

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Provision of Playzone on Multi-Use Games Area with floodlighting and associated landscaping

Location: Manley Park Play Centre, York Avenue, Manchester, M16 0AS

Date of application: 17 January 2025

Application number: 141931/FO/2025

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 35 Declaration

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:

Arboricultural Method Statement Report Number: RT-MME-182078-02 Date: March 2025 prepared by Middlemarch;

Preliminary Arboricultural Assessment Report Number: RT-MME-181389-01-Rev A Date: March 2025 prepared by Middlemarch;

Arboricultural Impact Assessment Report Number: RT-MME-182078-01 Date: March 2025 prepared by Middlemarch;

Preliminary Ecological Appraisal Report Number: RT-MME-181389-04 Date: November 2024 prepared by Middlemarch
Biodiversity Statement & Metric Assessment Report number: RT-MME-181389-05 Date: 18/12/2024 prepared by Middlemarch
24-0478 03P DEVELOPMENT LAYOUT;
24-0478 04P ELEVATIONS

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 and policy.

3) Prior to the commencement of the development hereby approved, a surface water drainage scheme for the development site, based on sustainable drainage principles, shall be submitted to and approved in writing by the City Council, as Local Planning Authority.

The development shall be constructed and completed in accordance with the approved details prior to the first use of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14 and Places for Everyone policy JP-S4.

4) The development shall be carried out in accordance with the recommendations in section 6 of the Preliminary Ecological Appraisal (Middlemarch 2024) in respect of the General Safeguarding Measures for the duration of the construction works these are:

- For nesting birds and timing of any required vegetation clearance including pruning of trees outside the nesting bird season (between March and September inclusive) (peak period March-August). If this is not possible then any vegetation to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing.
- Off-site Trees: To avoid accidental encroachment of the works activities, the offsite trees along the playfield fence in proximity to the site, which are retained as a part of the proposed works, should be protected in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and construction -recommendations". Protection should be installed on site prior to the commencement of any works on site.
- Terrestrial Mammals: Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each workday to prevent animals entering/becoming trapped.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy and policy JP-G8 of Places for Everyone.

5) a) Prior to the installation of any lighting scheme at the development, the full detailed designs of the external lighting scheme to be installed shall be submitted to and approved in writing by the City Council as local planning authority. The scheme shall be designed so as to control glare and overspill onto nearby residential properties, adjacent trees and bat foraging/commuting areas.

b) Prior to the first use of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the

recommendations and requirements in the approved lighting scheme. The report shall also undertake post completion testing to confirm that acceptable criteria have been met.

c) In the event of any non-conformity with the approved lighting scheme then any further measures that are required to ensure conformity shall be carried out. Any required measures/mitigation shall continue until conformity has been achieved and agreed in writing by the City Council as local planning authority.

The development shall be carried out and operated in accordance with the agreed lighting scheme whilst the development is in use.

Reason - To safeguard the amenities of the occupiers of nearby properties and to minimise impacts on protected species that may commute and forage in the area pursuant to Core Strategy policies DM1 and EN15 and policy JP-G8 of Places for Everyone..

6) Prior to the first use of the development hereby approved, a 30 year Habitat Management and Monitoring Plan of the on-site biodiversity enhancements shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall be implemented and maintained in accordance with the agreed details and shall be retained thereafter.

Reason - In the interests of biodiversity net gain being achieved on site pursuant to Policy EN15 of the Manchester Core Strategy, Policies JP-G8 of Places for Everyone, National Planning Policy Framework (NPPF) and Schedule 7A of the Town and Country Planning Act 1990 (as amended).

7) 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, lopped or lateral branches reduced to any individual tree 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 and policy JP-G8 of Places for Everyone.

8) 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 and policy JP-G8 of Places for Everyone.

9) Prior to the removal and replacement of the synthetic turf pitch and any associated materials, details of the strategy to be used for its removal and disposal shall be submitted to and approved in writing by the City Council as local planning authority. The removal of the pitches shall be undertaken in accordance with the agreed strategy.

Reason - To ensure that the disposal of materials that reach the end of there lifecycle is undertaken in accordance with best practice and in a manner to reduce materials requiring to be disposed of in landfill, pursuant to policy EN19 of the Core Strategy.

10) Prior to commencement of any activities on the hereby approved pitch, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority. The submitted NMP shall include an assessment of noise from all activities associated with the use. The development shall be subsequently operated in accordance with the agreed NMP whilst it is in use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

11) The hereby approved development shall not be used until a schedule of hours of use of the pitch and associated floodlighting as indicated on the approved plans, has been submitted and approved in writing by the City Council as local planning authority. The hours of use shall be based upon and informed by the agreed assessment required under condition 10 of this decision notice. The pitch and floodlighting shall be subsequently operated in accordance with the agreed details.

Reason - In the interests of the amenity of nearby residential properties, pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

12) All floodlighting associated with the artificial turf pitch shall be turned off when the pitches are not in use other than for maintenance purposes.

Reason - To reduce the impact of the floodlighting on the amenity of the occupiers of nearby residential accommodation and reduce any impact of the lighting on foraging Bats pursuant to policies DM1 and EN15 of the Core Strategy and policy JP-G8 of Places for Everyone.

13) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy and validated. If no contamination is

found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

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 policy EN18 of the Unitary Development Plan for the City of Manchester.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

INFORMATIVE 1: The granting of planning permission does not negate the need to abide by the laws that are in place to protect biodiversity. If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately, and an ecologist/LPA should be contacted to provide further advice.

INFORMATIVE 2: In designing the external lighting scheme any scheme shall be designed in line with best practice guidelines (e.g. <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>) to ensure that the trees to the south remain as a dark area and impacts on foraging and commuting bats will be avoided.

INFORMATIVE 3 : In order to discharge the surface water drainage condition from this approval (condition number 3) the following will be required to be demonstrated:
-A thorough investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365.

- For surface water connections, evidence of agreement in principle from the relevant authority/service provider is required to ensure there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed new connection will suffice.
- Where layout of pipe beyond site boundary and connection to 3rd party pipe offsite is proposed, evidence of agreement from any 3rd party landowners and the asset owner is required. An email of acceptance will suffice.
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment. Provide at least a 50% reduction in brownfield runoff rate or greenfield runoff rate.
- Finalised surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.
- Hydraulic calculations of the proposed drainage system, including all design parameters. Results must demonstrate no surcharge for the 1 in 2, no flooding in the 1 in 30 and no flooding of buildings for the 1 in 100 + 45% Climate Change.
- Where flows less than 5 l/s are proposed, a blockage risk assessment must be undertaken. If the risk cannot be adequately managed, a higher minimum discharge rate should be considered /agreed with relevant authority.
- Construction details of flow control and SuDS components

Date: 4 April 2025

Signed:



Julie Roscoe
Director 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, they may appeal to the 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 gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they 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 Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.