MANCHESTER CITY COUNCIL

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

Approval of details reserved by condition

Applicant

Pauline Terry
One Manchester
Lovell House
6 Archway
Manchester
M15 5RN

Agent (if used)

Mr Stuart McGrath
OMI Architects
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of Condition 5b (ground conditions) and 18 (Invasive Species protocol) attached to planning permission ref: 129876/FO/2021

Location: Land North To The Junction Of Gorton Lane And Pottery Lane, Manchester, M12 5DF

Date of application: 10 September 2021

Application number: CDN/21/0664

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 5b Ground conditions

The following information has been examined and considered :
-Remediation Strategy Gorton Lane - Remediation Strategy document ref:067694-CUR-00-XX-RP-GE-001-V03 Issue date 05 November 2021
- Phase 2 Site Investigation Gorton Lane document ref:068244-CUR-00-XX-RP-GE-001-V03 Issue date 09 September 2021

On the basis that the development is implemented in accordance with the measures in Remediation Strategy Issue date 05 November 2021 (including the increased capping layer to front gardens) , and Phase 2 Site Investigation Gorton Lane document Issue date 09 September 2021, I can confirm that condition 5b is discharged.

However, 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.
A validation and completion report will be needed in order to discharge condition 5c when it becomes available.

Condition 18 Invasive Species Protocol
The content of the submitted Method Statement for Cotoneaster at Groton Road AUG21 - Invasive Species Protocol by JKC Limited document ref: QR112.12 v6 has been examined, and is considered to be satisfactory .
On the basis that the measures are carried out in accordance with the approved scheme, condition no.18 is discharged.

Date: 24 November 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 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 of 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.