

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

Mr K Murphy
KMM Homes Ltd
C/o Agent

Agent (if used)

Mrs Carol Clarke
Bramhall Town Planning Ltd
3 Darwin Grove
Stockport
SK7 2DS

Part 1 – Particulars of the application/development

Proposal: Outline application for proposed redevelopment of the former A.E.U Club, incorporating demolition of existing buildings and structures and construction of up to 25 new residential dwellings (houses or flats) (Use Class C3), with parking, associated landscaping and infrastructure, with approval of siting and access sought

Location: Openshaw A E U Club , 14 Club Street, Manchester, M11 1NF

Date of application: 4 April 2022

Application number: 133036/OO/2022

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

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. In this case, officers engaged in pre-application discussions with the applicant's agent, which established the parameters of the development and identified pertinent material considerations. These discussions informed the subsequently submitted planning application. Further discussions during the consideration of the planning application, resulted in the submission of supplementary information that demonstrated that the magnitude of development could be accommodated within the site. Discussions also informed the content of the related s106 agreement. The submitted and supplementary details allow the satisfactory assessment of the development.

Condition(s) attached to this decision

1) Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the

reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2) Approval of the details of appearance, landscaping and scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 23 February 2022, 4 April 2022 and 1 July 2022:

Application forms for outline planning permission (amended by email from Bramhall Planning reducing the number of proposed residential units to 25 dated 1 July 2022)

Site location plan Ref: BG-EWA-ZZ-ZZ-DR-A-70401 Rev. P0

Access plan Ref: BG-EWA-ZZ-ZZ-DR-A-70402 Rev. P0

Parameters plan Ref: BG-EWA-ZZ-ZZ-DR-A-70405 Rev. P2

Siting plan Ref: BG-EWA-ZZ-ZZ-DR-A-70406 Rev. P3

Streetscene - Backwell Street Ref: BG-EWA-ZZ-ZZ-EL-A-70404

Design and Access Statement: Residential development of the land at Openshaw AEU Club, Club Street, Manchester, M11 1NF on behalf of KMM Homes dated February 2022

Planning Statement by Bramhall Planning dated February 2022 (amended by email from Bramhall Planning reducing the number of proposed residential units to 25 dated 1 July 2022)

Land off Backwell Street, Manchester Transport February 2022 by Mode Ref: J326863 Version 1.0

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 for the City of Manchester.

4) The development shall be implemented in accordance with the parameters of height and scale as detailed on drawings referenced Parameters plan Ref: BG-EWA-ZZ-ZZ-DR-A-70405 Rev. P2:

- i) No houses shall exceed 2.5 storeys in height;
- ii) No apartment block shall exceed 3 storeys in height.

Reason - To safeguard the amenities of the occupiers of occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

5) Before the commencement of above ground construction works, 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. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

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 for the City of Manchester.

6) Before the commencement of the development, a detailed demolition and construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- i. Display of an emergency contact number;
- ii. Confirmation of construction working hours;
- iii. Details of wheel washing;
- iv. Compound locations where relevant;
- v. Location, removal and recycling of waste;
- vi. Routing strategy and swept path analysis;
- vii. Parking of staff and construction vehicles;
- viii. Sheeting over of construction vehicles;
- ix. Dust suppression measures.

Development shall be carried out in accordance with the approved construction management plan upon commencement of authorised works.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

7) 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 and EN18 of the Core Strategy for the City of Manchester.

8) No development shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

9) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. Verification report providing photographic evidence of construction as per design drawings;
- ii. As built construction drawings if different from design construction drawings;
- iii. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential units shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches or outbuildings shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

12) No trees shall be removed other than those identified below and shown in document referenced BS 5837:2012 Arboricultural Impact Assessment - Land off 14 Club Street Report No: 21 February 2022 Report No LTM0293.AIA.P01 (Final) by Lally Tree Management, including Appendix 4 Tree Constraints Plan Ref: LTM0293.AIA.01. No removal or other work to trees and or hedges shall be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person.

Reason - In the interests of residential amenity and to safeguard local bio-diversity and nature conservation, pursuant to policies SP1, DM1 and EN15 of the Core Strategy for the City of Manchester.

13) Upon commencement of the authorised construction works, the methodology for tree protection shall be fully implemented in accordance with the details of document referenced BS 5837:2012 Arboricultural Impact Assessment - Land off 14 Club Street Report No: 21 February 2022 Report No LTM0293.AIA.P01 (Final) by Lally Tree Management, including measures for the implementation of a cellular confinement system as out in paragraph 2.6.

The erected fencing and ground protection for any retained tree or tree adjacent to the site boundary shall be erected / installed in accordance with the approved plans before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained throughout the construction period. 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 undertaken.

Reason - In order avoid damage to trees / shrubs within and adjacent to 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 for the City of Manchester.

14) Before the occupation of the development, the measures for bio-diversity enhancement, as set out in paragraph 5.0 Enhancements and 6.0 Conclusions of document referenced: Preliminary Ecological Appraisal and Nocturnal Surveys for Bats

The Fairfield Backwell Street Manchester Ref: P.1503.71 Rev E dated February 2022 shall be fully implemented and maintained in situ at all times thereafter.

Reason - In order to enhance local biodiversity through the provision of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

15) Before the commencement of the development, a bat survey shall be undertaken within the application site in accordance with recommendation specified on page 26 (6.0 Conclusions) of the submitted document referenced: Preliminary Ecological Appraisal and Nocturnal Surveys for Bats. The Fairfield, Backwell Street, Manchester Ref: P.1503.21 Rev E dated 18 February 2022. The development shall be implemented in accordance with the approved scheme. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Reason - In order to enhance local biodiversity through the provision of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

16) Before the commencement of the development, a scheme shall be submitted to and approved in writing by the City Council of as local planning authority detailing the methodology for the implementation of the hedgehog reasonable avoidance measures as specified on page 25 (5.2 Protected and Notable Species) of the submitted document referenced: Preliminary Ecological Appraisal and Nocturnal Surveys for Bats. The Fairfield, Backwell Street, Manchester Ref: P.1503.21 Rev E dated 18 February 2022. The agreed scheme shall be implemented upon commencement of construction work and maintained in situ at all times during the demolition and construction phases of the development.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy for the City of Manchester.

17) Before the commencement of any earthworks, vegetation removal and / or demolition work, as part of the authorised development, details of the control and avoidance measures that have been and will be applied for the treatment and eradication of Japanese knotweed including the undertaking and provision of regrowth visits shall be submitted to and approved in writing by the City Council as local planning authority. The agreed measures shall be fully implemented as part of the development and until written confirmation is received by the City Council as local planning authority to confirm the eradication of Japanese Knotweed.

Reason - To prevent the spread of Japanese Knotweed which has been found on part of the site and in the interests of residential amenity pursuant to policies SP1, EN18 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

18) Before the commencement of the development, an Environmental Standards Statement shall be submitted to and approved in writing by the City Council as local planning authority, detailing the environmental and sustainable performance of the development, including: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency.

Within 3 months of the completion of the construction of the development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

19) Before the occupation of the development, detailed drawings shall be submitted to and approved in writing by the City Council as local planning authority, relating to layout and surfacing of all car parking spaces for residents and associated on-site highways works. The approved scheme shall be implemented upon occupation of the apartments and maintained at all times thereafter in accordance with the agreed scheme.

Reason - In the interests of pedestrian and highways safety and to ensure that the development is supported with appropriate residential car parking provision, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

20) Before the commencement of the development, details of off-site highways works to Backwell Street and Club Street that may be required as part of the implementation of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details, which shall be maintained in situ thereafter.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, EN19, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

21) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing confirming the position and specification of the electric vehicle (EV) charging points within the curtilage of the respective residential units. The EV charging points shall achieve a minimum charging specification of 7kw/H and be installed in accordance with positions shown on the approved drawings before first occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

22) 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.

23) Before the occupation of the development, a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of waste and recycling bins, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

24) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council and local planning authority, detailing the design, appearance and capacities of the bin store enclosures to be provided within the curtilage of the authorised residential units. The approved scheme shall be fully implemented prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of waste and recycling bins, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

25) Before occupation of the development, details of the elevational appearance and specification of secure cycle storage, shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented in full prior to the first occupation of the development and maintained in situ thereafter.

Reason - To ensure that adequate provision is made for cycle 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 for the City of Manchester.

26) Before the development commences a scheme, shall be submitted to and approved in writing by the City Council as local planning authority, relating to the acoustic insulation the residential accommodation against noise from Ashton Old Road and any other identified noise sources within the vicinity of the site. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To secure a reduction in noise from Ashton Old Road and any other identified noise sources within the vicinity of the site, in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

27) Before the development commences, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i. The measures proposed to recruit local people including apprenticeships;
- ii. Mechanisms for the implementation and delivery of the Local Benefit Proposal;

iii. Measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives.

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Core Strategy for the City of Manchester.

28) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority, detailing measures to facilitate digital and broadband connectivity. The development shall be implemented in accordance with the approved details.

Reason - In the interests of residential and amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester and the guidance with the National Planning Policy Framework.

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:

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

Mining Information

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 Mining Remediation Authority.

Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3
(including noise from building sites guidance and also IAQM/EPUK Guidance on controlling emissions from demolition and construction sites).

The applicant should be advised that any continuing requirements for licensing and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

The following additional drainage details are required:

- i. A Flood Risk Assessment focused on the surface water flood risk, as the site is >0.5 Ha in a Critical Drainage Area (CDA), with areas of medium to high risk of surface water flooding.
- ii. Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- iii. 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, as the site is located within Conurbation Core Critical Drainage Area. For greenfield areas of site this shall be greenfield runoff rates. For brownfield areas of site this shall include at least a 50% reduction in runoff rate compared to the existing rates, with an aim to reduce to greenfield rate.
- iv. An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.
- v. Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- vi. Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building;
- vii. Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- viii. Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.
- ix. Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- x. Front driveways >5m² shall be permeable where feasible, in line with government guidance.
- xi. Hydraulic calculation of the proposed drainage system;
- xii. Construction details of flow control and SuDS elements.

The required sustainable drainage management scheme should include:

- i. Verification report providing photographic evidence of construction as per design drawings;
- ii. As built construction drawings if different from design construction drawings;
- iii. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The following advice has been provided by Cadent:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Date: 11 February 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 their 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.