

## **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](mailto:planning@manchester.gov.uk)

## **Town & Country Planning Act 1990 (as amended)**

### **Planning Permission**

#### **Applicant**

Manchester City Council  
C/o Agent

#### **Agent (if used)**

Mr Paul Swann  
Manchester City Council  
Corporate Technical Services  
Capital Programme Division  
PO Box 532  
Town Hall  
Manchester  
M60 2LA

#### **Part 1 – Particulars of the application/development**

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**Proposal:** Application to vary Condition 1 of planning approval 070731/MO/2004/N2 to amendments to approved road design

**Location:** Land Behind Ancoats Primary Care Centre, Old Mill Street, Manchester, M4 6EE

**Date of application:** 31 July 2013

**Application number:** 103218/JO/2013/N1

#### **Part 2 – Particulars of decision**

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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 31 Declaration**

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The local planning authority has worked with the applicant in a positive and proactive manner when dealing with this planning application. The applicant did seek pre-application advice from the local planning authority prior to submission and this advice was applied to the proposals. As the proposal is deemed to be acceptable and in compliance with planning policy, no problems have arisen in this case.

#### **Condition(s) attached to this decision**

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

The development hereby approved shall be carried out in accordance with the drawings numbered site location plan received 18 May 2004; information included within Infrastructure Planning Package 1 received 20 January 2004 as amended by the following plans: indicative elevations of Rochdale Canal bridge, planting strategy and

planting context diagram (all received 18 May 2004); 112.3/WP/LL001/B, (GA)011/C01, (GA) 012/C02, 112.3/SAT/LL002/A, 112.3/SAT/LL001/A, (GA) 221/C02, (GA)222/C02, (GA) 223/C02, (GA) 224/C02, (GA) 227/C02, (EN) 004/C01, (EN) 003/C01, (GA) 220/C03, (MO) 406/P01 (all received 11 June 2004; letter received from applicant received 7 July 2004, and the amended information submitted on the 31st July 2013 including the application form, Proposed Design Changes document, the site edge red, and the drawings numbered 112.3/SAT/LL002/RevA, 112.3/SAT/LL001/RevA, (GA)220/RevCO3, 651-030-100/RevP3, (GA)227/RevCO2, 651-030-101/RevP3.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, T1, EN15 and DM1 of the Core Strategy.

2) Prior to the commencement of the development hereby approved, a scheme for the relocation of the bespoke nesting box if necessary, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with these approved details.

Reason - To ensure the adequate protection of ecology within this area, pursuant to Policy EN15 of the Core Strategy.

3) No development shall commence unless and until full details of the treatment of the new pedestrian link between the bridge to be provided within the Central Retail Park redevelopment and Cotton Fields Park together with details of a timescale for implementation has been submitted and approved in writing by the local planning authority. The details to be submitted shall include: cross section drawings; surfacing treatment; and, details of any access gates to be installed along with the management arrangements to be put in place. The development shall be carried out in accordance with the approved details which will be retained thereafter.

Reason - In order that safe pedestrian connections are provided between the approved development and adjacent public park pursuant to policy T1 and DM1 of the Manchester Core Strategy Development Plan Document.

4) The details of an emergency telephone contact number for the site contractor shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy.

5) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

## **Informatives**

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This permission does not grant approval under Building Regulations.

Date: 22 October 2013

Signed: 

Julie Roscoe  
Head 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, he may appeal to the First 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 Appeals area of the Planning Portal – [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

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 First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

## **Appendix A – Standing Advice Regarding Coalfield Area**

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. 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 Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

