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
Mr Pete Bradshaw Manchester City F C City Of Manchester Stadium Sportcity Manchester M11 3FF	Mr Andrew Teage BDP P O Box 85 11 Ducie Street Piccadilly Basin Manchester M60 3JA

Part I – Particulars of Application

Date of Application	Application ref. no.
22 June 2010	093509/FO/2010/N2

Particulars and location of development:

Creation of a 'fan zone' for Sportcity events and football matches in the form of access, public realm, lighting and environmental improvement works to the City Of Manchester Stadiums northern gateway along Joe Mercer Way, including
the construction of new canopies, a gateway feature, resurfacing the area along Joe Mercer Way and around city store,
means of enclosure for licensing areas, new toilet facilities, the installation of three outdoor TV screens and the relocation of
existing car parking spaces

City Of Manchester Stadium
Sportcity
Beswick
Manchester
M11 3FF

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 Temporary Approval
Approve on the basis that the proposal is in accordance with Policies EM1, EM11, DC9, DC10, DC16, E1.5, E1.6, E3.3, E3.5, H2.2, L1.2, L1.7, L1.9 and R1 of the

City Council's Unitary Development Plan and there are no material considerations of sufficient weight to indicate otherwise, in that the new proposals for City Square will be in keeping with the design of the City of Manchester Stadium, the new facilities will improve the overall experience for visitors to the stadium and upgrade the existing high quality leisure facility within the wider area, and that the proposals will not result in a detrimental impact on the residential amenity of any nearby properties.

Date of Decision 29 July 2010

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 1st August 2015 and the buildings, structures and associated works comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within one calendar month in accordance with a scheme previously approved, which shall include a timetable of implementation to be submitted to and approved in writing by the City Council Local Planning Authority before this permission expires.

Reason - In the interests of amenity, pursuant to Policies EM1, EM11, DC9, DC16, DC10, E1.5, E1.6, E3.3, E3.5, H2.2, L1.2, L1.7, L1.9 and R1 of the Unitary Development Plan for the City of Manchester.

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

The application forms, the red line application boundary plan numbered 0(9-)L004, the Design and Access Statement Doc.no.SQ002 June 2010, and all the drawings contained within the 'City Square Project drawings Doc.no.SQ001 June 2010', stamped as received by the Local Planning Authority on the 22nd June 2010, the elements of the letter dated 27th July 2010, under the heading `Comments from Greater Manchester Police: design for security' and the City Square masterplan numbered 0(9-)L003 RevD, stamped as received by the Local Planning Authority on the 28th July 2010.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EM1, EM11, DC9, DC16, DC10, E1.5, E1.6, E3.3, E3.5, H2.2, L1.2, L1.7, L1.9 and R1 of the Manchester Unitary Development Plan.

3) The development hereby approved shall be operated in strict accordance with the 'Manchester City Football Club City Square Operating and Licensing Plan' submitted to the Local Planning Authority by email on the 19th July 2010, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved management details and in the interests of safety and residential amenity. Pursuant to policies EM1, EM11, DC9, DC16, DC10, E1.5, E1.6, E3.3, E3.5, H2.2, L1.2, L1.7, L1.9 and R1 of the Manchester Unitary Development Plan.

4) The City Square area hereby approved shall not be operational outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Sunday, including Bank Holidays:
Commencing - Three hours before an event start time or football game kick off.
Closing - One hour after an event finishing time or following the final whistle of a football game.

In any event, the area shall not be operational outside the hours of 8.00 am to 11.00 pm

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.

5) If when the lighting hereby approved are illuminated they cause undue glare or light spillage to the detriment of any nearby residential properties or the adjacent metrolink, baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the illumination levels, the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In the interests of amenity 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 and E3.5 of the Unitary Development Plan for the City of Manchester.

6) The development hereby approved shall be constructed using the specifications of materials listed within the 'MCFC City Square Externals Materials Schedule' stamped as received by the City Council on the 22nd June 2010. The development shall be constructed only using the approved materials, unless otherwise agreed in writing by the City Council as Local Planning Authority.

The samples and specifications of any other materials to be used on the development should be submitted to and approved in writing by the City Council as local planning authority prior to the commencement of the development. The development shall then 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 policies EM1, EM11, DC9,

DC16, DC10, E1.5, E1.6, E3.3, E3.5, H2.2, L1.2, L1.7, L1.9 and R1 of the Unitary Development Plan for the City of Manchester.

7) Before the development hereby approved is operational, a scheme showing the provision to be made for disabled people and visually impaired people to use the City Street facilities including route widths, levels and gradients, shall be submitted to and approved by the City Council as local planning authority. The agreed scheme shall be implemented in accordance with the approved details and shall be retained and operational for so long as the facilities are in use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of Policies E3.5 of the Unitary Development Plan for the City of Manchester and the City Council¿s Design for Access 2 standards.

8) Prior to the commencement of any landscaping works on site, a soft landscaping treatment scheme shall be 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 policies EM1, EM11, E3.3, E3.5, L1.2, L1.7, L1.9, R1, and H2.2 of the Unitary Development Plan for the City of Manchester.

9) No external amplified music will be permitted within the City Street area hereby approved outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Sunday, including Bank Holidays:
Commencing - Three hours before an event start time or football game kick off.
Closing - One hour after an event finishing time or following the final whistle of a football game.

In any event, no external amplified music will be permitted within the City Street area outside the hours of 8.00 am to 11.00 pm.

If when the amplification equipment is used, it causes undue detriment to any of the nearby residential properties, a scheme for alternative external amplified music levels shall be submitted to the Local Planning Authority, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

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.

10) Before first operation of the TV screens hereby approved, a noise study of the premises and equipment including a scheme for the acoustic insulation of the TV screens to limit the break out of noise from the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall then be implemented in accordance with the approved details and retained as such thereafter in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

11) Prior to the installation of the TV screens and the gateway feature on Joe Mercer Way hereby approved on site, full specification and elevational details of the installations, including finished design, size, all external materials, and sectional drawings, shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The development shall then be implemented in full accordance with the approved details and retained as such thereafter, unless otherwise agreed in writing by the City Council as the Local Planning Authority.

Reason - In the interests of visual and residential amenity, pursuant to Policies EM1, EM11, E3.3, E3.5, L1.2, L1.7, L1.9, R1, and H2.2 of the Unitary Development Plan for the City of Manchester.

12) The development shall not be commenced until details of the security measures to be incorporated into the development 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, unless otherwise agreed 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".

13) For the first twelve months of use of the 'Fan Zone' hereby permitted monitoring information in the form of an acoustic report shall be submitted to the Local Planning Authority following each event or match day within ten working days of each event or match day. The acoustic report shall include noise levels taken at times and in locations as agreed in writing with the Local Planning Authority prior to the 'Fan Zone' first being brought into use. Any necessary noise mitigation measures identified by the submitted reports shall be implemented in accordance with a scheme and timetable agreed in writing with the Local Planning Authority and such measures shall be retained as such at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

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.

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.

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