

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 Dale Maybury
Manchester City Council
Manchester Specialist Markets
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Manchester
M11 3ER

Agent (if used)

Mr Robert Hutchinson
Manchester City Council
Capital Programmes And Procurement
PO Box 532
Town Hall
Manchester
M60 2LA

Part 1 – Particulars of the application/development

Proposal: City Council Development - Temporary change of use of public open space for the purpose of a Christmas Market, Ice village and ice rink for a period of 58 days.

Location: Cathedral Gardens, Manchester

Date of application: 10 November 2023

Application number: 138476/VO/2023

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. All such issues have been resolved due to the discussions within the applicant and the conditions.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period of 58 days only expiring on 5th January 2024 and the use comprising the development for which permission is hereby temporarily granted is required to be discontinued on the date of expiry. The site shall be made good within one month of the temporary permission expiring.

Reason - The use hereby approved is of a temporary nature only and pursuant to Core Strategy Policies SP1, CC1, CC2, CC4, CC9, EN3 and DM1 and saved Unitary Development Plan policies DC18, DC19 and DC26.

2) The development hereby approved shall be operated in accordance with the following plans and documents:

The drawings referenced:

OY45573-MCC-XX-DR-B-007; and
OT45573-MCC-XX-DR-B-014

Received by the City Council, as Local Planning Authority on 3 November 2023

The Design & Access Statement received by the City Council, as Local Planning Authority on 10 November 2023

Supporting Information Generic Christmas Market Info received by the City Council, as Local Planning Authority on 16 November 2023

Supporting Information Site Specific Information received by the City Council, as Local Planning Authority on 20 November 2023

Noise Management Plan Skate Manchester Ice Rink 2023-2024 stamped as received on 27-12-23

Reason - Pursuant to the City of Manchester Core Strategy Policies SP1, CC1, CC2, CC4, CC9, EN3 and DM1 and saved Unitary Development Plan policies DC18, DC19 and DC26.

3) The Ice Rink shall be operated in accordance with the following:

Noise Management Plan Skate Manchester Ice Rink 2023-2024 stamped as received on 27-12-23

Reason - To secure a reduction in noise in order to protect existing residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

4) The approved use shall operate in accordance with the following hours:

10.00 to 21.00 and 10.00 to 17.00 24th to 30th December (excluding Christmas Day - closed)

Reason: To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

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.

Date: 8 December 2023

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.