

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 3 (Archaeology), 4 (Vegetation Clearance), 5 (Local Labour), 6 (Surface Water Drainage), 7 (Ground conditions) and 37 (Piling) associated with planning permission 130586/VO/2021

Location: Land Bounded By The Rochdale Canal, Smallwood Street, Great Newton Street And Droylsden Road, Manchester, M40 1HE

Date of application: 2 November 2021

Application number: CDN/21/0812

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Approved** in accordance with the information set out below.

Condition 3 Archaeology

The following information has been submitted in respect of this planning condition:

- Written Scheme of Investigation stamped as received by the City Council, as Local Planning Authority, on the 2 November 2021

The above information has been considered and is acceptable in order to partially discharge (1) of this planning condition. Prior to the first occupation of this development parts 2-6 need to be complied with.

Condition 4 Vegetation Clearance

The following information has been submitted in respect of this planning condition:

- Bird report prepared by Rowlinson stamped as received by the City Council, as Local Planning Authority, on the 2 November 2021

The above report has been considered and outlines that the trees will be removed outside of bird nesting season.

Condition 4 is formally discharged on this basis.

Condition 5 Local Labour

The following information has been submitted in respect of this planning condition:

- Local Labour report prepared by Rowlinson stamped as received by the City Council, as Local Planning Authority, on the 2 November 2021

The above information has been considered and is acceptable in respect of part (a) of this planning condition.

In order to discharge this condition in full part (b) needs to be complied with which requires that within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to part (a) of this planning condition are submitted to the City Council as Local Planning Authority.

Condition 6 Drainage

The following information has been submitted in respect of this planning condition:

- Drawing SSG-RDG-00-ZZ-DR-C-000 REV P04 stamped as received by the City Council, as Local Planning Authority, on the 15 February 2022
- Drainage report prepared by Ridge stamped as received by the City Council, as Local Planning Authority, on the 21 January 2022

The above information has been considered and is acceptable. The drainage shall now be carried out in accordance with the above documents.

Condition 6 is now formally discharged on this basis.

Condition 7 Ground Conditions

The following information has been submitted in respect of this planning condition:

- Land at Silk Street, Manchester, Phase I Preliminary Risk Assessment. Reference: LKC 18 1474. Prepared by LK Consult Ltd (LKC) for Faithful and Gould, dated January 24, 2019.
- Phase 2 Geo-Environmental Investigation, Risk Assessment and Remediation Strategy for Silk Street, Manchester. Reference: LKC 18 1474. Prepared by LK Consult Ltd (LKC) for Faithful and Gould, dated April 26, 2019.
- Silk Street, Newton Heath Flood Risk Assessment and Drainage Strategy. Ref: Project No: 5015017. Prepared by Ridge & Partners LLP for Rowlinson Construction Ltd, dated May 26, 2021.
- Energy & Sustainability Statement, Proposed 69 No. New-Build Dwellings, Silk Street, Newton Heath, Manchester. Reference: Z39428. Prepared by Energy Council for Rowlinson Construction Ltd, dated May 22, 2021,
- Letter re: Ground investigation at Silk Street, Newton Heath, Manchester, M40 1HE. Reference: LKC 18 1474_Solt Trenches. Prepared by LK Consult Ltd (LKC) for Faithful and Gould, dated July 8, 2019.
- File Note, 5015017 - Silk Street, Gorton. Condition 37 Discharge Note.

- File Note, 5015017 - Silk Street, Gorton. Condition 7 Discharge Note stamped as received by the City Council, as Local Planning Authority, on the 2 March 2022

The above information has been considered and is acceptable in respect of part (a) of this planning condition. The development shall be carried out in accordance with the above information.

In order to discharge this information in full part (b) of this planning condition needs to be discharged, This requires a Completion / Verification Report to be submitted and approved in writing by the City Council as local planning authority prior to the first occupation of the development.

Piling

The following information has been submitted in respect of this planning condition:

- Land at Silk Street, Manchester, Phase I Preliminary Risk Assessment. Reference: LKC 18 1474. Prepared by LK Consult Ltd (LKC) for Faithful and Gould, dated January 24, 2019.
- Phase 2 Geo-Environmental Investigation, Risk Assessment and Remediation Strategy for Silk Street, Manchester. Reference: LKC 18 1474. Prepared by LK Consult Ltd (LKC) for Faithful and Gould, dated April 26, 2019.
- Silk Street, Newton Heath Flood Risk Assessment and Drainage Strategy. Ref: Project No: 5015017. Prepared by Ridge & Partners LLP for Rowlinson Construction Ltd, dated May 26, 2021.
- Energy & Sustainability Statement, Proposed 69 No. New-Build Dwellings, Silk Street, Newton Heath, Manchester. Reference: Z39428. Prepared by Energy Council for Rowlinson Construction Ltd, dated May 22, 2021,
- Letter re: Ground investigation at Silk Street, Newton Heath, Manchester, M40 1HE. Reference: LKC 18 1474_Solt Trenches. Prepared by LK Consult Ltd (LKC) for Faithful and Gould, dated July 8, 2019.
- File Note, 5015017 - Silk Street, Gorton. Condition 37 Discharge Note.
- File Note, 5015017 - Silk Street, Gorton. Condition 7 Discharge Note.

The above information has been considered and is acceptable in order to discharged condition 37.

Condition 37 is now formally discharged.

Date: 8 March 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 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) 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 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) 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-inspectorate. The Inspectorate will publish details of your appeal on the internet.

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 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.

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.