

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 Usman Anjum
Sigma Property Ltd
2a Tweedale Street
Rochdale
OL11 1HH

Agent (if used)

Paul Clark
CJ Partnership
Blue Pit Mill
Queensway
Castleton
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OL11 2PG

Part 1 – Particulars of the application/development

Proposal: Conversion of building to form 4 residential apartments (Use Class C3a), commercial unit (Class E) within basement and associated elevational alterations including installation of roof top fume extraction

Location: 30 Mason Street, Manchester, M4 5EY

Date of application: 14 March 2023

Application number: 135669/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

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. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

08 Rev A, 09 Rev A, 10 Rev A and 11 Rev A received by the City Council, as Local Planning Authority, on the 14 March 2023

03 received by the City Council, as Local Planning Authority, on the 4 May 2023

Fume extraction details received by the City Council, as Local Planning Authority, on the 13 January and 23 February 2023

Highways technical note, waste proforma, Acoustic Planning report and roost assessment received by the City Council, as Local Planning Authority, on the 5 December 2022

Critical window details received by the City Council, as Local Planning Authority, on the 2 May 2023

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) No works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

4) Prior to the commencement of the development 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;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust and dirt suppression measures;
- o Highway dilapidation survey;
- o Compound locations where relevant;
- o Consultation with local residents;
- o Location, removal/loading, storage and recycling of waste, plant and materials;
- o Routing strategy and swept path;
- o Parking of construction vehicles and staff;
- o Sheeting over of construction vehicles;

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.

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

5) Prior to the commencement of development, samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The submission shall include samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management.

All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part a). The approved materials shall then be implemented as part of the development.

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.

6) Notwithstanding the Crittal window details received by the City Council, as Local Planning Authority, on the 2 May 2023, prior to the commencement of works associated with the installation of any proposed new windows and doors into the fabric of the building, a detailed method statement and specification (including sections) for the installation of the windows and doors, including demonstrating why existing windows/doors cannot be retained/repared, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development and be completed prior to the first occupation of the development. The windows shall thereafter be retained and maintained in situ.

Reason - To ensure that the proposed windows/doors are appropriate in terms of appearance and position in the elevations of the Building pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and the NPPF/NPPG.

7) Prior to the commencement of repair and cleaning works to the exterior masonry, a detailed method statement and specification (including material specification) for the removal, alteration, repair, re-pointing, pinning, cleaning and replacement works shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details and method statement shall be implemented as part of the development and completed prior to the first occupation of the development.

Best endeavours shall be made to use salvage brick work and cills and other materials wherever possible in the works associated with the conversion. Should it not be possible to use salvage material in the restoration then notification shall be made to the City Council, as Local Planning Authority, prior to the starting of the works. Suitable materials shall then be agreed with the City Council, as Local Authority, and used where necessary.

Reason - To ensure that a satisfactory restoration and repair of the building in order to ensure that the historic fabric is retained where possible and appropriate materials used

in the restoration of the Building pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and the NPPF/NPPG.

8) Prior to the commencement of works to remove, repair and reinstate any rainwater goods, a detailed method statement, specification and repair strategy for the works shall be submitted for approval in writing by the City Council, as Local Planning Authority. The removal, repair and reinstatement of the rainwater, shall be carried out in accordance with this method statement.

Best endeavours shall be made to use salvage any existing rainwater goods wherever possible in the works associated with the conversion. Should it not be possible to use salvage material in the restoration then notification shall be made to the City Council, as Local Planning Authority, prior to the starting of the works. Suitable material, which in this case is cast iron, shall then be agreed with the City Council, as Local Authority, and used where necessary.

Reason - To ensure the rainwater goods are appropriate for the character and appearance of the building pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

9) (a) Notwithstanding the Acoustic Planning report received by the City Council, as Local Planning Authority, on the 5 December 2022, prior to the first occupation of the residential element of the development hereby approved, a scheme for acoustically insulating the proposed residential accommodation against noise from the local traffic network shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall also include potential for overheating and the noise insulation scheme shall take this into account.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved with window and purge cent doors are closed:

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq
Gardens and terraces (daytime) 55 dB L Aeq (where practically possible)

Higher internal noise levels than those specified above may be allowed when higher rates of ventilation are required in relation to the overheating condition. Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

The approved noise insulation and ventilation scheme shall be completed before the first occupation of the residential accommodation.

(b) Prior to the first occupation of the residential accommodation, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met with windows and purge vent doors closed. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the

noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

10) Notwithstanding the Site Waste Management Strategy received by the City Council, as Local Planning Authority, on the 5 December 202, Prior to the first occupation of the residential element hereby approved, a waste management strategy for the storage and disposal of refuse for the residential element shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the residential element and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the residential element of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the residential floorspace (Class C3(a)) in phase C1 shall be used for any purpose other than the purpose(s) of Class C3(a) 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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

12) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation

that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

13) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of the residential element hereby approved, full details of such a scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the residential element and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using and ensure that lighting is installed which is sensitive to the bat environment the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

14) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 21 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

15) Prior to the first occupation of the residential element hereby approved, details of the cycle storage shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and made available upon first occupation of the residential element of the development and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

16) Prior to the first occupation of the residential element of the development hereby approved, details of bird and bat boxes to be provided (including location and specification) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first occupation of the residential element and thereafter retained and maintained in situ.

Reason - To provide new habitats for birds and bats pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

17) Prior to the first occupation of the development a signage strategy for external facades and commercial frontages shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for that phase and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

18) (a) Notwithstanding the Acoustic Planning report received by the City Council, as Local Planning Authority, on the 5 December 2022, prior to the first occupation of the (a) residential element and the first use of the (b) commercial unit hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. Externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 dB (L_{aeq}) below the typical background (LA₉₀) level at the nearest noise sensitive location.

(b) Prior to the first occupation of the (a) residential element and the first use of the (b) commercial unit, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development 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).

19) Notwithstanding the Acoustic Planning report received by the City Council, as Local Planning Authority, on the 5 December 2022, prior to the first use of the commercial unit hereby approved, a scheme of acoustic insulation and treatment to limit the break out of noise shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the L_{Aeq} (entertainment noise) shall be controlled to 5dB below the LA₉₀ (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (L_{eq},5min), respectively.

The approved scheme shall be implemented prior to the first use of the commercial unit.

(b) Prior to the first use of the commercial space, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

20) Notwithstanding the Site Waste Management Strategy received by the City Council, as Local Planning Authority, on the 5 December 202, Prior to the first use of the commercial unit hereby approved, a waste management strategy for the storage and disposal of refuse for the residential element shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first use of the commercial unit and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the commercial element of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

21) (a) Notwithstanding the Fume extraction details received by the City Council, as Local Planning Authority, on the 13 January and 23 February 2023, prior to the first use of the commercial unit, details of a scheme to extract fumes, vapours and odours from these spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority (unless no kitchen extraction or cooking facilities are required).

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

The approved scheme shall then be implemented prior to the first use of the commercial unit.

(b) Prior to the first use of the commercial space, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the non residential spaces pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

22) Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): 10:00 to 18:00

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

23) The opening hours for the commercial unit are as follows:

Monday to Saturday	07.00hrs - 23.00hrs
Sundays	09.00hrs - 23.00hrs

There shall be no amplified sound or any amplified music at any time within this space.

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

24) The commercial unit hereby approved shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

25) The commercial unit hereby approved shall be occupied as Class E (excluding convenience retail) and gymnasiums) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester (2012).

26) Prior to the first occupation of the commercial element hereby approved, details of appropriate cycle storage, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first use of the development and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

27) The platform lift, as indicated on drawing 03 received by the City Council, as Local Planning Authority, on the 4 May 2023 shall be implemented and made available prior to the first use of the commercial unit hereby approved. The lift shall be retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of ensuring an accessible commercial space pursuant to policy DM1 of the Manchester Core Strategy (2012).

28) Prior to the first use of the residential element hereby approved, details of a bollard to secure the entrance pathway, as indicated on drawing 03 received by the City

Council, as Local Planning Authority, on the 4 May 2023 from authorised use shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The bollard shall be retained and maintained in situ for as long as the development remains in use.

Reason - In the interest of ensuring an accessible commercial space pursuant to policy DM1 of the Manchester Core Strategy (2012).

29) Notwithstanding drawing 10 and 11 Rev A, received by the City Council, as Local Planning Authority, on the 14 March 2023, amended details shall be submitted for approval in writing by the City Council, as Local Planning Authority, which seeks to retain the entrance to doorway on the corner of Mason Street and Marshall Street. The approved details shall be implemented as part of the proposal and be in place prior to the first use of the commercial unit hereby approved.

Reason - In the interest of visual amenity and retaining and entrance way to the premises pursuant to policy DM1 of the Manchester Core Strategy (2012).

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.

Whilst the building to be converted has been assessed as very low risk for bats, 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.

Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B). Details should also be provided in relation to replacement air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

Date: 9 May 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