

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 John Egan
The Northern Tennis Club
Palatine Road
Manchester
M20 3YA

Agent (if used)

NJL Consulting
6th Floor Origin
70 Spring Gardens
Manchester
M2 2BQ

Part 1 – Particulars of the application/development

Proposal: Erection of an 8.3 metre high building to house two padel tennis courts, with associated lighting and infrastructure

Location: Northern Lawn Tennis And Squash Club, Palatine Road, Manchester, M20 3YA

Date of application: 27 September 2022

Application number: 135048/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 / 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.

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:

-Drawings referenced 1538-MRH-002/B, received by the City Council as Local Planning Authority on 12 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 Manchester Core Strategy.

3) Notwithstanding details submitted, no above ground development that is hereby approved 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. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

4) The courts, including the lighting hereby approved, shall not be in operation outside of the hours of 9.00 am to 22.00 hrs on any day.

Reason - In the interests of neighbouring residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

5) Prior to the use of the associated lighting commencing, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report received by the City Council as Local Planning Authority on 12 December 2022 and shall be submitted to and approved in writing by the City Council as local planning authority. 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 criteria together with a timetable for their carrying out. Any such works shall be carried out in accordance with the approved post-completion report.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

6) 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 14 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 Manchester Core Strategy.

7) The acoustic fence indicated on drawings referenced 1538-MRH-002/B and detailed on drawings J7/02161 and J7/01043, received by the City Council as Local Planning Authority on 12 December 2022, shall be implemented prior to first operation of the

padel courts hereby approved or the all-weather courts subject to application referenced 134891/FO/2022 first becoming operational, whichever is sooner. The fence shall thereafter be retained so long as the courts are operational.

Reason - To safeguard residential amenity from undue noise impact, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

8) The development hereby approved shall only be implemented in accordance with the measures and criteria detailed within the submitted Noise Impact Assessment (Ref: 16764-NIA-02/RevC), produced by Clement Acoustics received by the City Council as Local Planning Authority on 12 December 2022.64-NIA-02 RevC.

Prior to the courts hereby approved becoming operational, a post completion report will be required to validate that the development, as implemented, conforms to the recommendations and requirements in the approved Noise Impact Assessment. This report should include the results of post completion testing, which shall be undertaken to confirm whether the target noise level criteria set out in the Clement Acoustics Noise Impact Assessment have been met. The post-completion report shall be submitted to the City Council as Local Planning Authority for its approval.

If the post-completion report demonstrates that the noise level criteria specified above are not met, the report shall include details of the further works or measures to be taken ("the remedial works") to achieve compliance with the noise criteria, together with a timetable for their carrying out. Any such works shall be carried out in accordance with the approved post-completion report. In the event that such further works are required, a further verification report shall be required to demonstrate whether the noise level criteria set out in the approved Noise Impact Assessment have been met. The requirements of this condition as regards the post-completion report shall apply equally to any verification report.

The courts hereby approved shall not be brought into operation until a post-completion report or, as appropriate, a verification report demonstrates that the noise level criteria detailed within the submitted Noise Impact Assessment (Ref: 16764-NIA-02/RevC), produced by Clement Acoustics received by the City Council as Local Planning Authority on 12 December 2022.64-NIA-02 RevC have been met.

Reason - To safeguard the amenity of nearby residential properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of the Manchester Core Strategy.

9) Prior to the commencement, a construction management and demolition management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

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.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester 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:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Date: 20 March 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.