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 £97 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

Mr Lee Barron
Siemens
Siemans Transport Systems
Rondin Road
Manchester
M12 6BF

Agent (if used)

Mr Lee Barron
Siemens Plc
Rondin Road
Ardwick
Manchester
M12 6BF

Part 1 Particulars of the application/development

Proposal: Variation of conditions 4 and 5 attached to previously approved planning reference 098863/FO/2012/N2 to incorporate the inclusion of an escape staircase, reconfiguration of the site entrance and relocation of 1 numbered existing tree.

Location: Siemans Transport Systems , Rondin Road, Ardwick, Manchester, M12 6BF

Date of application: 5 November 2012

Application number: 100627/JO/2012/N2

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

On the basis that the proposal is in accord with the City Council's Unitary Development Plan (in particular Policies EM17, DC16 , DC26.1, DC26.3 and DC26.4) Manchester's Local Development Framework: and Core Strategy policies - Policy SP1 (Spatial Principles)by making a positive contribution to the neighbourhood; Policy EC2 (Existing Employment Space) as the proposal would retain and enhance existing employment space and sites; Policy EC5 as the development would support existing employment and economic development areas, including the Ardwick Goods Yards; Policy DM1 (Development Management) by according with the design principles in the policy in terms of access and elevational design; and with other material considerations of material weight (in particular Regional Spatial Strategy policies: DP 1; DP 2; DP4; DP7; and generally in accordance with National Planning Policy Framework: Core planning principles and policies in particular Chapter 1(Building a strong, competitive economy by securing economic growth in order to create jobs and prosperity) by creating jobs in the construction, commercial and retail sectors within Ardwick and Chapter 7: (Requiring good design by contributing to sustainable development).

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 external facing materials to be used on the extension hereby permitted shall match those of the existing building in terms of type, colour, texture and scale.

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, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

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

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 policies EN18 and DM1 of the Core Strategy for Manchester.

4) The development hereby approved shall be carried out in accordance with the drawings numbered 2009/1504/01 (existing site layout), 2009/1504/02 rev.a (proposed site layout), 2009/1504/03 rev.a (existing plans and elevations), 2009/1504/04 (existing sections), 2009/1504/06 rev.a (proposed sections), 2009/1504/07(part floor plan), 2009/1504/08 (refuelling canopy sections), 2009/1504/09 (existing trainwash elevations), 2009/1504/10 (proposed elevavtions to trainwash), 2009/1504/11, 2009/1504/12 (cross sections /OLE support masts), 2009/1504/13 (existing site layout) plan refs: B90061-DRG-EFE0002 (depot electrification) 14204/A1/300 rev.Q, 14204/A1/301 rev.S, Design and Access Statement and letter stamped as received on 16th March 2012,

As amended by site layout extract showing location of existing tree to be relocated; plan extract proposed location of proposed relocated tree; plan ref: 1260-100-003 rev.00 (Gate 1 Modifications Highway Construction Plan & Details); and elevation /layout plan of proposed escape stair, stamped as received 5th October 2012; together with e-mail received 27th November 2012, and plan ref: 2009/1504/05 E (proposed floor plan and elevations), received by e-mail dated 5th December 2012 .

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

5) The doors to the main building and the wheel lathe building shall only be opened to enable trains to enter or exit the buildings, (as referred to in the applicants Statement of

Night Time operations dated 3rd August 2004). At all other times the train doors shall be kept closed.

Reason

To secure a reduction in noise from activities on the site, in order to protect residents on Anthony Close from noise nuisance, pursuant policies SP1,H1 and DM1 of the Core Strategy for Manchester.

6) All vehicles entering and leaving the site during the construction period are to pass through a wheel wash. Details of the wheel wash shall be submitted to and approved in writing by the City Council as local planning authority prior to the development commencing.

Reason - To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

Informatives

This permission does not grant approval under Building Regulations.

Date: 7 December 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.

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