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

Mr Matthew Spellman
Manchester City Council
Town Hall Extension
Manchester
M60 2LA

Agent (if used)

Mr Paul Cox
Aedas Architects Ltd
Parsonage Chambers
3 The Parsonage
Manchester
M3 2HW

Part 1 – Particulars of the application/development

Proposal: Erection of two-storey (10.7m high) building to form leisure centre, incorporating two swimming pools, a fitness suite, a dance/community space and two squash courts, together with a 200-space car park, pole-mounted lighting, landscaping, creation of new vehicular access/egress on Princess Road and re-alignment of National Cycle Route 85

Location: Site Of Existing Car Park Serving Hough End Playing Fields, Junction Of Princess Road And Whitchurch Road, Withington, Manchester

Date of application: 18 December 2013

Application number: 104518/VO/2013/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).

Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application and the application has been determined in accordance with the policies within the Development Plan.

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 development hereby approved shall be carried out in accordance with the following drawings and documents:
PLA_001
PLA_002
PLA_003
PLA_004
PLA_005
PLA_006
PLA_007
PLA_008
PLA_009
PLA_010
HOU_PLT_LAN_20_001 RevA
HOU_PLT_LAN_20_002 RevA
HOU_PLT_LAN_20_003 RevB
HOU_PLT_LAN_20_004 RevE
HOU_PLT_LAN_20_005 RevD
HOU_PLT_LAN_20_006
HOU_PLT_LAN_20_007 RevA
HOU_PLT_LAN_20_008
HOU_PLT_LAN_80_001RevG

Flood Risk Assessment Doc No BDP(REP)CS004 dated Nov 2013
Explosive Ordnance Desk Top Study Project 13183 dated Nov 2013
Extended Phase 1 Habitat Survey Doc no HOU_BDPM_RP_104-0001 P01
Preliminary Bat Survey Doc no HOU_BDPM_RP_105-0001 P01
Landscape Management Plan and Maintenance Regime dated Dec 2013
Preliminary Tree Survey Ref PM/24/09/13 dated 24 Sept 2013
Arboricultural Implications Assessment and Method Statement Ref PM/05/12/13
Lighting and CCTV Strategy HOU_BDPM_RP_008
Crime Impact Statement Version A 16.12.13
Transport Assessment 131205/SK21331/TA01/TEXT/PLANS
Energy Statement Doc no HOU_BDPM_RP_103-0001 P01
Ventilation and Extract Statement HOU_BDPM_RP_101-0001 P02
Waste Management Strategy Job Doc no HOU_BDPM_RP_106-0001 P01
Environmental Standards Statement Doc no HOU_BDPM_RP_102-0001 P01
Environmental Noise Impact Assessment Doc no HOU_BDPM_ACO_RS_002
Final Ground investigation Report 02108AA_R_003A_RS-FinalGIReport dated Nov 2013
Geo-Environmental & Geotechnical Desk Study 02108AA_R_001A_RS-Desk Study dated Sept 2013
Site Management Plan by Laing O'Rourke stamped as received by the local planning authority on 6 February 2014.

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.

3) No development that is 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.

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, as specified in policies SP1 and DM1 of the Core Strategy.

4) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T2, and DM1 of the Core Strategy, and the principles contained within the Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

5) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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 DM1 of the Core Strategy.

6) The details of an emergency telephone contact number for the contractor shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy.

7) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on the approved drawings shall be implemented not later than 12 months from the date of commencement of works. 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.

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 policies SP1 and DM1 of the Core Strategy.

8) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

9) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

10) The development hereby approved shall be completed in accordance with the recommendations outlined within the Crime Impact Statement submitted to the Local Planning Authority on the 18th December 2013 in relation to the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved. The development shall only be carried out in accordance with these approved details. No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

11) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

12) Prior to the commencement of the development hereby approved, a local labour agreement addressing initiatives to employ people residing in the vicinity of the development site for the construction of the development, shall be submitted to and agreed in writing with the City Council as local planning authority. The development shall then be completed in accordance with the approved agreement while the construction of the site is ongoing.

Reason - To safeguard local employment opportunities, pursuant to policy DM1 of the Core Strategy for Manchester.

13) Before the laying out of the car park as shown on drawings HOU_PLT_LAN_20_002 Rev A, HOU_PLT_LAN_20_004 Rev E, and HOU_PLT_LAN_80_001RevG, an external lighting scheme for the car parks shall be submitted to and approved in writing by the local planning authority. If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority within 14 days of a written request, and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

14) The development hereby approved shall be implemented in accordance with the waste management scheme ref P2005641, HOU_BDPM_RP_106_0001and the details shown on drawing ref HOU_PLT_LAN_20_004 REV E. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy SP1 and DM1 of the Core Strategy.

15) Before first occupation of the development, a scheme for the acoustic attenuation of any externally mounted ancillary plant, equipment and servicing, shall be submitted to and approved in writing by the City Council as local planning authority. The scheme should be designed so as to achieve a noise leve of 5dB below the existing background (LA90) in each octave band at the nearest sensitive location.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

16) Notwithstanding the details shown on the approved drawings, no part of the development shall be brought into operation until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

17) The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment by BDP (BDP(REP)CS004) and the following mitigation detailed within the FRA:
Limiting the surface water run-off to Red Lion Brook to no more than 6.4/s.
Excess volumes of water up to the 1 in 100 year event (including climate change increase) shall be retained on site.
The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme.

Reason - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity by ensuring the satisfactory storage of/disposal of surface water from the site, pursuant to policy EN14 and DM1 of the Core Strategy.

18) The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. This scheme shall be implemented as approved.

Reason
To ensure there are no unacceptable discharges to ground or surface waters, pursuant to policy EN14 and DM1 of the Core Strategy.

19) The premises shall not be open outside the following hours:
Monday to Friday 7.00am to 10.00pm
Saturday 7.30am to 5.00pm
Sunday 9.00am to 5.00pm

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies SP1 and DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

Please note that only clean uncontaminated water can be discharged into the ground. The drainage area from the car park should be connected to the oil interceptor in order to prevent contaminated water to be discharged into the surface or groundwater.

If infiltration techniques are to be used for surface water disposal the appropriate levels of treatment must be applied.

Further information on SUDS can be found in;
- the CIRIA C697 document SUDS manual
- HR Wallingford SR 666 Use of SuDs in high density developments
- CIRIA C635 Designing for exceedance in urban drainage - good practice
- the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS.

Relevant information in regard to oil interceptors (PPG 3: Use and design of oil separators in surface water drainage systems) can be found on the Environment Agency webpage via link attached below
http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx

Date: 18 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.