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 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

Hardcastle Investments Ltd
84 Silk Street
Manchester
M4 6BJ

Agent (if used)

Mrs Claire Wilde
SlaterWilde Ltd
Tall Trees
8 Crossings Road
Chapel-en-le-Frith
Derbyshire
SK23 9RZ

Part 1 – Particulars of the application/development

Proposal: Creation of a temporary carpark, comprising 72 parking spaces, including 11 disabled parking spaces, with security cabin and WC, for a temporary period of two years.

Location: Former Howarth Metal Site , 111 Jersey Street , Ancoats , Manchester , M4 6JG

Date of application: 20 December 2013

Application number: 104378/FO/2013/N1

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Temporarily Approval** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 31 Declaration

The local planning authority has worked with the applicant in a positive and proactive manner when dealing with this planning application. The applicant did seek pre-application advice from the local planning authority in relation to what was required for the planning submission and this advice was followed. In response to issues raised throughout the application in relation to visual impact in the Conservation Area, lighting and highways issues, the applicants have reviewed the situation on site and rectified the problems outlined. As the proposal is deemed to be acceptable and in compliance with planning policy, no problems have arisen in this case.

Condition(s) attached to this decision

1) This planning permission is granted for a limited period only expiring on 14th February 2016 and all uses of land or other associated development hereby permitted shall be removed or discontinued and the land reinstated in accordance with a scheme

previously approved within one month of the car park being vacated or before the expiration of the period specified in this condition, whichever is sooner.

Reason - In the interests of visual and residential amenity within the area, pursuant to Policies SP1, EN3 and DM1 of the Core Strategy and saved Policy DC18 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:

The site edge red location plan numbered SW055-PL001, the Design and Access Statement ref SW055-PL003 and the Desk Study and Contamination Investigation Report dated July 2002, stamped as received by the Local Planning Authority on the 4th December 2013, the photographs titled 'Enclosure Sheet 1' stamped as received by the Local Planning Authority on the 16th December 2014, the content of the email from Claire Wilde of Slater Wilde Limited received on the 10th February 2014, and the amended site layout plan numbered SW055-PL002/RevA, received by email on the 10th February 2014.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EN3 and DM1 of the Core Strategy and saved Policy DC18 of the Unitary Development Plan for the City of Manchester.

3) The temporary car park hereby approved shall not be operational outside the following hours:-

Monday to Friday 07.00 to 18.00

If the car park is required for use on a Saturday or Sunday, a scheme for the use of the car park and the proposed hours of use shall be submitted to an approved in writing by the Local Planning Authority prior to any use on these days.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

4) The development hereby approved shall be appropriately illuminated in accordance with a scheme for lighting the site to be submitted and approved in writing by the Local Planning Authority prior to the use commencing. This should include a scheme for illuminating the site during the winter months after dusk and before dawn to improve security across the site during darkness hours. The lighting scheme approved shall remain in operation for so long as the car park is in use.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with Policies SP1 and DM1 of the Core Strategy.

5) The site wide operational and security management details outlined within the email received from Claire Wilde at Slater Wilde Limited dated 10th February, in relation to a full time on site attendant, CCTV provided by the HCA, on site attendants directing users to car parking spaces and the maintenance and servicing of the portaloo, shall be implemented as part of the development and retained as such as long as the car park is in operation.

Reason - In the interests of highway safety, amenity, crime reduction and the personal safety of those using the proposed development in order to comply with Policies SP1 and DM1 of the Core Strategy.

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: 13 February 2014

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

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