst the site is in use.

Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted Unitary Development Plan of the City of Manchester.

20) The school shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

08.00 - 22.00 Monday to Friday, 09.00 - 17.00 Saturday, Sunday and Bank Holidays;

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

21) Prior to the commencement of the development hereby approved, details of a CCTV system to be installed shall be submitted to and be approved by the City Council as local planning authority and installed prior to the opening of the

school. The approved CCTV system shall thereafter be maintained operational unless otherwise agreed in writing by the City Council as local planning authority.

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".

22) The roller shutters hereby approved shall be of an open grille construction and be colour-coated in accordance with a scheme to be agreed in writing with the City Council as local planning authority within two months from the date of this permission.

Reason - In the interests of visual amenity, pursuant to Policy H2.2 in the Unitary Development Plan for the City of Manchester.

23) Notwithstanding the details shown on Drawing no. 03a, prior to the commencement of the development hereby approved details of the proposed vehicular gates to the car park must be submitted to and be approved by the City Council as Local Planning Authority. The approved gates must then be implemented prior to the occupation of the development and thereafter maintained in accordance with the approved details unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason

In the interests of pedestrian and highway safety, pursuant to Policy T3.9 in the Unitary Development Plan for the City of Manchester.

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.
The First Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

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.