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

Mrs Mariam Al-Bayati
Mai Construction
15 St Brannocks Road
Manchester
M21 0UP

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 3 (Materials), 4 (Contaminated Land) and 13 (Construction Environmental Management Plan) attached to application 121945/FO/2018

Location: Alness Rpad, Manchester, M16 8HW

Date of application: 3 September 2019

Application number: CDN/19/0729

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 no. 3 - Materials
From the details which have been provided, specifically the materials detailed in the email dated 22nd October 2019, which include:

Bricks - St Ives Cream Rustica, Con Mosso;
Windows and doors - Aluminium frame and double glaze, colour to window on ground floor and first floor sand colour, and roof will be grey colour to match roof tiles;
Roof tiles - grey slate affect tiles;
Fibre cement cladding - grey to match roof tiles.

Condition 3 of application reference 121945/FO/2018 is discharged.

Condition no. 4 Contaminated Land A
No. 4 (contaminated land) - The submitted documents are considered acceptable. Therefore, on proviso the development is implemented in accordance with the approved documents the condition is considered discharged.

Condition no. 5 (contaminated land part B) will need discharging seperately and the remedial actions are to include the following measures (list not exhaustive), and works shall be verified as per part b of condition 4:

Submission and approval of Asbestos Working Plan;
Delineation / removal (and verification of such) of asbestos containing material identified underlying the former pavilion building;
Watching brief and implementation of procedures as necessary for encountering unexpected contamination;
Verification of earthworks / enabling phase including:
Confirmation of UU's requirements for water supply pipework materials.
Confirmation of BRE assessment and concrete classification.
Provision of clean cover system: 600mm thick cover to all gardens and soft landscaped areas, consisting of 150mm topsoil / 300mm subsoil / 150mm inert granular layer. N.B. As per section 8.3.3 of the report, these soil depths are suitable only for turf / grass, and the soil depths of any proposed planting areas for shrubs or trees should be in accordance with Table 2 of MCC's guidance;
Verification of imported subsoil and topsoil including confirmation of capping thickness and chemical suitability; and
Any site licences, consents and Waste Transfer Notes.

Condition no. 13 - CMP
The submitted Construction Management Plan dated 22nd October 2019 and received by the City Council as Local Authority on 22nd October 2019 is satisfactory. Subject to full implementation of the agreed plan, condition 13 may be discharged.

Date: 11 March 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 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.