

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

Partial approval of details reserved by condition

Applicant

Views Ltd
C/o Agent

Agent (if used)

Mr Julian Austin
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of Condition nos. 8 (CMP), 16a (Ground Conditions / Remediation) and 33 (Local Labour proposals) attached to planning permission ref: 133792/JO/2022.

Location: Land At Stockport Road, Swallow Street, Siddall Street And Pennington Street, Manchester

Date of application: 9 December 2024

Application number: CDN/24/1141

Part 2 – Particulars of decision (a)

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.

C8 CMP

The discharge of condition 8 (Construction Management Plan) is approved on the basis that the construction phase of the development is implemented in accordance with document referenced Earth Environmental and GeoTechnical Construction Management Plan Stockport Road for Views Ref:A2951/24/CPM/V3 dated January 2025 and attached to email from Paul Butler Associates dated 29 January 2025.

C33 Local Labour

The discharge of condition 33 (Local labour proposals) is approved subject the implementation of the construction phase of the development being undertaken in accordance with document referenced: Views Land adjacent to 786 Stockport Road, M12 4QJ, Local Benefit Proposals (r3) - Planning ref: 133792/JO/2022 dated November 2022 attached to Paul Butler Associates email dated 19 December 2024.

Part 2 – Particulars of decision (b)

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.

C16 Ground

The discharge of condition 16a (Ground Conditions / Remediation) is refused as the submitted document referenced Earth Environmental & Geotechnical Ltd Remediation Strategy Stockport Road Manchester Ref: A2951/24/RMS/V2 dated December 2024 does not fully address the requirements of the stated condition.

Date: 31 January 2025

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.