MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant

CS Derby Ltd
3 Hollins House
331 Hale Road
Hale Barns
Altrincham
WA15 8SS

Agent (if used)

Leach Rhodes Walker
Ground Floor West
50 Dearmans Place
Manchester
M3 5LH

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (local labour), 4 (drainage), 5 (ground conditions), 6 (CMP) and 7 (materials) attached to planning permission referenced 122945/FO/2019

Location: 328 - 336 Stockport Road, Manchester, M13 0LE

Date of application: 6 April 2020

Application number: CDN/20/0247

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

- Local Labour Employment Proposal prepared by Rowlinson Construction Ltd stamped as received by the City Council, as Local Planning Authority, on the 23 September 2020

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

In order to discharge this condition in full, part (b) needs to be complied with. This 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 condition are submitted for approval in writing by the City Council as Local Planning Authority.

Condition 4 Drainage
The following information has been submitted in respect of this planning condition:

- Drawings D-01 Rev A, D-02 Rev A, D-03 Rev A and D-04 Rev A stamped as received by the City Council, as Local Planning Authority, on the 6 April 2020

- Drainage calculations tamped as received by the City Council, as Local Planning Authority, on the 5 June 2020

- Drainage exceedance flows and drawing DD-02 Rev A tamped as received by the City Council, as Local Planning Authority, on the 30 June 2020

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

Condition 4 is now formally discharged.

Condition 5 Ground Conditions
The following information has been submitted for consideration in respect of this planning condition:

- Site investigation report prepared by BEK stamped as received by the City Council, as Local Planning Authority, on the 6 April 2020

- Preliminary Risk Assessment prepared by BEK stamped as received by the City Council, as Local Planning Authority, on the 29 May 2020

- Site investigation and ground assessment prepared by BEK stamped as received by the City Council, as Local Planning Authority, on the 15 June 2020

- Method statement and UK WIR risk assessment prepared by BEK stamped as received by the City Council, as Local Planning Authority, on the 10 July 2020

The above information has been considered and is acceptable in order to comply with part (a) of this planning condition. The ground conditions shall be carried out in accordance with the above information.

In order to discharge this condition in full, a completion/Verification Report shall be submitted for approval in writing by the City Council as local planning authority prior to the first occupation of the residential element of the development.

Condition 6 CMP
The following information has been submitted in respect of this planning condition:

-Construction Management Plan stamped as received by the City Council, as Local Planning Authority, on the 6 April 2020

The above information has been considered and is acceptable. The development shall be carried out in accordance with this document. Condition 6 is now formally discharged on this basis.

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

- Schedule stamped as received by the City Council, as Local Planning Authority, on the 6 April 2020

The above information has been considered. The schedule requires updating as the dates have all now passed and no details have been forthcoming. There also needs to be timescale for the erection of a sample panel in order to check detailing.

Condition 7 is not formally discharged.

Date: 29 September 2020

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.