

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

Far East Consortium International Limited
C/o Agent

Agent (if used)

Miss Alice Routledge
Aster Planning LLP
Mynshulls House
14 Cateaton Street
Manchester
M3 1SQ

Part 1 – Particulars of the application/development

Proposal: Erection of a single storey marketing suite building with associated car parking, landscaping, drainage infrastructure and other associated works for a temporary period of two years

Location: Land On The Corner Of Marston Street And Rochdale Road, Manchester, ,

Date of application: 14 June 2022

Application number: 134050/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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance, this has included advice about information required to allow the approval of the application.

Condition(s) attached to this decision

1) a) The planning permission hereby granted is for a limited period only, which shall expire on 30 October 2024.

b) The use/development for which permission is hereby granted is required to be discontinued on or before that date (30 October 2024) and all associated development shall be removed, any use of the land authorised by this permission shall be discontinued, and the land shall be reinstated/made good in accordance with a scheme previously approved within one month of the development being vacated or before the expiration of the period specified in this condition, whichever is sooner.

Reason - The use hereby approved is of a temporary nature only and pursuant to Core Strategy Policies SP1 and DM1.

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

The location plan referenced 8871-BA-PD-00-DR-A- (04)091-PL2 received by the City Council as local planning authority on 14 June 2022

The drawings referenced:

8871-BA-PD-00-DR-A- (04)090-PL3
200908 00-01 Rev A
2007-445b-No.3a - A013 Rev D1
1994-EXA-00-GF-DR-L-111 Rev P03
1226-08-CIV-XX-XX-D-D-30001 Rev P04
1226-08-CIV-XX-XX-D-H-40001 Rev P04
1226-08-CIVXX-ZZ-SK-S-0001 Rev P01
1226-08-CIV-XX-ZZ-SK-S-0002 Rev P01

received by City Council as local planning authority on 14 June 2022

2007-445c-No.3a - A011 Rev C3
2007-445c-No.3a - A101 Rev C3
2007-445c-No.3a - A102 Rev C3
2007-445c-No.3a - A203 Rev C3
2007-445c-No.3a - A201 Rev C1
2007-445c-No.3a - A110 Rev C3

received by City Council as local planning authority on 26 July 2022

The following documents:

Construction Environmental Management Plan prepared by Civic Engineers
Planning Design Note - Energy Efficient Design prepared by Watt Energy
Transport Note prepared by Civic Engineers
Archaeological Letter prepared by Salford Archaeology
Ecology Letter prepared by TEP
Drainage Note prepared by Civic Engineers
The completed Waste Proforma

received by City Council as local planning authority on 14 June 2022

The Design and Access Statement prepared by Asteer Planning received by City Council as local planning authority on 29 June 2022

The letter from Asteer Planning dated 1 June 2022

The emails from Asteer Planning dated 21 July 2022 and 9 August 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, SP1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

3) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority. In order to this condition the following additional information shall be submitted to and approved in writing by the City Council as local planning authority:

a) Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 2-year rainfall event.

b) Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

c) Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.

d) Construction details of flow control and SuDS elements.

No surface water or foul water will be permitted to drain directly or indirectly into the public sewer. The drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

4) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

5) Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the City Council as local planning authority. The sustainable drainage management and maintenance plan shall include as a minimum:

- a) Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and
- b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14

- 6) No part of the development shall be occupied until the space and facilities for the parking of 2 bicycles have been provided within the site. The approved spaces and facilities shall then be retained and permanently reserved for bicycle parking for the duration of this approved temporary use.

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 transport mode, pursuant to policy T1 of the City of Manchester Core Strategy.

- 7) Before first occupation of the development hereby approved a signage strategy shall be submitted to and agreed in writing by the City Council as local planning authority. All signage displayed at the property shall accord with the approved details for as long as the development hereby approved is in situ.

Reason - In the interests of visual amenity to enable careful attention to signage details and the level of visual clutter is required to protect the character and appearance of this building in accordance with policies SP1 and DM1 of the Core Strategy.

- 8) Before first occupation of the development hereby approved full details of the appearance of the roller shutter wraps (materials, designs and area covered) shall be submitted to and agreed in writing by the City Council as local planning authority. All wraps installed at the property shall accord with the approved details for as long as the development hereby approved is in situ.

Reason - In the interests of visual amenity to enable careful attention to the level of visual clutter is required to protect the character and appearance of this building in accordance with policies SP1 and DM1 of the Core Strategy.

- 9) No part of the development shall be occupied unless and until the 1no. car parking space suitable for use by disabled persons has been provided in accordance with the approved documents. This parking space shall be retained and permanently reserved for use by disabled persons for duration of this approved temporary use.

Reason - To ensure that adequate provision is made for parking for disabled persons and sustainable travel, pursuant to policies CC10 and DM1 of the City of Manchester Core Strategy.

- 10) a) Externally mounted ancillary 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 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Upon completion of the development and within 3 months of the equipment becoming operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that above criteria is 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 noise criteria. This report shall be submitted to and approved in writing by the City Council as local planning authority within 3 months of the equipment becoming operational along with a timescale that confirms when any necessary changes will be implemented.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

11) Prior to first occupation of the development hereby approved full details of the appearance and location/locations of the boundary treatment for the site shall be submitted to and agreed in writing by the City Council as local planning authority. The boundary treatment shall then be installed on the site; shall accord with the approved details and shall be retained for the duration of this approved temporary use.

Reason - In the interests of visual amenity and to reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

12) Within the approved car park standard parking bay dimensions shall be a minimum of 2.4m x 4.8m and disabled parking bay dimensions shall be a minimum of 3.6m x 6.0m. The proposals shall also include a 6-metre aisle width to allow vehicles to safely manoeuvre within the car park with formal demarcation of all spaces.

Reason - To safeguard everyone using the car park, in accordance with policies SP1, CC10 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

13) The development hereby approved shall include for full disabled access to be provided into and throughout the building and throughout the external area at all times.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

14) The development shall be carried out only in accordance with the email from Asteer Planning dated 21 July 2022 as amended by the email from Asteer Planning dated 9 August 2022. All specified security measures shall be in place prior to first occupation of the development and shall then be retained for the duration of this approved temporary use.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

15) A dilapidation survey shall be submitted to and approved in writing by the City Council as local planning authority within three months of the completion of all construction and landscaping works. The survey shall include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site. Any damage caused shall be reinstated/made good in accordance with a scheme previously approved within six months of the completion of the construction and landscaping works.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN14, EN15, EN17, EN19 and DM1 of the Manchester Core Strategy (July 2012).

16) In the event that any contamination is encountered on the site at any time before the development is completed (during the watching brief), development shall cease until a report detailing the measures, if any, that are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority. The development shall then be carried out in only in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to and approved in writing by the City Council as local planning authority in order to evidence this within 3 months of the completion of groundworks.

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 DM1 and EN18 of the Core Strategy.

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.

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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.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

United Utilities will not allow building over or in close proximity to a water main.

United Utilities may not allow building over or in close proximity to a public sewer.

A water main crosses the site. It must not be built over, or our access to the pipeline compromised in any way. The Water Industry Act 1991 affords United Utilities' specific rights in relation to maintenance, repair, access and protection of our water infrastructure. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which accompanies this letter. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period. It also includes advice regarding landscaping in the vicinity of pipelines.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council's Environmental Health Service. Call 0161 234 5004 or email contact@manchester.gov.uk:

- o Monday - Friday: 7.30am - 6pm
- o Saturday: 8.30am - 2pm
- o Sunday / Bank holidays: No work

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

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Prior to the commencement of the works included within application referenced 129393/VO/2021 you are advised to discuss the need for an amended construction management plan that takes the requirements of the construction of application referenced 129393/VO/2021 and the requirements of the construction of the site subject of this application with Highway Services via Contact Manchester (Tel. 0161 234 5004).

Date: 10 August 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.

Appendix A



**The Coal
Authority**

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/the-coal-authority

INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

This Informative Note is valid from 1st January 2019 until 31st December 2020