

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

Cadent Gas Limited
Pilot Way
Antsy
Coventry
CV7 9JU

Agent (if used)

EP Team
Dalcour Maclaren
Units 3-4 Bredon Court
Brockridge Park
Twynning
Tewkesbury
GL20 6FF

Part 1 – Particulars of the application/development

Proposal: Installation of a replacement kiosk required to house a new gas governor following demolition of existing including installation of replacement weldmesh palisade fencing

Location: Barlowmoor Glen Gas Governor , Barlow Moor Road, Manchester, M21 7GZ

Date of application: 13 December 2022

Application number: 135733/FO/2022

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

The application has been considered in a positive and proactive manner as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015. Problems and/or issues arising in relation to dealing with the application have been communicated and discussed with the applicant's agent, in this instance appropriately worded conditions are proposed to be attached to any decision.

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:

22004461_PLN_SI_5.1 Proposed site plan as received by the local planning authority on the 13th December 2022

70096291-WSP-ZZ-00-DG-AR-0103-P01 Pressure Reduction Installation Proposed Elevations as received by the local planning authority on the 8th March 2023

70096291-WSP-XX-XX-DG-CV-1005 P02 Governor PRI Fencing Layout and Details as received by the local planning authority on the 10th March 2023

Arboricultural Impact Assessment November 2022 Report Number 01

Preliminary Ecological Appraisal reference CRM.3022.002.EC.R.001 together with Badger Addendum (December 2022) and accompanying letter dated 9th December 2022 all as received by the local planning authority on the 13th December 2022

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) Prior to the commencement of works an arboricultural method statement relating to works in the vicinity of root protection areas of retained trees shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be subsequently carried out in accordance with the approved details.

Reason - In order avoid damage to trees/shrubs adjacent to the site which are to be retained in accordance with policies EN9 and EN15 of the Core Strategy.

4) Prior to any ground works commencing on site, an inspection of the site shall be undertaken by a suitably qualified person to ensure the absence of any mammals from the site. The results of the inspection and details of who undertook them shall be submitted to and agreed in writing by the City Council as local planning authority.

If following the inspection, the presence or evidence of any mammals on site are found, a method statement shall be prepared and shall include details of how mammals are to be protected during the construction works. The method statement 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 Core Strategy.

5) a) The gas governor kiosk shall be acoustically insulated and treated to limit the break-out of noise in accordance with a noise study and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use of the associated equipment commences.

b) Within one month of the first use of the equipment housed within the Kiosk building 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 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 agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan DC26.

6) Prior to the first use of the equipment housed within the hereby approved Kiosk building details of a surface water drainage scheme shall be submitted to and approved in writing by the City Council as local planning authority.

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

7) Prior to the first use of the equipment housed within the hereby approved Kiosk building, details of a tree replacement scheme shall be submitted to and approved in writing by the City Council. The submitted scheme shall set out the method in which the tree replacement scheme is to be secured and timescales for its implementation.

Reason - To ensure that a satisfactory tree mitigation scheme for the development is carried out pursuant to policies SP1, EN9 and DM1 of the Core Strategy.

8) Prior to the first use of the equipment housed within the hereby approved Kiosk building, details of biodiversity enhancements to be installed shall be submitted to and approved in writing by the City Council. The submitted scheme shall set out the method in which the biodiversity enhancements are to be secured and timescales for their implementation.

Reason - Pursuant to biodiversity enhancement, in accordance with policy EN15 of the Core Strategy and 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

Date: 14 April 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.