

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

Views (Holding) Ltd
C/o Agent

Agent (if used)

Mr Joseph Smith
Avison Young
Norfolk House
7 Norfolk Street
Manchester
M2 1DW

Part 1 – Particulars of the application/development

Proposal: Installation of 72 double stacked storage containers for storage and distribution (Use Class B8) together with modification to boundary treatment and other associated works for a temporary 5 year period.

Location: 22 Park Street, Manchester, M3 1ET

Date of application: 29 July 2022

Application number: 134547/FO/2022

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Temporarily 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 in order to guide the Application through all stages of the Planning process, and have resolved issues that have arisen whilst dealing with the Application.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period only, expiring on 25 October 2027; and the storage containers and associated parking area and signage comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within 3 months of the expiration of this consent.

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 emerging Core Strategy for Manchester.

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

C-2.201_Rev B
C-2.202_Rev C
C-2.203_Rev A
C-2.204_Rev A
C-2.210_Rev D
PO2 Swept Path Analysis
PO2 Swept Path 3.5 Tonne Transit Van
Location Plan
The Design and Access Statement
C-0.100 Rev B
C-2.100 Rev B
C-2.101 Rev B
C-2.102 Rev A
The Transport Statement by Curtis
The Flood Risk Assessment and Outline Drainage by Curtis, stamped as received on the 29 July 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) The development hereby approved shall be carried out in accordance with the materials as set out in drawings:

C-2.201_Rev B
C-2.202_Rev C
C-2.203_Rev A
C-2.204_Rev A
C-2.210_Rev D
C-0.100 Rev B
C-2.100 Rev B
C-2.101 Rev B
C-2.102 Rev A, stamped as received on the 29 July 2022.

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.

4) Prior to the first occupation of the development, the hours of operation are to be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall be the agreed hours for the duration of the temporary period.

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.

5) The premises shall only be used for storage facility purposes only and for no other purposes including any other use within Class B8 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 or re-enacting that Order with or without modification.

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 Manchester Core Strategy.

6) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

7) A Construction Management Plan shall be provided prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality.

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

8) The boundary treatment hereby approved shall be implemented prior to the first use of the development hereby approved and shall be retained for the duration of the temporary of the period.

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

Informatives

This permission does not grant approval under Building Regulations.

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.

Boundaries & Access Controls

The entrances should be in keeping with the height of adjacent boundary fencing and should incorporate either:

A pad lockable bolt to the midpoint of the internal face or,

A key operable deadlock

Gate Lock ShroudCare should also be taken to ensure there are no poles, trees or any other features immediately adjacent, on the publicly accessible side of the site boundary, that could be used as a climbing aid to scale the fencing. Any such features

should be pruned or removed where possible. The site boundary treatment should also be positioned on hard standing ground. Where this is not possible, the ground conditions should be reviewed as extra measures may be required to create a secure boundary. Exposed hinges and large sliding bolt apertures/locking points to any gates should be avoided, or fitted with shrouding/protective plates (see opposite) to avoid the creation of footholds.

As the location of the proposed shipping containers will impede views over the perimeter fencing, creating hidden areas that could be exploited by offenders unseen, it is highly recommended that condition of the fencing along the perimeter of the site is regularly inspected for signs of damage/attack and is repaired immediately if any incidents are experienced.

Physical Security

The steel storage containers themselves should be constructed from robust, anti-corrosive steel to withstand damage and penetration. Any steel doors should be fitted with a high security locking system that uses a steel shroud to protect the lock from bolt-croppers, angle grinders, chisels and other methods of forced entry.

The shutters to the 20ft. containers should be tested and certified to LPS 1175 SR2. Ideally, shutter boxes and guides built into the fabric of the container where they would be less vulnerable to damage.

Sold Secure Gold rated closed-shackle padlocks should be used to secure the shipping container doors and shutters.

Lighting

All external storage areas and parking areas within the site should be lit to an adequate and uniform level (leaving no areas of pooling or shadowing), in accordance with BS 5489. The lighting systems must compliment the CCTV system installed (see below).

Fittings should produce 'white' light, as opposed to yellow/orange light. Metal halide (or bulbs with a comparable output) should be used, as these offer superior colour rendition over alternatives such as high and low pressure sodium bulbs.

Dusk 'til dawn lights, operated by photoelectric cell/daylight sensor, should be installed to all external doors.

q Lighting fixtures must not be positioned to provide climbing aids over boundary treatments. Electrical and architectural layouts should be developed together to avoid this.

CCTV

The CCTV installed at the site will require certain specifications and intelligent placement of cameras to compliment the layout of the external storage/parking area. The following points should be considered when planning a CCTV strategy:

CCTV systems (and lighting that support them) require regular cleaning and maintenance to remain effective.

Where necessary cameras that are vulnerable to damage should be protected from attack either by relocation to a higher level and using a bigger lens to achieve the view required or through the fitting of a vandal resistant housing.

With regards to the retention of footage, the police prefer quality over quantity. The overall retention period should be dictated by what the system is designed to achieve, though it would be better to have good quality images over a 14-day period than poor ones over a 30-day period.

Procedures for recovery of recordings are recommended to be established (e.g. trained staff / the CCTV system instruction manual to be readily available). This is to ensure that the images produced will be of an acceptable standard that will allow for identification of an individual which will stand up to scrutiny in court.

Acceptable Standard - this generally requires a resolution of 720x576 pixels at a real time frame rate of 25 frames per second. (N.B. Both the camera and DVR must be capable of this - if the camera will only send low resolution images then it does not matter how high the resolution of the recording unit is).

Identification - One of three levels of field of view. To identify an individual, the image must capture no less than 120% of the field of view (at least from the top of the individuals head to their knees). The remaining two levels of field of view are Overview and Recognition, which whilst effective for observational purposes, are less likely to result in the identification of a person/offender.

The intelligent placement of cameras helps to provide clear facial identification of individuals. Suitable locations would be the pedestrian and vehicular entrance gates to the site, all external circulation/parking areas and all perimeter fencelines.

Other

In vulnerable locations such as around entrance gates, parking areas or fencelines, any low planting should not exceed 1000mm in height and any tree canopies should fall no lower than 2000mm from the ground. This is in order to allow unimpeded surveillance and eliminate hiding places. A maintenance agreement should stipulate that these planting dimensions would be adhered to.

Management & Maintenance

The upkeep of a development over its lifetime can be crucial to the level of security and safety within. Aspects of a development, which are left to deteriorate, have the potential to attract further crime - a process known as 'the broken window theory'. A maintenance plan should be drawn up to address issues such as:

Litter/graffiti removal and damage repair;

Repair to communal areas (perimeter fencing, lighting, signage, access controls, CCTV etc.); and

Trimming and pruning to shrubs and trees.

Adequate signage should be deployed in all areas not only to direct people throughout the site, but also to deter unauthorised access to non-public areas.

The applicant should design and construct drainage system 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 Core Strategy.

MCC records highlight that the underground River Irwell Tributary (Victoria) is located within close proximity to the site (approximately 60m to the northwest of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

The applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for the amendment of the proposed vehicular access and dropped kerbs on Park Street and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Date: 1 November 2022

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/planning-inspectorate. 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.