

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

City in the Community
Manchester City Etihad Stadium
Etihad Campus
Manchester
M11 3FF

Agent (if used)

Roberta Paludi
Darntonb3
4th Floor
10 South Parade
Leeds
LS1 5QS

Part 1 – Particulars of the application/development

Proposal: Provision of activity space to include mini football pitch and activity areas together with associated lighting in existing park

Location: Ladybarn Park, Bounded By Mauldeth Road, Parsonage Road, And Parrs Wood Road, Manchester, M20 4XA

Date of application: 17 November 2021

Application number: 131918/FO/2021

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 resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about the overspill lighting features, ground contamination and the additional noise generated across the activity space, further details were submitted to deal with these matters and appropriate conditions are proposed.

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 documents and drawings:

Plan ref: 13034 DB3 B02-XX-DR-A-90103 P8 Proposed Site Plan

Plan Ref: 13034-DB3-B0X-XX-DR-A-90201 Rev P3 Equipment A Football Panna

Plan Ref: 13034-DB3-B0X-XX-DR-A-90202 Rev P3 Equipment B Football Tennis

Plan Ref: 13034-DB3-B0X-XX-DR-A-90203 Rev P3 Equipment C Passing Squares

Plan Ref: 13034-DB3-B0X-XX-DR-A-90204 Rev P4 Equipment D Large Goal

Plan Ref: 13034-DB3-B0X-XX-DR-A-90205 Rev P4 Equipment E Play Cross Goal

Plan Ref: 13034-DB3-B0X-XX-DR-A-90206 Rev P4 Equipment F Large Goal

Plan Ref: 13034-DB3-B0X-XX-DR-A-90209 Rev P2 Equipment J Run Loop Markers

Plan Ref: 13034-DB3-B0X-XX-DR-A-902014 Rev P4 Equipment I Large Goal + 1v1+Basketball

Plan Ref: 13034-DB3-B0X-XX-DR-A-902015 Rev P3 Equipment P Full Height Fence Panel

Plan Ref: 13034-DB3-B0X-XX-DR-A-902016 Rev P3 Equipment Q Mini Fence

Plan Ref: 13034 DB3 B02 XX DR E 002 Rev B Electrical Services Layout

All as received by the City Council on the 13th October 2021

Plan Ref: BS 5837:2012 No. 18-1673.02 Arboricultural Survey

Plan Ref: BS 5837:2012 No. 18-1673.04 Arboricultural Survey

Construction (Design & Management) Regulations 2015- Residual Risk Assessment Form

Construction (Design & Management) Regulations 2015- Cleaning Access & Maintenance Statement

Electrical Services Performance Specification

Geo-Environmental Assessment ref: 18-1673.04

Remediation and Verification Strategy ref: 18-1637.04

Design and Access Statement 13034-DB3-B02-ZZ-RP-A-00008 Rev B

BS 5837:2012 Arboricultural Survey November 2019 Delta-Simons Project No. 18-1673.02

Preliminary Geo-Environmental Risk Assessment November 2019 Delta-Simons Project No. 18-1673.04

Geo-Environmental Assessment Issued: December 2019 Delta-Simons Project No. 18-1673.04

Remediation and Verification Strategy Issued: January 2020 Delta-Simons Project No. 18-1673.04

The documents and drawings stated above were stamped as received by the City Council as Local Planning Authority on 13 October 2021.

Plan Ref: 13034 DB3 B02 XX DR A 90105 P4 Remediation Moundings and 13034 DB3 B02 XX DR A 90001 P5 Location Plan both

as received by the City Council as Local Planning Authority on 14th March 2022

Noise Impact Assessment February 2022 ref 18-1673.05 prepared by Delta Simons as received by the City Council as local planning authority on the 28th February 2022

Musco Lighting 203647A 'Lighting System'; Datasheet: TLC-LED-600 Luminaire and Driver; DATASHEET: PWY-EDG PATHWAY LUMINAIRE; DATASHEET: OSQ AREA LUMINAIRE ON VALMONT as received by the City Council as local planning authority on the 12th January 2022

Musco LED Lighting Drawing 203646 as received by the City Council as local planning authority on the 22nd January 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 (2012).

3) Prior to first use of development a verification report will be required to validate that the work undertaken in relation to the approved lighting scheme throughout the development conforms to the recommendations and requirement in the approved light consultant's report. 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. Any additional mitigation measures should be implemented within a timescale agreed in writing by City Council, as Local Planning Authority.

Reason - To ensure an appropriate lighting scheme is installed, pursuant to policy DM1 of the Core Strategy.

4) The operating hours of the approved lighting system are as follows:

Monday-Sunday- Lights shall be switched off at 9pm

The operating hours of the lighting system shall remain in place for as long as the development remains in use.

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

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans 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 5837 (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 Core Strategy.

6) 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 Core Strategy.

7) Prior to the first use of the development hereby approved a soft landscaping scheme for the mound features identified on the approved drawings shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the development is first used. If within a period of 5 years from the date of the planting of any tree or shrub planted as part of any scheme, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the 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

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

-Monday - Friday: 7.30am - 6pm

-Saturday: 8.30am - 2pm

-Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policy DM1 of the Manchester Core Strategy.

Date: 25 July 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 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.