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	Agent (if used)
	Mr Jay Patel
Manchester City Football Club Ltd	Deloitte LLP
C/o Agent	2 Hardman Street
	Manchester
	M3 3HF

Part 1 – Particulars of the application/development

Proposal: Variation of planning condition 10 of planning permission 104315/FO/2013/N2 to allow alteration to construction working hours for the construction of the south stand and additional pitch side seats only from Monday to Saturday 07:30 to 19:00 with no operations on Sundays and match/concert days to Monday to Thursday 07:00 to 23:00, Fridays and Saturdays 07:30 to 19:00 and Sundays 08:00 to 16:00 with no operations on match/concert days.

Location: Etihad Stadium, Rowsley Street, Bradford, Manchester, M11 3FF

Date of application: 3 April 2014

Application number: 105367/JO/2014/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).

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 planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the scope application. Further discussions have also taken place during the application process to discuss the nature of the change to the condition and appropriate wording. The proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) attached to this decision

1) In these conditions, the following phrases shall have the meanings set out below:

Additional capacity - shall mean the capacity of the Etihad Stadium in excess of 47,670 seats which is provided by the development hereby approved and references to the use of the additional capacity shall include the sale of any ticket for the use of any seat

within the Etihad Stadium located within either the south or north stand or pitch side seating as expanded by the development hereby approved.

Phase 1 - Shall mean the construction of the south stand and its associated public realm works;

Phase 2 - Shall mean the construction of the north stand and its associated public realm works.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings (approved as part of 104315/FO/2013/N2)

-0118- Rev P00, -02B0 - Rev P00, -02B1- Rev P00, -0116 - Rev P00, - 0117 - Rev P00, - 0217- Rev P00, -218 - Rev P00, - 219 - Rev P00, - 0304 - Rev P00, - 0305 - Rev P00, - 0306 - Rev P00, - 0110 - Rev P00, - 0110 - Rev P02, -01B0 - Rev P00, -01B1 - Rev P00, -0106 - Rev P03, - 0107 - Rev P03, -0203 - Rev P03, -0204 - Rev P03, -0205 - Rev P03, -0302 - Rev P03, - 0303 - Rev P03 and PL1313-GA-002 stamped as received by the City Council, as Local Planning Authority, on the 25 November 2013.

PL1313-GA-001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 20 December 2013.

PL1313-GA-000 Rev C, PL1313-GA-004 Rev C and PL1313-GA-003 Rev C stamped as received by the City Council, as Local Planning Authority, on the 20 December 2013.

0101 Rev P05, 0102 Rev P05, 0103 Rev P05, 0104 Rev P05 and 0105 Rev P05, 0111 Rev P02, 0112 Rev P02, 0113 Rev P02, 0114 P02 and 0115 Rev P02 stamped as received by the City Council, as Local Planning Authority, on the 6 February 2014.

Supporting Information (approved as part of 104315/FO/2013/N2)

Planning statement prepared by Deloitte, design and access statement prepared by Populous, phasing schedule prepared by Deloitte, Transport statement prepared by Mott MacDonald (Rev D), Travel Plan prepared by Mott MacDonald (Rev C), Safety Management Plan prepared by MCFC, Crime Impact Statement prepared by Design for Security (Version B 22.11.13), construction management plan prepared by Laing O'Rourke, Impact on Humans report prepared by Deloitte, Local Labour Agreement, Statement of Consultation prepared by Deloitte, Economic Development and regeneration statement prepared by Deloitte, Drainage strategy prepared by Buro Happold (ref. 031608 Rev 02), Archaeological Desk Based Assessment prepared by Oxford Archaeology (Issue number 2013-14/1461), Wind Assessment prepared by RWDI, Extended phase 1 habitat survey prepared by BDP, Environmental Standards Statement prepared by SKM (ref. UN1257-O-RP-001 Rev B, Energy Statement prepared by SKM (ref. UN12571-EMM-RP-0001 Rev C), Environmental Impact Assessment Volume 1 (Environmental Statement) prepared by Deloitte (including construction & phasing, consideration of alternative sites, landscape and visual impacts, transportation, noise and vibrations, air quality, telecommunications, socio economic impact, lighting and cumulative impacts), Environmental Impact Assessment Volume 2 (Appendices) prepared by Deloitte and Environmental Impact Assessment (Volume 3) Non technical summary prepared by Deloitte stamped as received by the City Council, as Local Planning Authority, on the 25 November 2013.

Flood Risk Assessment prepared by Building Design Partnership (ref. P2005921 (REP) COO1 Issue 3 Rev B) stamped as received by the City Council, as Local Planning Authority, on the 19 December 201

Planit note on the stadium podium trees stamped as received by the City Council, as Local Planning Authority, on the 4 December 2013.

Noise report update prepared by Sandy Brown Consultants in Acoustics, noise and vibration stamped as received by the City Council, as Local Planning Authority, on the 9 January 2014.

Written Scheme of Investigation (WSI) prepared by Oxford Archaeology North stamped as received by the City Council, as Local Planning Authority, on the 24 January 2014

Email from Jay Patel (Noise) received by the City Council, as Local Planning Authority, on the 20 December 2013.

Email from Michele Steel (Telecommunications) received by the City Council, as Local Planning Authority, on the 2 December 2013.

Email from Jay Patel (construction management) received by the City Council, as Local Planning Authority, on the 14 January 2014.

Email from Jay Patel (CIS update) received by the City Council, as Local Planning Authority, on the 15 January 2014.

Email from Jay Patel (Litter) received by the City Council, as Local Planning Authority, on the 20 January 2014.

Transport Assessment Addendum 1 Rev C stamped as received by the City Council, as Local Planning Authority, on the 10 February 2014.

Documents submitted as part of 105367/JO/2014/N2

Updated construction management plan prepared by Laing O'Rourke and Sandy Brown stamped as received by the City Council, as Local Planning Authority, on the 2 April 2014

Additional acoustic report (ref. M016-A) prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority on 9 May 2014.

Letter from Michele Steel of Deloitte dated 3 April 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) Notwithstanding the materials identified on drawing 4001 00 stamped as received by the City Council, as Local Planning Authority, on the 27 January 2014, final samples and specifications of all materials to be used on the external elevations of the development hereby permitted shall be submitted for approval in writing by the City Council, as Local Planning Authority prior to the erection of the above ground super structure. The approved materials shall then be used in the construction of the stadium and maintained in situ for so long as the development remains in use.

Reason - In the interest of visual amenity pursuant to policies SP1, EC1, EC7, EN1 and DM1 of the Manchester Core Strategy (2012).

4) No clearance of vegetation or trees from the site should be carried out during the bird nesting season (March to July inclusive).

Reason - To protect existing habitats for birds, pursuant policies EN15 and DM1 of the Manchester Core Strategy (July 2012).

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on drawings PL1313-GA-002 stamped as received by the City Council, as Local Planning Authority, on the 25 November 2013 and PL1313-GA-001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 20 December 2013 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, 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 Manchester Core Strategy (2012).

6) 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 Manchester Core Strategy (2012).

7) Tree replacement shall be carried out in accordance with drawings PL1313-GA-003/Landscape Masterplan - South Rev C, PL1313-GA-004/Landscape Masterplan - North Rev C and PL1313-GA-000/ Site wide Masterplan - Rev C stamped as received by the City Council, as Local Planning Authority, on the 20 December 2013.

Tree replacement in accordance with the specified documents shall be implemented not later than 12 months from the substantial completion of the expanded stadium (or phase 1 which ever is the sooner), or within such other time as may be approved in writing by the City Council, as Local Planning Authority. If within a period of 5 years from the date of the planting of any tree, that tree or any tree 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 and within 2 months from the date of the City Council's written notification to this effect.

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, EN9 and DM1 of the Core Strategy.

8) Prior to the first use of the additional capacity (or prior to the first use of phases 1 and 2 if the development is to be implemented on a phased basis) the land around the external concourse, where this has been the subject of ground breaking, shall be reinstated in accordance with drawings PL1313-GA-003/Landscape Masterplan - South Rev C (in respect of phase 1) and PL1313-GA-000/ Site wide Masterplan -Rev C (in respect of phases 1 and 2) stamped as received by the City Council, as Local Planning Authority, on the 20 December 2013. This shall include back filling operations followed by surface reinstatement (macadam) to enable the area to be used for public use and repositioning of the weld mesh. The fence and macadam shall be retained and maintained thereafter.

Reason - To ensure appropriate reinstatement of the land around the stadium upon completion of the works pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

9) Prior to the first use of the additional capacity (or prior to the first use of phases 1 and 2 if the development is to be implemented on a phased basis), details of the plant equipment, associated noise survey and specification shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first use of the additional capacity (or prior to the first use of phases 1 and 2 if the development is to be implemented on a phased basis) and shall be retained and maintained in accordance with the approved details for as long as the Etihad Stadium remains in use.

The operating time of the plant shall be restricted to the following times:

Monday to Sunday 07:00 to 23:00

Outside of these times the plant shall be switched off.

Reason - To secure a reduction in the level of noise emanating from the equipment pursuant to in policies SP1 and DM1 of Core Strategy (2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

10) 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, prior to the first use of the additional capacity (or prior to the first use of phases 1 and 2 if the development is to be implemented on a phased basis).

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 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.

11) The development hereby approved shall be carried out in accordance with the Energy Statement prepared by SKM(UN12571-EMM-RP-0001 Rev C) stamped as received by the City Council, as Local Planning Authority, on the 25 November 2013. Prior to the first use of the additional capacity (or prior to the first use of phases 1 and 2 if the development is to be implemented on a phased basis) written conformation shall be submitted to the City Council, as Local Planning Authority, that the development has been carried out in accordance this document.

Reason - To ensure that the carbon reduction measures are incorporated in the development pursuant to policies SP1, T1-T3, EN4-EN7 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.

12) The development hereby approved shall be carried out in accordance with the Crime Impact Statement (Version B 22.11.13). Prior to the first use of the additional capacity (or prior to the first use of phases 1 and 2 if the development is to be implemented on a phased basis), written confirmation shall be submitted to the City Council, as Local Planning Authority, that all reasonable endeavours have been made to carry out the development in accordance with this document.

Reason - In the interests of community safe and crime prevention pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), the Guide to Development in Manchester SPD and the National Planning Policy Framework.

13) Notwithstanding drawings PL1313-GA-003/Landscape Masterplan - South Rev C and PL1313-GA-000/ Site wide Masterplan - South Rev C stamped as received by the City Council, as Local Planning Authority, on the 20 December 2013 and the mitigation measures outlined with the External Lighting Strategy (ref. UN1257-NS-EEE-RP-0002 Rev A) prepared by SKM stamped as received by the City Council, as Local Planning Authority, on the 19 December 2013 and section 13 of the Environmental Impact Assessment Volume 1 prepared by Deloitte stamped as received by the City Council, as Local Planning Authority, on the 25 November 2013, prior to the first use of the additional capacity (or prior to the first use of phases 1 and 2 if the development is to be implemented on a phased basis), details of the external concourse and stadium lighting shall be submitted for approval in writing by the City Council, as Local Planning Authority. Such details shall include the amount, location and lighting impact (including any necessary lighting modelling). The lighting scheme shall then be installed in accordance with the approved details and thereafter retained and maintained.

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) Prior to the first use of the additional capacity (or prior to the first use of phase 1 if the development is to be implemented on a phased basis), an Events Management Strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The Events Management Strategy shall set out the arrangements for sporting and non sporting events including:

- A car parking strategy and particulars of the implementation of the strategy, monitoring of its effectives and a review mechanism;
- A strategy for the management and control of vehicles entering and exiting the development prior to, and following events, at the Stadium,
- A scheme for the collection, storage and disposal of litter.

The management of events at the site shall be fully implemented in accordance with the approved Events Management Strategy.

Reason - In order to minimise the peak traffic demand and to ensure the availability of adequate car parks within the area, to ensure that suitable arrangements are in place to facilitate the safe movement of pedestrians and motor vehicles, and to ensure adequate arrangements are in place for the collection of litter and waste following events at the development pursuant to polices SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

15) The development hereby approved shall be carried out in accordance with the Written Scheme of Investigation (WSI) prepared by Oxford Archaeology North stamped as received by the City Council, as Local Planning Authority, on the 24 January 2014, in relation to a programme of archaeological works in relation to the expanded stadium. The WSI includes:

- An archaeological watching brief during ground works for the development;
- A programme of post investigation assessment to include:
- Analysis of the site investigation records and finds;
- Production of a final report on the significance of the archaeological and historical interest represented.
- Provision of dissemination of the result of the site investigations, commensurate with their significance;
- Provision for archive deposition or persons/organisation to undertake the works set out within the approved WSI.

Prior to the first use of the expanded stadium (or phases 1 and 2), the final report of significance shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Reason - To record and advance understanding of the significance of the heritage assets pursuant to policy EN3 of the Manchester Core Strategy (2012), extant policy DC20 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework.

16) The development hereby approved shall be carried out in accordance with the Flood Risk Assessment prepared by Building Design Partnership (ref. P2005921 (REP) COO1 Issue 3 Rev B) stamped as received by the City Council, as Local Planning Authority, on the 19 December 2013, including the proposed mitigation measures which shall be implemented prior to the first use of the expanded stadium (or phase 1 or 2). These mitigation measures include:

-That surface water run off from the site will not increase as a result of the development and will continue to discharge on a 'like for like' basis to the River Medlock;

Reason - In the interest of flood risk in order to ensure satisfactory disposal of surface water pursuant to policies EC7, EN14 and DM1 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

17) Prior to the first use of the additional capacity (or prior to the first use of phase 1 if the development is to be implemented on a phased basis) the noise egress levels from the PA system at the Etihad Stadium shall be agreed in writing by the City Council, as Local Planning Authority. The noise egress levels from the PA system shall then be implemented prior to the first use of the additional capacity (or prior to the first use of phase 1 if the development is to be implemented on a phased basis) and shall thereafter be maintained at this level for as long as the PA system at the Etihad Stadium is in use.

Reason - To ensure that the PA system at the stadium operates at an acceptable level in the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

18) Prior to the first use of the additional capacity (or prior to the first use of phase 1 if the development is to be implemented on a phased basis) the noise egress levels from amplified music at the Etihad Stadium shall be agreed in writing by the City Council, as Local Planning Authority. The noise egress levels from amplified music shall then be implemented prior to the first use of the additional capacity (or prior to the first use of phase 1 if the development is to be implemented on a phased basis) and shall thereafter be maintained at this level for as long as the Etihad Stadium is in use.

Reason - To ensure that amplified music at the stadium operates at an acceptable level in the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

19) Prior to the first use of the additional capacity (or prior to the first use of phase 1 if the development is to be implemented on a phased basis), 200 cycle stands shall be implemented in accordance with the drawings PL1313-GA-003/Landscape Masterplan - South Rev C and PL1313-GA-000/ Site wide Masterplan -Rev C stamped as received by the City Council, as Local Planning Authority, on the 20 December 2013 and the design and access statement prepared by Populous stamped as received by the City Council, as Local Planning Authority, on the 25 November 2013. The cycle stands shall be retained and maintained in situ for as long as the Etihad Stadium remains in use.

Reason - To ensure there is sufficient cycles stand provision at the stadium in order to support modal shift measures for visitors to the stadium pursuant to policies SP1, EC1, T1, T2, EC7 and DM1 of the Manchester Core Strategy (2012).

20) The development hereby approved shall be carried out in accordance with the travel plan prepared by Mott McDonalds, stamped as received by the City Council, as Local Planning Authority, on the 25 November 2012. 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 Etihad Stadium;
ii) a commitment to surveying the travel patterns of staff during the first three months of use of the additional capacity (or prior to the first use of phases 1 and 2 if the development is to be implemented on a phased basis) 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 additional capacity (or prior to the first use of phase 1 if the development is to be implemented on a phased basis), 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 for the staff working at the stadium, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

21) The details of an emergency telephone contact number for the site contractor shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete for the additional capacity (for both phase 1 and 2).

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

22) Prior to the commencement of work associated with the additional pitch side seating, as indicated on drawing -01B0-P00 stamped as received by the City Council, as Local Planning Authority, on the 25 November 2013, detailed elevations and sections shall be submitted for approval in writing by the City Council, as Local Planning Authority. The additional seating shall then be implemented in accordance with the previously approved details and thereafter retained and maintained in situ.

Reason - In the interest of visual amenity and impact on the stadium pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

23) The development shall be carried out in accordance with the Factual and ground conditions report ESG (ref. A3174-13) dated February 2014, Etihad stadium preliminary risk assessment prepared by Buro Happold (ref. 031608) dated 22 April 2014 and LMSxi Final Inspection and calibration certificate ESG dated 27 August 2013.

A Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority once the development is complete.

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 and EN18 of the Core Strategy.

24) The development hereby approved shall be carried out in accordance with the construction management plan prepared by Laing O'Rourke and noise survey prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority, on the 25 November 2013 and the email from Jay Patel dated the 14 January 2014 (received as part of planning application 104315/FO/2013/N2) and updated construction management plan prepared by Laing O'Rourke and noise assessment for extended hours prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority, on the 2 April 2014 and additional acoustic report (ref. M016-A) prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority on 9 May 2014.

This shall include:

- Wheel washing of contractors vehicles leaving the each egress gate and surrounding road networks swept and cleaned daily;
- No revving of engines;
- Dust suppression measures put in place;
- Monitoring of vibrations associated with pilling

Reason - In the interest of pedestrian and highway safety and residential amenity, as specified in policies SP1 and DM1 of Core Strategy (2012) and extant policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

25) The construction working hours for phase 1 and the pitch side seating shall be restricted to Monday to Thursday 07:00 to 23:00, Friday and Saturdays, 07:30 to 19:00 and Sundays 08:00 to 16:00 with no operations on match/concert days as detailed within the updated construction management plan prepared by Laing O'Rourke and noise assessment for extended hours prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority, on the 2 April 2014 and additional acoustic report (ref. M016-A) prepared by Sandy Brown stamped as received by the City Council, as Local Planning Authority on 9 May 2014. The construction working hours for phase 2 shall be 07:30 to 19:00 Monday to Saturday with no operations on Sundays and match/concert days.

For the avoidance of doubt this shall include the following for phase 1 and the pitch side seating:

- That any construction activities taking places between 07:00 to 07:30 and 19:00 to 23:00 Monday to Thursday and 08:00 to 16:00 Sundays shall be carried out in accordance with the activities set out within Appendix A of the Sandy Brown Noise Assessment stamped as received by the City Council, as Local Planning Authority, on the 2 April 2014;

- Should construction activities be required between 07:00 to 07:30 and 19:00 to 23:00 on Fridays and Saturdays, written approval shall be obtained from the City Council, as Local Planning Authority at least 10 days prior to the operating hours taking place on these days. The total number of days operating these hours shall not exceed four in any given week (not including Sundays) with the remaining two days operating construction hours of 07:30 to 19:00;

- During the construction working hours of 07:00 to 07:30 and 19:00 to 23:00 monitoring of noise associated with these hours shall be undertaken. If any noise during the working hours of 07:00 to 07:30 and 19:00 to 23:00 which in the opinion of the City Council, as Local Planning Authority, causes detriment to adjoining and nearby residential properties, all work within the hours of 07:00 to 07:30 and 19:00 and 23:00 shall cease and within 10 days of a written request, a mitigation scheme for the elimination of such noise shall be submitted to the City Council as Local Planning Authority. Once approved, the hours of 07:00 to 07:30 and 19:00 to 23:00 shall recommence in accordance with the approved mitigation details which shall thereafter be retained and maintained;

- Details of an emergency telephone contact number for the contractor shall be publically displayed at the site until the development has been completed (for both phase 1 and 2).

Reason - In the interest of residential amenity pursuant to polices SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

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: 6 June 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