

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

Approval of details reserved by condition

Applicant

McCaul
McCauls Group Ltd
First Floor
362 Manchester Road
M29 7DY

Agent (if used)

Mr Nick Berry
OMI Architects
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 4 (Demolition Method Statement), 12 (Written Scheme of Investigation for an Archaeological Evaluation and 19 (Bat Emergence and Re-Entry Surveys) attached to application ref no 128911/FO/2020

Location: 32-34 Laystall Street, Manchester, M1 2JZ

Date of application: 15 February 2022

Application number: CDN/22/0079

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 4 (Demolition Method Statement)

Condition 4 (Demolition Method Statement) - On the basis of compliance with the following:

OUTLINE TENDER STAGE METHOD STATEMENT, FOR DEMOLITION AT LAYSTALL STREET by KBS stamped as received on 15-02-22; and Dwg 1383-OMI-OO-ZZ-DR-A-L0211, L0111, L0110 and L0210

The condition is discharged

12 (Written Scheme of Investigation)

Condition 12 (Written Scheme of Investigation for an Archaeological Evaluation): The Laystall Street, Ancoats, Manchester

Planning Reference: 128911/FO/2020 Written Scheme of Investigation for an Archaeological Evaluation by Salford Archaeology, Centre for Applied Archaeology dated 20-12-21 (stamped as received on 15-02-22) is approved the investigation work can commence and part 1 of the condition is discharged.

GMAAS will monitor the implementation of the archaeological works on behalf of Manchester Planning Authority to ensure that the parts of the condition that relate to pre-commencement of the Archaeological Evaluation are satisfied. Once archaeological site works are complete ground works cannot commence unless and until the City Council receives written confirmation from GMAAS to release the site. (Discharge of parts 2-5).

19 (Bat Emergence and Re-Entry Surveys)

Condition 19 (Bat Emergence and Re-Entry Surveys)- On the basis of the following:

Bat Emergence and Re-entry Surveys, 32 - 34 Laystall Street, Manchester, Greater Manchester, M1 2JZ, McCaul Group Ltd by ARBTECH stamped as received on 15-02-22

the pre-commencement requirements of the condition is discharged

Full discharge shall be on the basis of implementation of the mitigation outlined in section 4.2 (B1) of the above Report and submission to and approval by the City Council as Local Planning Authority of photographic evidence of this prior to occupation of the office element of the development.

NOTE A European Protected Species Mitigation Licence (EPSML) will be required from Natural England prior to the commencement of works, once planning has been granted.

As there is one bat roost of low numbers of common species present, the works can be completed under a Natural England Bat Mitigation Class Licence (Low Impact) - WML-CL21

If more than 3 months elapses since the last survey, a material changes check will be required prior to licence submission. If more than 12 months elapses, updated dusk/dawn surveys will also be required to inform the licence application.

Date: 30 May 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.