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 £85 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

Howells Group Plc
Sharston Industrial Area
Longley Lane
Northenden
Manchester
M22 4SS

Agent (if used)

Mrs Clare Gascoigne
Emery Planning Partnership Ltd
4 South Park Court
Hobson Street
Macclesfield
Cheshire
SK11 8BS

Part 1 – Particulars of the application/development

Proposal: Erection of a two storey side extension to existing industrial building (B2) following demolition of detached single storey building

Location: Howells Railway Products Ltd , Sharston Industrial Area, Longley Lane, Northenden, Manchester, M22 4SS

Date of application: 22 November 2011

Application number: 097912/FO/2011/S2

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).

Reason(s) for decision

Approve on the basis that the proposal is in accordance with the City Council's Unitary Development Plan, in particular the following policies H2.2, I1.3, I1.7, I1.12, I2.1, I3.1, E1.4, E1.5, E1.6, E2.4, E3.5, T2.4, EW1, EW12, DC9 and DC26 and there are no material considerations of sufficient weight to indicate otherwise. In coming to this conclusion the Head of Planning has taken into account the Information provided with the application.

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 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:

Drawings 11/MOZ/10A, 11/MO2/17, 11/MO2/14, 11/MO2/16 and 11/MO2/15 stamped as received by the City Council, as Local Planning Authority, on the 22 November 2011.

Planning, Design and Access Statement prepared by Emery Planning (PDAS2-7206-CG), Crime Impact Statement (Rev A) prepared by Design for Security, Bat Survey prepared by nlg ecology ltd, Noise Statement prepared by Emery Planning (NS-7206-CG-lc), Phase 1 Desk Study Report (11EMP002/DS) and Environmental Standards Statement prepared by Emery Planning (ESS1-7206-CG-dr) stamped as received by the City Council, as Local Planning Authority, on the 22 November 2011.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy EW12; of the Manchester Unitary Development Plan.

3) No development that is hereby approved 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 of the Unitary Development Plan for the City of Manchester.

4) 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 and T2.6 of the Unitary Development Plan for the City of Manchester.

5) 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 the 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 of the Unitary Development Plan for the City of Manchester.

6) Prior to the demolition of the building and in accordance with the recommendation of the 'Bat Survey Report' by nlg ecology ltd, an inspection of the barge boards at the building shall take place to confirm that there is no presence of bats. On report of this inspection shall be submitted and approved in writing by the City Council, as Local Planning Authority.

If the inspection confirms that there is no presence of bats at the application site then demolition of the building can proceed.

Should the presence of bats be found at any time during the demolition or development then all works at the site should cease and notification should be made to the City Council as Local Planning Authority. A licensed bat consultant and/or ecologist should undertake a survey of the site and buildings and report any finding to the City Council and methods of mitigation agreed, by the City Council, as Local Planning Authority, prior to the progression of any further works.

Reason - To protect bats should they be found at the application site pursuant to policy E1.4 of the Unitary Development Plan for the City of Manchester (1995) and PPS9.

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

Monday to Friday 07:30 to 18:00
No operations on Saturday and Sunday (including 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.

8) Deliveries, servicing, and collections (including waste collections) shall not take place outside the following hours:

Monday to Saturday 07:30 to 17:30
No deliveries/waste collections on Sunday/Bank Holidays

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

9) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

The approved scheme shall then be implemented in accordance with these details prior to the first use of the building and thereafter retained and maintained for as long as the development remains in use.

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

10) Prior to the commencement of the development, details of on site renewable energy and energy efficiency technologies, which seeks to achieve at least 20% of final site energy demand, shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the development and thereafter retained.

Reason - To incorporate renewable energy technologies within the development to reduce energy demands from other sources, pursuant to policy E1.5 of the Unitary Development Plan for the City of Manchester (1995) and the Guide to Development in Manchester SPD (2007).

11) 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".

12) 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.

13) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be

completed before prior to the first occupation of the extension;. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

Informatives

This permission does not grant approval under Building Regulations.

Date: 19 January 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.