

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 Hassen Lakhel
310 Lower Broughton Road
Salford
M7 2HQ

Agent (if used)

Mr Justin Karl Keleghan
JK Technical Services (NW) Ltd
21 Campbell Road
Swinton
Manchester
M27 5QG

Part 1 – Particulars of the application/development

Proposal: Erection of 3 storey building to form 6no. apartments (Class C3) together with associated landscaping, car parking and boundary treatment

Location: Vacant Land To Rear Of Nos. 1-17 Wythburn Avenue Fronting Queens Road , Manchester, M8 0JL

Date of application: 10 September 2024

Application number: 139082/FO/2024

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. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

Drawings referenced 01 (Proposed ground and first floor plans, elevations and sections), 02 (Proposed second floor and street scenes) and Proposed window section drawings, received by the City Council as Local Planning Authority on 8 August 2024 and 30 July 2024 respectively, drawings referenced 03 (Existing and Proposed OS Map and 08 (Proposed landscaping) received by the City Council as Local Planning Authority on 12 August 2024 and drawing referenced 09 (existing and proposed tree spread), received by the City Council as Local Planning Authority on 13 August 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Prior to the commencement of above ground development, all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, vents.

The approved materials shall then be implemented as part of the development.

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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

4) Notwithstanding details submitted, prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Quantification / classification of vehicular activity associated with construction including commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway;
- Safe methods of working adjacent to the Metrolink Boundary and cutting slope;
- Dust suppression measures;
- Compound locations where relevant;
- Loading and unloading of plant and materials in proximity to Metrolink infrastructure;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.
- Storage of plant and materials;
- A highway dilapidation survey and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site;
- Community consultation details.

The development shall only be carried out in accordance with the approved construction management plan. Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment.

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

5) No works or vegetation clearance shall take place during the optimum period for bird nesting (1st March - 31st August inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy.

6) Prior to any site clearance or earthworks a reasonable avoidance measures method statement for hedgehog and other mammals shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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 Manchester Core Strategy.

7) Notwithstanding details submitted, prior to above ground works for the development hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason - To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy, Places for Everyone Policy JP-G8 and the National Planning Policy Framework (NPPF).

8) If more than 18 months elapse prior to the commencement of the development from the date of submitted Preliminary Ecological Appraisal survey prepared by Arbtech (February 2023), received by the City Council as Local Planning Authority on 8 May 2024, an updated ecological assessment shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

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 Manchester Core Strategy.

9) The hard and soft landscaping scheme shown on approved drawing referenced 08 (Proposed landscaping), received by the City Council as Local Planning Authority on 12 August 2024, shall be implemented within 12 months from the first occupation of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

10) Notwithstanding details submitted, no above ground development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment/gates and vehicle restraint measures to be erected. The boundary treatment/gates shall be completed before the apartments hereby approved are occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning Authority, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

11) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on drawings referenced 08 and 09 (Proposed landscaping) and (existing and proposed tree spread) received by the City Council as Local Planning Authority on 30 July 2024 and 13 August 2024, respectively. The particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Any works undertaken within the identified 'no-dig construction' areas on the approved Tree Protection Plan shall be supervised by a suitably qualified arboricultural expert. 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 City Council as 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.

12) 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.

13) The development shall not be occupied until details of the security measures to be incorporated into the development, which shall be to 'secured by design' specification, have been submitted to and approved in writing by the City Council as Local Planning Authority. This shall include details of external fittings, boundary treatment, gates and dusk till dawn lighting. The development shall only be carried out in accordance with these approved details which shall be retained thereafter.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

14) a) Prior to commencement of above ground development, an exposure assessment together with any mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as Local Planning Authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as Local Planning Authority and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy.

15) Notwithstanding details submitted, the development hereby approved shall not be occupied until a more detailed scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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 whilst the use or development is in operation.

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

Each residential unit will require their own 240l and 140l waste containers for general waste, mixed recycling and pulvable refuse.

16) The apartments hereby approved shall not be occupied until the space and facilities for bicycle parking have been provided in accordance with the details shown on drawing referenced 08 (Proposed landscaping), received by the City Council as Local Planning Authority on 12 August 2024. The approved space shall thereafter be retained and permanently reserved for bicycle parking.

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

17) Notwithstanding details submitted, prior to the first occupation of the apartments hereby approved, full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments and retained thereafter.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy.

18) The car parking indicated on drawing referenced 08 (Proposed landscaping), received by the City Council as Local Planning Authority on 12 August 2024 shall be surfaced, demarcated and made available for use prior to any of the residential apartments hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the apartments are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

19) a) Prior to the apartments hereby approved being occupied, a scheme for acoustically insulating the proposed residential accommodation against noise from Rochdale Road and nearby commercial uses, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The potential for overheating shall also be assessed and the noise insulation scheme should take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the approved apartments are occupied.

b) Prior to first occupation of the residential apartments, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - In order to safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Manchester Core Strategy.

20) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as Local Planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the apartments are occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development

Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

21) Notwithstanding details submitted, 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.

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 SP1 of the Manchester Core Strategy.

The Martin Environmental Services desk based Phase I study dated February 2024 advises that precautionary ground gas protection measures should be installed without providing details and a watching brief should be maintained on site. Given the proximity of the proposed development to an area of potentially contaminated land, a more intrusive phase II ground survey will be required along with ground gas monitoring to confirm the ground conditions and a gas risk assessment to provide details of any gas protection measures to be installed. Additionally, the proposal includes areas of soft landscaping and amenity space for the residential apartments so the phase I report will need to be updated to reflect this and also include details of the proposals for a phase II site investigation with this in mind.

22) 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. No occupation of the development shall take place until the completion/verification report is submitted to and approved 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 SP1 of the Manchester Core Strategy.

23) No excavation is to be carried out within 1 metre of the Metrolink operational boundary or any piling works within the zone of influence without notifying Metrolink in advance and obtaining their approval. Any such works may require track or slope monitoring to be carried out as agreed with Metrolink.

Reason - In the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

24) No development shall take place until the scope and specification of vehicle restraint measures to be installed along part of the boundary of the development which is shared with Metrolink has been submitted to and approved in writing by Manchester City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed detail which should be retained thereafter.

Reason -To protect Metrolink infrastructure and in the interests of amenity and public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

25) 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 for approval in writing by the City Council, as Local Planning Authority. This shall include:

- Progression through the drainage hierarchy must be evidence based and supported by site investigation including assessments of ground conditions and infiltration testing in accordance with BRE365. Proposals of attenuation should achieve half drain time within 24 hours.

- 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.

- 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 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.

-Foundation construction details and supporting structural calculations. Foundation design must demonstrate no impact on the culverted watercourse and ensure future maintenance access.

-Details of how the scheme shall be maintained and managed after completion.

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

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 Manchester Core Strategy.

26) The development hereby approved shall include a lighting scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority prior to commencement of any lighting works. The approved scheme shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

27) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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

28) Prior to above ground development commencing, an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The statement shall demonstrate measures to be incorporated into the development to achieve energy efficiency. The development shall only be implemented in accordance with the agreed measures.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework.

29) Notwithstanding the details shown for the rear elevation on drawing referenced 01 (Proposed ground and first floor plans, elevations and sections), received by the City Council as Local Planning Authority on 30 July 2024, a revised rear elevation drawing should be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

Reason - To add visual interest and articulation to the rear facing elevation due to the absence of windows in order to improve visual amenity, pursuant to policies EN1, DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

30) Prior to the commencement of development, plans of the existing and proposed site levels in the form of cross sections, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason -To ensure that the appearance of the development is acceptable to the City Council as Local Planning Authority in the interests of the residential amenity and visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

31) Prior to the commencement of above ground works, full details of all necessary off-site highway works, to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- An extension of the existing double yellow lines on Queens Road to protect the proposed new vehicular site access and visibility;

- Dropped kerbs to the vehicle access off Queens Road to access the proposed car park alongside tactile paving to the site access junction with Queens Road;

- The renewal of any substandard footway surface adjacent to the site frontage along Queens Road.

Reason - In the interests of highway safety and amenity, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

33) The residential apartments hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended),

or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as short-term lets, serviced apartments/apart hotels, do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy and the guidance contained within 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:

http://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 Coal Authority in Appendix A.

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.

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

Where the development is adjacent to operational land belonging to Electricity North West, the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. The applicant should verify such details by contacting Electricity North West, Land Rights & Consents, Frederick Road, Salford, Manchester M6 6QH.

Electricity North West offers a fully supported mapping service. This is a service which is constantly updated by their Data Management Team who can be contacted by telephone on 0800 195 4141 or access the website Know before you dig (enwl.co.uk)

There is an existing bus stop adjacent to the site. The applicant will need to liaise with stop.closures@tfgm.com prior to undertaking any works on site. If the stops are likely to require temporarily relocating whilst the scaffolding is struck, the applicant will need to liaise with shelters@tfgm.com

Date: 28 October 2024

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.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024