MANCHESTER CITY COUNCIL

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Michael Fisher
Manchester City Council
8th Floor Town Hall Extension
Albert Square
Manchester
M60 2LA

Agent (if used)

Mr Tim Farnworth
Halliday Meecham Architects
111 Piccadilly
Manchester
M1 2HY

Part 1 – Particulars of the application/development

Proposal: CITY COUNCIL DEVELOPMENT Conversion of part of existing car park into a new public square, with revised vehicular access arrangements to/from Garratt Way, and associated changes to retained car parking area, together with the installation of external lighting and signage, and new access from the terrace to the market, and associated elevational alterations to the western elevation of the Market Hall

Location: Gorton Retail Market Car Park, Garratt Way, Manchester, M18 8LD

Date of application: 9 August 2024

Application number: 140644/VO/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 development where early discussions took place regarding the design, appearance and extent of the development, along with highway impacts. Further work and discussions have taken place with the applicant through the course of the application, particularly in respect of loss of parking, design details of the proposed seating, along with other matters arising from the consultation and notification process. 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 drawings numbered:-

3D- Proposed Gorton Public Square plan ref: 5719-HMA-V-XX-DR-A-00320 rev.P01
Location plan ref: 5719-HMA-V-XX-DR-A-00001 rev.P01
Location Plan (Ownership boundary) plan ref: 5719-HMA-V-XX-DR-A-00002 rev.P01
Design & Access Statement ref: 5719-HMA-GH-XX-RP-A-90050_P01 dated 26th July 2024 Rev: P01
Tree Survey plan ref: 5493 02
Received 29th July 2024
Email from Tesco dated 3rd September 2024 with attached drone parking survey heat map.

Proposed Design details document received 2nd September 2024

Swept path analysis 7.9m Fire Tender plan ref: 86953-CUR-XX-00-D-TP-05001 rev.P01 ;
Swept path analysis 7.5t Box Van plan ref: 86953-CUR-XX-00-D-TP-05002 rev.P01
General Arrangement Visibility Splays plan ref: 86953-CUR-XX-00-D-TP-75001 rev.P01;
Received 1st October 2024.

Proposed Market Elevation (west) plan ref: 5719-HMA-V-XX-DR-A-20200 rev.T01
Received 2nd October 2024
Email from Tesco Assets and Estates team dated 4th October 2024 confirming that Tesco intend to relocate the 12no. Parent & Toddler parking bays nearer to their store entrance before the end March 2025.

Email from Tesco dated 15th October 2024 confirming times and dates of the drone parking survey
Email from applicant in relation to the treatment of the areas directly to the west and south of the public square.
Transport Note dated 15th October 2024 ref: 86953-CUR-XX-XX-T-TP-00001 rev.P02;
General Arrangements Plan 1 of 2 plan ref: 5493 02 rev.A
General Arrangements Plan 2 of 2 plan ref: 5493 03 rev.A
Planting plan 1 of 2 plan ref: 5493 04 rev.A
Planting plan 2 of 2 plan ref: 5493 05 rev.A
Landscape Sketch scheme plan ref: 5493 01 rev.H
Received 15th October 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 (2012).

3) Prior to the commencement of the development, a detailed 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;
o The routing of construction traffic;

o Detail the vehicular activity associated with the construction including appropriate swept
path assessment;
o Details of the location and arrangements for contractor parking;
o The identification of the vehicular access points into the site;
o Identify measures to control dust and mud, including on the surrounding public highway
including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
o A highway dilapidation survey including photographs and commentary on the condition
of carriageway/footways on construction vehicle routes surrounding the site.
o Identify measures to reduce noise emissions;
Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety pursuant to
policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (2012).

4) The development shall be implemented in accordance with the highway arrangement shown on plan refs: General Arrangement Visibility Splays plan ref: 86953-CUR-XX-00-D-TP-75001 rev.P02; Landscape Sketch scheme plan ref: 5493 01 rev.H ;General Arrangements Plan 1 of 2 plan ref: 5493 02 rev.A and General Arrangements Plan 2 of 2 plan ref: 5493 03 rev.A and all the agreed works shall be completed prior to the development hereby approved being brought into use .

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

5) The cycle storage arrangements within the development shall be implemented in accordance with the location on the Landscape Sketch scheme plan ref: 5493 01 rev.H and design in the Proposed Design details document received 2nd September 2024 and colouration specified in the General Arrangements Plan 1 of 2 plan ref: 5493 02 rev.A received 15th October 2024
The approved scheme shall be implemented before the public square is brought into use, and these facilities shall then be permanently retained for bicycle storage.

Reason - To ensure that adequate provision is made for bicycle storage so that persons occupying or visiting the site have a range of options in relation to mode of transport, pursuant T1 and DM1 of the Manchester Core Strategy (2012).

6) 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 policies EN18 and DM1 of the Manchester Core Strategy (2012).

7) Prior to the public square being brought into use, a post completion report shall be submitted to and approved in writing by the City Council as local planning authority, to evidence that any soils imported for use in the landscaped area have been validated as suitable for use.

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 EN18 and DM1 of the Manchester Core Strategy (2012).

8) The lighting development hereby approved shall be implemented in accordance with the location on the Landscape Sketch scheme plan ref: 5493 01 rev.H , the design in the Proposed Design details document, and General Arrangements Plan 1 of 2 plan ref: 5493 02 rev.A.
The approved lighting scheme shall be implemented prior to the public square being used by the public.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

9) If, when the lighting units are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

10) a)The landscaping scheme for the development shall be implemented in accordance with the detail on Planting plan 1 of 2 plan ref: 5493 04 rev.A and Planting plan 2 of 2 plan ref: 5493 05 rev.A received 15th October 2024.

b)The approved landscaping scheme and arrangements for management and maintenance shall be implemented not later than 12 months from the date the buildings are first occupied. 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 in the development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within the development.

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 (2012).

11) a) The materials used to form the development shall be implemented in accordance with the detail on General Arrangements Plan 1 of 2 plan ref: 5493 02 rev.A and General Arrangements Plan 2 of 2 plan ref: 5493 03 rev.A received 15th October 2024.

b) The external facing materials to be used to form the retaining wall for the café terrace hereby approved shall match those of the Gorton Indoor market premises in terms of type, colour, texture, scale, pointing and coursing.

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 (2012).

12) The development hereby approved shall be implemented in accordance with the biodiversity measures in the locations on the Landscape Sketch scheme plan ref: 5493 01 rev.H and design in the Proposed Design details document received 2nd September 2024, and on General Arrangements Plan 1 of 2 plan ref: 5493 02 rev.A and General Arrangements Plan 2 of 2 plan ref: 5493 03 rev.A received 15th October 2024.

Reason - To improve biodiversity at the site and to comply with policy EN15 of the Manchester Core Strategy (2012).

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 Coal Authority in Appendix A.

Construction/demolition works shall be confined to the following hours :
- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

Date: 16 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 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.