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

Ms Leigh Cunningham
Total Car Parks Ltd
Suite 255 Communications House
9 St Johns Street
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Essex
CO2 7NN

Agent (if used)

Mr Mark Aylward
Aylward Town Planning Ltd
Unit 16 Tamewater Court
Dobcross
Oldham
OL3 5GD

Part 1 – Particulars of the application/development

Proposal: Application for temporary use of land (18 months) as public surface car park (563 spaces) with associated pay and display machines, CCTV, floodlighting and 26 x trees in planters to site perimeter.

Location: Site Of Former BBC, Oxford Road, Manchester, M60 7HB

Date of application: 15 May 2014

Application number: 105641/FO/2014/C1

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

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. No such problems have arisen on this application.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only, expiring on 1st January 2015; and the use comprising the development for which permission is hereby granted is required to be discontinued on that date.

Reason - The use hereby approved is of a temporary nature, in order to allow the preparation of the a more balanced interim use strategy that would support the proper planning and regeneration of the area and to allow the City Council the opportunity to reconsider the appropriateness of this use and its impact of the use on policies aimed at reducing reliance on travel by private car the consequences of which have not been

considered beyond the 1 January 2014 pursuant to Core Strategy Policies SP1, CC1, CC4, T1, T2, EN1and DM1.

2) The development hereby approved shall be operated in accordance with the following plans and documents:

(a) Site Location Plan stamped as received on 08-05-14;

(b) Proposed Car Park Layout plan (dwg 2010/191/110 Rev A) stamped as received on 08-05-14;

(c) Dwgs VN30193-100, 101, 102 and 103 stamped as received on 08-05-14;

(d) Site drainage details contained in Vector Drainage Statement as received on 08-05-14;

(e)Information detailed in Location of Pay and Display Machines and Information Signs dwgs stamped as received on 08/05/14;

(f) Recommendations contained in J. A. Holden's Health and Safety Inspection and Assessment of Risk dated 4th June 2013.

(g)Planter detail dwg stamped as received on 8th May 2014;

(h) Maintenance strategies for the Trees contained in Planters, CCTV Cameras and Lighting Units as set out in Mark Aylward's letter dated 22 July; and

(i) Details of safety barriers as shown in dwg CK12713/CM.

Details of retaining walls, structures and embankments as set out in Mark Aylwards letter dated 22 July.

Reason - In the interests of amenity pursuant to Core Strategy Policies SP1, CC1, CC4, T1, T2, EN1and DM1 and saved UDP policies DC26.1 and DC26.5

3) Within 21 days of the granting of this consent a timescale and ongoing maintenance strategy for the following shall be submitted for agreement with the City Council as local planning authority :

(a) Removal of weeds and other plant growth from the site surfaces;

(b) Removal of weeds from the planters;

(c) A strategy for supporting the trees within the planters; and

(d) Works to clear growth to bases of trees (those not in planters) along Oxford Road perimeter.

The agreed strategy shall be complied with for the period during which the approved use remains on the site.

The agreed strategy shall be implemented within 45 days of any approval of these measures.

Reason: Pursuant to Core Strategy Policies SP1 and DM1.

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: 29 July 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 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