

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 Paul Waite
Manchester City Council
Corporate Core Directorate
Town Hall
PO Box 532
Manchester
M60 2LA

Agent (if used)

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IBI Group
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Dantzig Street
Manchester
M4 2AL

Part 1 – Particulars of the application/development

Proposal: CITY COUNCIL DEVELOPMENT for the demolition of the former library building to create temporary staff car park to serve Gorton Hub, including new 2.4 metre high boundary fencing, new pedestrian gate from Garratt Way, new lighting and CCTV

Location: Gorton Library, Garratt Way, Manchester, M18 8HE

Date of application: 14 November 2022

Application number: 135449/VO/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

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only, expiring on 09 January 2026; and the car parking use comprising the development for which permission is hereby granted is required to be discontinued.

Reason - The development is of a temporary nature, and to safeguard visual and residential amenities of occupiers of adjoining properties, in accordance with policy DM1 of the Manchester Core Strategy (2012)

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Gorton Hub Staff Car Park library site Existing Site Location plan ref; GCH-IBI-WS-XX-DR-A-100-001;

Gorton Hub Staff Car Park library site Existing Site plan ref: GCH-IBI-XX-XX-DR-A-100-0002_P02;
 Gorton Hub Staff Car Park library site Proposed Site plan ref: GCH-IBI-XX-XX-DR-A-100-0006_P05;
 Gorton Hub Staff Car Park library site Proposed Boundary Treatments plan ref: GCH-IBI-XX-XX-DR-A-100-0008 rev. P01
 Gorton Hub Staff Car Park library site Proposed Boundary Details plan ref: GCH-IBI-XX-XX-DR-A-100-0007 rev. P02;
 Gorton Hub Staff Car Park library site Proposed Electrical Services Layout plan ref: GCH-QUA-XX-XX-DR-E-6302 rev.P01;
 Gorton Hub Staff Car Park library site Topographical Survey with tree locations S23925-T rev.01;
 Gorton Hub Staff Car Park library site Utility Records S23925
 Gorton Hub Staff Car Park library site Utility Survey drawing standards
 Gorton Hub Staff Car Park library site Utility Survey plan ref: S23925-U rev.01
 Gorton Library Bat Survey Report dated January 2019 - Updated September 2022
 Gorton Library Ecological Appraisal;
 Gorton Library Tree Survey & Arboricultural Constraints report September 2022
 Gorton Hub Staff Car Park library site Civil Engineering Construction Details sheet 1 plan ref: GCH-CUR-XX-XX-DR-C-90111 rev.P03;
 Gorton Hub Staff Car Park library site Transport Statement 082712-CUR-XX-XX-T-TP-00001-P01 dated 1st November 2022
 Gorton Hub Staff Car Park library site Swept Path Analysis - Large Car plan ref: 082712-CUR-XX-00-D-TP-05001 rev.P03
 Gorton Hub Staff Car Park library site Operating Strategy
 Gorton Hub Staff Car Park library site Phase 1 Preliminary Risk Assessment 070452-CUR-00-XX-RP-GE-00001-P01dated 11th November 2022;
 Jacksons Fencing EuroGuard Regular product sheet
 Jacksons Fencing EuroGuard Swing Gate product sheet
 DW Windsor Kirium Eco Brochure April 2021

Received 14th November 2022

Gorton Library Construction & Environmental Management Plan rev. P01FINAL , and Traffic management plan for the demolition of Gorton Library
 Received 5th January 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) 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 The routing of construction traffic ;
- o Detail the vehicular activity associated with the construction including appropriate swept path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o Identify measures to control dust and mud, including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be

cleaned during the construction period;

- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

- o Identify measures to reduce noise emissions;

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

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

4) The car parking spaces , as indicated on Proposed Site Plan ref: Gorton Hub Staff Car Park library site Proposed Site plan ref: GCH-IBI-XX-XX-DR-A-100-0006_P05; shall be demarcated and available for use before the car park is brought into use. The implemented car parking layout shall be retained and maintained for the duration of the permission hereby approved.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

5) The boundary treatment shall be implemented in accordance with the details on plan refs: Gorton Hub Staff Car Park library site Proposed Site plan ref:GCH-IBI-XX-XX-DR-A-100-0006_P05;

Gorton Hub Staff Car Park library site Proposed Boundary Treatments plan ref: GCH-IBI-XX-XX-DR-A-100-0008 rev. P01;

Gorton Hub Staff Car Park library site Proposed Boundary Details plan ref: GCH-IBI-XX-XX-DR-A-100-0007 rev. P02;

Jacksons Fencing EuroGuard Regular product sheet

Jacksons Fencing EuroGuard Swing Gate product sheet

The development shall be implemented in accordance with the approved details, and the approved boundary treatment shall be implemented prior to the proposed parking facilities being brought into use.

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 in order to comply with policies SP1 and DM1 of the Manchester Core Strategy (2012) .

6) The lighting scheme shall be implemented in accordance with the details on plan ref: Gorton Hub Staff Car Park library site Proposed Electrical Services Layout plan ref: GCH-QUA-XX-XX-DR-E-6302 rev.P01; and DW Windsor Kirium Eco Brochure April 2021.

The development shall be implemented in accordance with the approved details, and the approved lighting scheme shall be implemented prior to the proposed parking facilities being brought into use.

Reason - To ensure adequate lighting within the development and to ensure full accessibility within the car park pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012) .

7) If, when the lighting units are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as LPA confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

8) 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).

9) No removal of or works to any trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a

careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to Policy EN15 of the Manchester Core Strategy (2012).

10) A scheme for the Biodiversity Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to parking spaces hereby approved being brought into use and shall be retained thereafter.

Reason - To provide habitats for wildlife to improve the ecological value of the site, to comply with policy EN15 of the Manchester Core Strategy (2012).

11) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans specified in condition no.2 and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

12) Prior any above ground works, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Cotoneaster on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason - To prevent the spread of Cotoneaster, which has been found on part of the site in accordance with the Wildlife and Countryside Act 1981.

13) Notwithstanding the drainage details on the Gorton Hub Staff Car Park library site Proposed Drainage Layout GCH-CUR-XX-XX-DR-C-92101-P02 and in the Gorton Hub

Staff Car Park library site Drainage Strategy GCH-CUR-XX-XX-RP-C-92100-P02 dated 11th November 2022;
development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has 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 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:

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.

Date: 9 January 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 their 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.