

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 D Wilcox
Wilco Estates Ltd
8 Lane Head
Greenfield
OL3 7EZ

Agent (if used)

Mr Paul Judge
Paul Judge Design
49 Bideford Road
Stockport
SK2 5AX

Part 1 – Particulars of the application/development

Proposal: Erection of a single storey extension to building used for wholesale storage and distribution (Class B8) and retention of cladding to existing building and 2.4 metre high weldmesh fencing the site boundary

Location: Industrial Unit Clayton Industrial Estate, 79 Claytonbrook Road, Manchester, M11 1BR

Date of application: 31 August 2021

Application number: 131081/FO/2021

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, negotiation has been undertaken to ensure that the development is supported with appropriate and satisfactory details to secure its appropriate assessment.

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 stamped as received by the City Council as local planning authority on 14 July 2021 and 2 November 2021:

Planning application forms amended by email from agent dated 29 October 2021
Location plan with a red edge
Proposed site plan Rev C
Proposed plans and elevations

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.

3) No above ground construction works shall commence unless and until 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.

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.

4) Prior to the commencement of the development hereby approved, 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:

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

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.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the buildings first occupied for shall be used for no other purpose than Class B8 (Storage and distribution 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 interest of residential development pursuant to policy SP1 and DM1 of the Core Strategy of the Core Strategy for the City of Manchester.

6) The building and extension hereby approved shall only be used in conjunction with the operation of the existing business as confirmed in the email from Paul Judge Design dated 29 October 2021.

Reason - In the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

7) 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 the siting, specification and appearance a waste management enclosure. The above details shall be implemented upon occupation of the development and operated in conjunction with the arrangements for the storage and collection of waste and recycling as detailed in drawings referenced Proposed site plan Rev C and Waste Management Strategy proforma received 2 August 2021. The approved details shall be maintained in situ thereafter.

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

8) The development shall be implemented in accordance with document Ref: Site check Assess Ref: JGA/MPS/33195-125-2052158_SAS dated 17 July 2021. 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 taken in the interests of public safety, pursuant to DM1 and EN18 of the Core Strategy for the City of Manchester.

9) Before first occupation of the authorised buildings, any externally mounted ancillary equipment that may be required as part of the development shall be acoustically insulated in accordance with a scheme 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 equipment.

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

10) The building and extension hereby approved shall only operate between the following hours, as specified in Paul Judge Design email dated 29 July 2021:
Mondays to Friday: 9.00 am to 5.00 pm:
Saturday, Sundays and Bank Holidays: Closed

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

11) No loading or unloading, servicing or deliveries shall be carried out on the site outside the hours of:

Mondays to Fridays: 7:30 am to 8:00 pm with no deliveries/waste collections on Saturday, Sunday / Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy for the City of Manchester and policy DC26 of the Saved Unitary Development Plan for the City of Manchester.

12) The development shall be implemented in accordance with the site servicing strategy by Pail Judge Design received 2 August 2021.

Reason - In the interests of pedestrian and highways safety and to ensure that the development is supported with satisfactory car parking pursuant to policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester.

13) Before the occupation of the authorised extension and notwithstanding the details of drawing ref: Proposed site plan Rev C, before the occupation of the development a drawing shall be submitted to and approved in writing by the City Council as local planning authority showing the demarcation of all car parking spaces, loading bays pedestrian routes within and through the site service yard. Details of the approved details shall be implemented upon occupation of the development and maintained in situ thereafter.

Reason - In the interests of pedestrian and highways safety and to ensure that the development is supported with satisfactory car parking pursuant to policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester.

14) Before the occupation of the authorised extension, details of the design and appearance of a cycle store shall be submitted to and approve in writing by the City Council and local planning authority. The approved details shall be fully implemented as part of the agreed waste management strategy prior to the occupation of the authorised extension and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

15) The development shall be implemented in accordance with the Energy Statement by Paul Judge Design dated 29 July 2023.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1, T2, EN4, EN8 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

16) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision of measures to improve on-site security and to reduce the risk of crime. The

scheme shall review existing security arrangements, including the provision of gates to the vehicular access points on Claytonbrook Road and detail related improvements that can be incorporated into the development. The approved scheme shall be implemented prior to the occupation of the development and maintained in situ at all times thereafter.

Reason - To reduce the risk of crime and improve site security, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

17) Before the occupation of the development, details of gates to vehicular access points on Claytonbrook Road and fencing dates to the western site boundary shall be submitted to an approve in writing by the City Council as local planning authority. The approved details shall be implemented upon occupation of the development and maintained in situ at all times thereafter.

Reason - To reduce the risk of crime and improve site security, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

18) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles have been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy for the City of Manchester.

19) Before the occupation of the development a scheme shall be submitted and approved in writing by the City Council as local planning authority, detailing the arrangements for the siting and specification for electric vehicle charging. The approved details shall be implemented upon occupation of the development and retained in situ at all times thereafter.

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 SP1, EN16 and DM1 of the Core Strategy for the City of Manchester.

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.

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment on Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed

Guidance for developers can be accessed via:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

The drainage scheme shall include:

Surface water drainage layout including discharge points, proposed attenuation and proposed overland flow routes for extreme events (up to a 1 in 100 year including 40% climate change allowance).

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 runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area.

Hydraulic calculations to support the drainage proposal.

Evidence of pollution control measures (preferably through SuDS) is required.

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

The applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. 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.

Date: 2 November 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 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