

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 Nick David
The Dean Trust
The Dean Trust
Ashton on Mersey School
Cecil Avenue
Sale
M33 5BP

Agent (if used)

Mr Paul Howitt
Halliday Meecham Architects
111 Piccadilly
Manchester
M1 2HY

Part 1 – Particulars of the application/development

Proposal: Erection of a single storey structure to create ancillary fitness suite and studio within the undercroft of an existing school building

Location: Dean Trust Ardwick , 345 Stockport Road, Manchester, M13 0LF

Date of application: 25 May 2023

Application number: 137058/FO/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

Condition(s) attached to this decision

0) Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about the loss of cycle and disabled parking provision , and following the receipt of revised plans this matter has been satisfactorily resolved and the appropriate conditions have been attached.

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:

Proposed GA Plan ref : 5627-HMA-00-00-DR-A-20101 rev. P01
Proposed Elevations 001 plan ref: 5627-HMA-XX-ZZ-DR-A-10201 rev. P01
Proposed Elevations 002 plan ref: 5627-HMA-XX-ZZ-DR-A-10202 rev. P01
Planning Statement by the Dean Trust dated 11th May 2023
Received 23rd May 2023

Phase 1 Desk Study Assessment Report ref: GP/M4246/8660 dated July 2019 and
Geo- Environmental Assessment report ref: NS/M4246/8662 dated July 2019 received
25th May 2023

Agent email dated 4th July 2023 confirming retention of existing car parking spaces
within the undercroft area.

Preliminary sketch layout of Mechanical Services plan ref: P1610 rev. SK1 received 4th
July 2023;

Air conditioning specification ref: PLA-ZM R32 4- Way Blow Ceiling Cassette System (Power Inverter Heat Pump) received 10th July 2023;
Air conditioning specification ref: PEA-ZM R32 Large Capacity Ceiling Concealed Ducted System (Power Inverter Heat Pump Three Phase) received 10th July 2023;
Proposed landscaping and fencing plan 5627-HMA-00-00-DR-A-20105 rev.P04 received 10th July 2023
Agent email dated 10th July 2023 with data relating to 3no. Mitsubishi PLA-ZM125 (Power Inverter Heat Pump

Location Plan ref: 5627-HMA-DTA-00-DR-A-00001 rev.P02
Block Plan ref: 5627-HMA-DTA-00-DR-A-00002 rev. P02
Proposed landscaping and fencing plan 5627-HMA-00-00-DR-A-20105 rev.P05 received 12th July 2023
Email from planning agent dated 10th July 2023 relating to the use of 3 No. Mitsubishi PLA-ZM125 units
Email from Marston and Grundy dated 11th July 2023
Email from Jim Lee regarding noise levels of M&E equipment dated 20th July 2023.

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) The development shall be implemented in accordance with the materials shown on Proposed Elevations 001 plan ref: 5627-HMA-XX-ZZ-DR-A-10201 rev. P01 and Proposed Elevations 002 plan ref: 5627-HMA-XX-ZZ-DR-A-10202 rev. P01 received 23rd May 2023.

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 Manchester Core Strategy (2012).

4) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination). In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised 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 Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

5) The building hereby approved shall only be used in association with the existing school premises and shall not be open outside the following hours:-

Monday to Friday	0730hrs - 2200hrs
Saturday, Sunday and Bank Holidays	0830hrs - 2200hrs

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation in accordance with saved policy DC26 of the Unitary Development Plan

for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012) .

6) a)Externally mounted ancillary plant, equipment and servicing shall be implemented in accordance with:

- Air conditioning specification ref: PLA-ZM R32 4- Way Blow Ceiling Cassette System (Power Inverter Heat Pump) received 10th July 2023;
- Air conditioning specification ref: PEA-ZM R32 Large Capacity Ceiling Concealed Ducted System (Power Inverter Heat Pump Three Phase) received 10th July 2023;
- Email from planning agent dated 10th July 2023 relating to the use of 3 No. Mitsubishi PLA-ZM125 units
- Email from Marston and Grundy dated 11th July 2023
- Email from Jim Lee regarding noise levels of M&E equipment dated 20th July 2023. before the use commences.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development achieves a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

7) The ancillary fitness suite and studio shall be used in conjunction with the existing school (including community use) and shall not form a separate planning unit .

Reason - to ensure that this facility does not become a separate planning unit, with associated parking and servicing requirements, and to prevent a general increase in background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

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.

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: 26 July 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