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

Manchester Metropolitan University
C/o Agent

Agent (if used)

Natalia Maximova
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27th Floor
City Tower
Piccadilly Plaza
Manchester
M1 4BT

Part 1 Particulars of the application/development

Proposal: Variation of six conditions attached to planning permission 095557/FO/2011/S1 - condition nos. 3 and 11 (removal of tree in the proposed central plaza area); condition nos. 4 and 5 (timing of the submission of materials and BREEAM certification); condition no. 8 (timing of the submission of Bonsall Street bridge construction details); condition no. 13 (time period for replacement of trees).

Location: Land Adjacent To Stretford Road, Old Birley Street And Princess Road, Hulme, Manchester

Date of application: 21 August 2012

Application number: 099322/JO/2012/S1

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 accordance with the City Council's Core Strategy Development Plan Document and there are no material considerations of sufficient weight to indicate otherwise:

a) Policy SP1, the proposal complies with this policy as it is considered it makes a positive contribution to the neighbourhood and City by providing enhanced educational facilities improvements to the physical environment.

b) Policy DM1, the proposal complies with this policy in terms of layout, scale and impact upon residential amenity and safety given its satisfactory relationship with the surrounding area.

Condition(s) attached to this decision

0) It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 095557/FO/2011/S1. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 095557/FO/2011/S1 still apply to this development. However, due to the acceptance of the variations proposed, the following amended text now applies to the following six conditions

3) 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:

3995-00-001A, 020, 101N, 102E, 803D, 804E, 805D and 806D.

3995-20-202G, 201H, 203G, 204F, 205G, 206E, 207A, 221E, 222E, 223E, 224E, 225B, 251B, 261 and 411B.

3995-EC-20-201A, 202, 221, 222A and 401.

3995-SK-069.

08-10B, 11A, 20A, 30A, 40B, 41A, 42A and 43A.

M4635_700-100C, 700-101B, 700-102D, 700-103B, 005, 006, 007B, 700-300A, 700-301A and 010A.

601 461 99/CL(5)/500 rev P2

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

4) No development of the external facades of the academic building, the energy centre and multi-storey car park that are 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, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document.

5) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least "excellent" or better. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority within 6 months of the respective building(s) being first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document.

8) Prior to the commencement of the works on Bonsall Bridge and associated public realm works hereby approved, the applicants shall submit further construction methodology for the Bonsall Street bridge works, as shown on plan M4635_005. The proposed works to, and future maintenance of the Bonsall Street bridge, shall be carried out in accordance with the approved details unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure the integrity and maintainability of the bridge over Princess Road, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document.

11) The hard and soft landscaping scheme for the academic block, the multi-storey car park, surface car park, energy centre and associated public realm works, approved by the City Council as local planning authority, as shown on plan nos. M4635_700-100C, 700-101B, 700-102D, 700-103B, 005, 006, 007B, 700-300A, 700-301A and 010A, shall be implemented not later than 6 months from the date of completion of the academic block. 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 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, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document.

13) The tree relocation scheme approved by the City Council as local planning authority, as shown on plan no. M4635_010A, shall be implemented not later than 6 months from the date of completion of the academic block. If within a period of 2 years from the date of the relocation programme any tree is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally relocation 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, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document.

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: 16 October 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