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
Southside Regeneration Ltd C/o Agent	Drivers Jonas LLP 5 New York Street Manchester M1 4JB

Part I – Particulars of Application

Date of Application	Application ref. no.
13 January 2009	088547/FO/2008/C1

Particulars and location of development:

Creation of temporary car park for 226 vehicles

Land Between Whitworth Street West And The Number One Building
First Street
Manchester
M1 5WQ

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
On the basis that the proposal would, be consistent with the long term regeneration of the area, be acceptable in respect of amenity; not have significant impact on the security of the area or its associated highway network, and is in accordance with the Regional Spatial Strategy and the City Council's Unitary development Plan, in particular Policies E2.3, E2.4, E3.1, E3.5, H2.2, T3.1, R1, and RC4, and there are no material considerations of sufficient weight to indicate otherwise
Date of Decision 10 March 2009

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 31 March 2012; and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued on or before that date.The land shall be reinstated within 6 months or such other time as previoulsy agreed in writing by the local planning authority; in accordance with a scheme and a timetable of implementation which shall be submitted to and approved in writing by the City Council local planning authority before this permission expires.

Reason - The scheme is for a temporary period only and is necessary because of its direct impact on the use of the No1 Building and the continuing regeneration of the First Street area as endorsed by the City Council in 2005, and so as to be consistent with policy R1 of the Unitary Development Plan for the City of manchester

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 numbered 45074- PO1 revB, PO3 rev G, and PO5 rev D; E-GR02 revP2; 24341- 615 rev P1, 620 rev P1, and 670 revP2.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy RC4 of the Manchester Unitary Development Plan.

3) The landscaping scheme approved by the City Council as local planning authority shown on drawing ref 45074 PO3 rev G, shall be implemented not later than 6 months from the date of commencement of works. If within the period of the consent any low level planting is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, planting of the same species and size as that originally planted shall be planted at the same place, 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 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.

4) The drainage scheme that forms part of the proposal hereby approved and detailed in drawings 24342- 620 rev P1 and 670 re P2 shall be implemented in full and in accordance with the approved drawings before the car park is first brought into use.

reason. To prevent a detrimental impact on watercourses and in the interest of amenity in order to comply with Policy RC4 of the Unitary Development Plan for the City of Manchester.

5) Before construction of the surface water outfalls identified as part of the drainage scheme included in the proposal hereby approved is carried out a detailed inspection and survey of potential bat roosts within 5 metres of the maximum extent of the works around the new outfalls shall be undertaken. If bat roosts are found by this survey then a method statement giving measures to be taken to avoid any possible harm to bats shall be produced and submitted to the

local planning authority for written approval. Any measures to protect bats approved in discharge of this condition shall be implemented in full unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the protection and habitats od species protected under the Wildlife and Countryside Act 1981 or as subsequently amended, and in accordance with policies E2.3 and E2.4 of the adopted Unitary Development Plan for the City of Manchester.

6) From the commencement of the use hereby approved the applicant shall monitor and record incidents of crime and disorder that take place on the site during its use as a temporary car park, including any incidents reported to Greater Manchester Police, and shall provide a report every three months to the City Council as local planning authority that details the number and character of the incidents.

Each report to the Local Planning Authority shall indicate where necessary, any measures to reduce any identified incidences of crime.The measures proposed will be consistent with secure by design principles and will be submitted to, and approved in writing by Manchester City Council.

Any mitigation measures approved in discharge of this condition shall be implemented in full by the applicant or operator in accordance with a timescale to be agreed in writing by the 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".

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.

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