

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

Partial approval of details reserved by condition

Applicant

Mr Wasil Hussain
HUS Property Developments Limited
11 Warwick Road
Manchester
M16 0QQ

Agent (if used)

Mr Derek Watmough
4mation Architecture Ltd
27 Blythe Avenue
Stockport
SK7 1EU

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (materials), 4 (Acoustic Insulation), 5 (external plant), 9 (Secure by Design Accreditation measures) and 11 (Construction Method Statement) from planning approval reference 128136/FO/2020

Location: Didsbury Police Station , 742-744 Wilmslow Road, Manchester, M20 2DW

Date of application: 12 August 2021

Application number: CDN/21/0601

Part 2 – Particulars of decision (1)

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

Condition 3 (materials) -

Condition 3 (materials) - The material schedule is considered acceptable. Once the correct brick has been identified then please submit that for further approval.

Condition 5(external plant)

Condition 5(external plant) - It is noted that no external plant is proposed.

Condition 9 (Secured by Design Accredita

Condition 9 (Secured by Design Accreditation measures) - The submitted information is sufficient to discharge the first element of the condition. However, the condition cannot be fully discharged until the Secured by Design certificate has been issued by Greater Manchester Police.

Condition 11 (Construction Method Statem

Condition 11 (Construction Method Statement) - The revised Construction Method Statement (Rev A), stamped as received on 14 October 2021 is considered acceptable.

Therefore, on the proviso the development is implemented in accordance with that document, the condition is considered discharged.

NB:- The requirement to use the area annotated as the site compound for anything other than car parking, e.g. for the siting of cabins and storage of materials, will require temporary planning permission. This has been conveyed to the applicant under separate email and has been acknowledged.

Part 2 – Particulars of decision (2)

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

Condition 4 (Acoustic Insulation) -

Condition 4 (Acoustic Insulation) - The glazing proposals in the RS Acoustic Engineering report reference RSA333/2021 dated 9 March 2021 are considered acceptable.

However, to fully discharge this condition the applicant will need to provide details of the type of mechanical ventilation they will be installing on the front façade of the building as part of the application site is within Manchester's Air Quality Management Area (map available at: <https://uk-air.defra.gov.uk/aqma/maps>) and future residents may be exposed to air pollution. The mechanical ventilation will require a clean air intake. The applicant will also need to demonstrate that the mechanical ventilation will comply with MCC's internal noise criteria. A verification report will be required on completion of the work to demonstrate that the internal noise criteria are being met.

Date: 14 October 2021

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates 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. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

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 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.