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

United Utilities Plc
Haweswater House
Lingley Mere Business Park
Lingley Green Avenue, Great Sankey
Warrington
Cheshire
WA5 3LP

Agent (if used)

Mr Owen Tucker
United Utilities PLC
Haweswater House
Lingley Mere Business Park
Lingley Green Avenue
Great Sankey
Warrington
WA5 3LP

Part 1 Particulars of the application/development

Proposal: Construction of a motor control kiosk with associated works including ground reprofiling, 2 no. drop down parking posts, 2 no. bollards, creation of areas of hardstanding, new landscaping and tree removal, and associated site compound with temporary cabins

Location: Land Bounded By Oak Bank, Alfred Street And Rochdale Road, Harpurhey, Manchester

Date of application: 15 March 2013

Application number: 101940/FO/2013/N1

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 / Agent in a positive and proactive manner in order to guide the Application through all stages of the Planning process, and have resolved issues that have arisen whilst dealing with the Planning Application.

Reason(s) for decision

Approval on the basis the development is in accordance with the National Planning Policy Framework, policy DM1 of Manchester's Core Strategy, and policy E3.3 of the adopted Unitary Development Plan for the City of Manchester, as the proposed scheme will support the improvement of the water quality of the River Irk, without unduly affecting residential or visual amenity, or the character and appearance of the area, and there are no material considerations of sufficient weight to indicate otherwise.

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 contractors compound, as shown on drawing MAN0123/80021994/00/97/1006 rev. C, is hereby approved for a limited period only, expiring on 31/7/14; and the buildings, 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 in accordance with a scheme and timetable of implementation to be submitted to and approved in writing by the City Council local planning authority before this permission expires.

Reason - As the buildings, works and use are temporary in nature, in the interests of the amenities of the occupiers of the surrounding residential accommodation, and the character and appearance of the area, pursuant to policy DM1 of Manchester's Core Strategy.

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

MAN0123/80021994/00/97/1006 revision C, received 26/3/13
MAN0123/80021994/00/97/1005 revision C, received 26/3/13
MAN0123/80021994/00/97/1002 revision B, received 15/3/13
MAN0123/80021994/00/97/1003 revision C, received 15/3/13
MAN0123/80021994/00/97/9200 revision B, received 15/3/13
MAN0123/80021994/00/97/9400 revision B, received 15/3/13
Arboricultural report, received 15/3/13
Supporting Statement, received 26/3/13
Planning Application forms, received 15/3/13

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy DM1 of Manchester's Core Strategy.

4) The development shall include the installation of a proprietary gas protection membrane in relation to the above ground kiosk, in order to alleviate any possibility of landfill gas ingress. Appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, pursuant to Manchester's Core Strategy, including policy DM1.

5) Notwithstanding drawing MAN0123/80021994/00/97/9400 revision B, received 15/3/13, showing the proposed landscaping scheme, no development shall commence on the land within the Application site edged in red not forming part of the contractors compound, until a 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 works to the land are

completed. 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.

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 policies SP1, EN9 and DM1 of Manchester's Core Strategy.

6) Prior to the erection of any hoardings, full details of the proposed visuals to be displayed upon the hoardings shall be submitted to the City Council as local planning authority for prior approval in writing. Visuals shall be displayed upon the hoardings in accordance with the approved scheme(s).

Reason - To ensure that the appearance of the hoardings 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, in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester, and policies SP1 and DM1 of Manchester's Core Strategy.

7) No development shall commence on the land within the Application site edged in red not forming part of the contractors compound, until there has been submitted to and approved in writing by the City Council as local planning authority, a plan indicating the positions, design, materials and type of any boundary treatments to be erected, and a timetable for their erection. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - In the interests of the security and visual amenity of the proposal, pursuant to policy E3.3 of the adopted Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

8) Prior to the siting of the open plan modular office space and store within the temporary contractors compound, elevational details of the proposed open plan modular office space and store, shall be submitted to the City Council as local planning authority for prior approval in writing.

Reason - In the interests of the visual amenities of the area within which the compound is sited, pursuant to policy E3.3 of the adopted Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

9) Prior to the commencement of the landscaping works, full details of the proposed long-term maintenance provision and regime for the landscaping, shall be submitted to the City Council as local planning authority for prior approval in writing. Maintenance shall be implemented in accordance with the approved scheme.

Reason - In the interests of the visual amenity and character and appearance of the area, pursuant to policy DM1 of Manchester's Core Strategy, and policy E3.3 of the adopted Unitary Development Plan for the City of Manchester.

10) The wheels of contractors vehicles leaving the sites shall be cleaned and the access roads leading to the sites swept 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 policies SP1 and DM1 of Manchester's Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

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: 24 April 2013

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