

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 Hayden Small
Powerleague Fives Limited
172 Tottenham Court Road
Fitzrovia
London
W1T 7NS

Agent (if used)

Mr Ralph Elliott
Carter Jonas
One Chapel Place
London
W1G 1BG

Part 1 – Particulars of the application/development

Proposal: Construction of six padel tennis courts with associated fencing, floodlighting and canopies, together with hard/soft landscaping.

Location: Powerleague Manchester Nicholls , Nicholls Community Sports Ground , Dalberg Street, Manchester, M12 6BN

Date of application: 28 March 2024

Application number: 139661/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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

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:

Received by the City Council as Local Planning Authority on 28 March 2024:

- Location plan (00)
- Proposed Site Plan (02 B)
- Proposed Padel Courts Canopy Layout (05)
- Proposed Padel Courts Elevations (06 B)
- Proposed Landscape General Arrangement Plan (L050-PL-01)
- Proposed Tree Planting Plan (L050-PL-02)
- Proposed Planting Strategy Plan (L050-PL-03)
- Typical Landscape Details (L050-PL-04)
- Arboricultural Impact Assessment (drawing) prepared by ArbTech;
- Arboricultural Method Statement prepared by ArbTech;
- Arboricultural Survey and Statement prepared by ArbTech;
- Biodiversity Net Gain Assessment prepared by Greengage;
- Construction Environment Management Plan (CEMP) prepared by Greengage;
- Car Parking Management Plan (CPMP) prepared by MJM Consulting Engineers;
- Ecological Impact Assessment prepared by Greengage;
- Flood Risk Assessment & Sustainable Drainage Statement prepared by MJM Consulting Engineers;
- Landscape Statement prepared by Urban Landscape Partnership;
- Lighting Assessment prepared by Polaris Light;
- Noise Impact Assessment prepared by Hepworth Acoustics;
- Phase 1 Desktop Study and Preliminary Risk Assessment Report prepared by GeoEnviro Solutions Ltd;
- Transport Assessment prepared by MJM Consulting Engineers;
- Travel Plan prepared by MJM Consulting Engineers; and
- Tree Protection Plan (TTP 01) prepared by ArbTech.

Received by the City Council as Local Planning Authority on 21 May 2024:

- Proposed TRO Plan Dalberg Street (8946-MJMC-XX-XX-DR-D-6601)

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

3) The existing car parking spaces as identified on the approved site plan (reference 02B) shall all be made available for users of the development prior to the first occupation of the development hereby approved and maintained in situ for as long as the development remains in use.

Reason - To ensure the sufficient car parking provision at the site, pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

4) Prior to the occupation of the development, a scheme of highway works, in order to provide an adequate pedestrian and vehicular environment in the vicinity of the application site together with a timescale for their implementation, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

Double yellow lines at Dalberg Street and along sections of Ford Street to protect existing access points.

The scheme shall be implemented in accordance with the agreed details.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

5) Notwithstanding the details as set out in condition 2 above, no development shall take place, until a detailed construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o A construction programme including phasing of works;
- o 24 hour emergency contact number;
- o Expected number and type of vehicles accessing the site;
- o Deliveries, waste, cranes, equipment, plant, works, visitors;
- o Ensure delivery activities are scheduled to take place outside of the conventional AM/PM highway peak-hour periods;
- o Size of construction vehicles;
- o The use of a consolidation operation or scheme for the delivery of materials and goods;
- o Phasing of works;
- o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Locations for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses. 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. Membership of the Considerate Constructors Scheme is highly recommended.
- o A Dilapidation Survey, covering the construction vehicle access at Devonshire Street North

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

6) The development hereby approved shall be carried out in accordance with the Car park management plan, received by the City Council, as Local Planning Authority on the 28 March 2024. For the avoidance of doubt this shall include the monitoring of parking

demands and staggering of activities. The site shall thereafter operate in accordance with this approved car parking management strategy.

Reason - To ensure the effective management of car parking at the site, pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

7) The development hereby approved shall be carried out in accordance with the Transport Statement and Travel Plan, received by the City Council, as Local Planning Authority on the 28 March 2024.

In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those visiting and working at the development;
- ii) a commitment to surveying the travel patterns of spectators and staff during the first three months of the first use of the building and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for staff and visitors, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

8) Prior to the first occupation of the development hereby approved, full details of electric car charging points to be installed within the car parking area 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.

9) Prior to first use of the approved development, details of the specifications, elevations, siting and appearance of the secured cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The agreed details shall be fully implemented prior to the first use of development, retained and maintained thereafter.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

10) a) The external lighting scheme shall be designed and installed in accordance with the Lighting Assessment prepared by Polaris Light (dated 27th March 2024) hereby approved.

b) Within two months of the installation of the floodlights, or prior to occupation of the development, whichever is later, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties.

11) No activity on the approved padel courts shall be permitted outside the hours of:

Monday to Sunday (including Bank Holidays), 07:00 to 23:00

Reason - To safeguard the amenities of the occupiers of adjacent properties.

12) 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 EN17 of the Manchester Core Strategy (2012).

*Our records indicate that the proposal site is on or in the vicinity of an infilled pond/potentially contaminative historic land uses.

13) Prior to the commencement of the development hereby approved, a surface water drainage layout for the development site shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the following:

- o 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.
- o 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 to greenfield runoff rate.
- o Finalised surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.
- o Hydraulic calculations of the proposed drainage system, including all design parameters. Results must demonstrate no flooding in the 1 in 30 and no flooding of buildings for the 1 in 100 + 45% Climate Change.
- o 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.

- o A plan indicating easements. SuDS features (including attenuation tanks) should be appropriately positioned, including a 2.5m easement from the existing highway and a 5m easement from any dwellings, guaranteeing accessibility for future maintenance and contingency for asset failure. This practice is in accordance with SuDS Manual (C753).
- o Construction details of flow control and SuDS components.
- o 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/use of the development.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14 of the Manchester Core Strategy (2012).

14) No removal of or works to any trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to Policy EN15 of the Manchester Core Strategy (2012).

15) A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to comply with policy EN15 of the Manchester Core Strategy (2012).

16) Notwithstanding the details as set out in condition 2 above, prior to any above ground works, full details of proposed boundary treatment, including the existing and

proposed elevation drawings of these boundary changes, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall then be implemented prior to the first use of the development.

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.

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.

The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk.

Highway Services would still welcome use of the additional overspill parking provision on the adjacent site as identified as part of the original submission, for as long as practically possible.

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: 18 July 2024

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

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