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

Anne Smyth
Alma Park Primary School
Errwood Road
Manchester
M19 2PF

Agent (if used)

Mr Daniel Markwart
Studio OL3 Ltd
Unit 7 Whitegate Business Centre
Jardine Way
Oldham
OL9 9JT

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 4 (Drainage), 5 (Construction Management Plan), 6 (Method statement for trees), 9 (RAMs Network Rail) and 10 (Drainage Network Rail) from planning approval reference 139084/FO/2024

Location: Alma Park Primary School, 13 Errwood Road, Manchester, M19 2PF

Date of application: 18 September 2024

Application number: CDN/24/0897

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.

Method statement for trees
The following information has been submitted in respect of planning condition 6 (Method statement for trees):
-Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
-Supporting Information- Alma Park Primary School Rams Rev A, stamped and received by the City Council as Local Planning Authority on 4 October 2024.
-Flood Risk Assessment or Drainage- Below Ground Works and Drainage Details as Proposed, numbered 320-01-P-04C, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The above details are considered to be acceptable to discharge the condition 6 attached to planning permission referenced 139084/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

The work shall be undertaken in accordance with BS:5837 being strictly adhered to. Contractors developing the site should be fully aware of the importance in using hand tools where specified in the submitted report.

RAMs Network Rail
The following information has been submitted in respect of planning condition 9 (RAMs Network Rail):
-Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
-Drawing- Proposed- Elevations, numbered 320-01-202B, stamped and received by the City Council as Local Planning Authority on 5 December 2024.
-Supporting Information- Alma Park Primary School Rams Rev A, stamped and received by the City Council as Local Planning Authority on 4 October 2024.
-Supporting Information- RAL-HSF-102 Construction Phase Plan REV CO1 Alma Park Primary School, stamped and received by the City Council as Local Planning Authority on 4 October 2024.
-Supporting Information- Site Rules & Visitor Briefing, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The above details are considered to be acceptable to discharge the condition 9 attached to planning permission referenced 139084/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

Drainage Network Rail
The following information has been submitted in respect of planning condition 10 (Drainage Network Rail):
-Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
-Drainage Strategy- WaterCo (rev 1, 03/04/2024), stamped and received by the City Council as Local Planning Authority on 4 October 2024.
-Flood Risk Assessment or Drainage- Below Ground Works and Drainage Details as Proposed, numbered 320-01-P-04C, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The above details are considered to be acceptable to discharge the condition 10 attached to planning permission referenced 139084/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

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.

Drainage
The following information has been submitted in respect of planning condition 4 (drainage):
-Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
-Drainage Strategy- WaterCo (rev 1, 03/04/2024), stamped and received by the City Council as Local Planning Authority on 4 October 2024.

-Flood Risk Assessment or Drainage- Below Ground Works and Drainage Details as Proposed, numbered 320-01-P-04C, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The information submitted to discharge condition 4 is not sufficient.

The outstanding evidence is required:
-Finalised drainage layout taking account of surveyed invert level of proposed outfall, to ensure the proposal is feasible.
-A blockage risk assessment and details of appropriate maintenance arrangements to manage blockage risk at the proposed flow rate of 1 l/s.
-United Utilities require discussions directly with the developer regarding the proximity of the proposed drainage proposals to an existing large water main that crosses the site. Further discussions are required in relation to United Utilities land (title number MAN114206) which has been included within the development red line boundary. This land is in the northern part of the site red edge. As a result, the incorrect Certificate of Ownership has been submitted with the original planning application.

Until such details are received and agreed, condition 4 cannot be discharged.

Construction Management Plan
The following information has been submitted in respect of planning condition 5 (Construction Management Plan):
-Application Form, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
-Supporting Information- Construction Environmental Management Plan, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
-Supporting Information- Health & Safety Plan, stamped and received by the City Council as Local Planning Authority on 18 September 2024.
-Supporting Information- RAL-HSF-102 Construction Phase Plan REV CO1 Alma Park Primary School, stamped and received by the City Council as Local Planning Authority on 4 October 2024.
-Supporting Information- Alma Park Primary School Rams Rev A, stamped and received by the City Council as Local Planning Authority on 4 October 2024.
-Supporting Information- Site Rules & Visitor Briefing, stamped and received by the City Council as Local Planning Authority on 5 December 2024.

The information submitted to discharge condition 5 is not sufficient.

The outstanding evidence is required:
-Site working hours should be included and be in accordance with MCC's recommended hours.
-Section 3.8 DUST, NOISE AND ODOURS - includes no proposals to address potential noise issues. Elsewhere in the CEMP (Section 2.5 TRAINING, AWARENESS AND COMPETENCE) there is a reference to Toolbox Talks including noise prevention, but again no details. Further details on this matter need to be supplied.
-The CEMP should include the display of site contact details on perimeter fencing for use by members of the public.
-Construction access to the site will be via the existing school gates at Errwood Road. A swept-path assessment needs to be provided. Highways request that access by the largest/worst-case construction vehicle is assessed to ensure the existing access geometry can cater for such vehicles.
-The contractor must ensure that on site access/deliveries are managed outside of the school drop-off/pick-up periods in order to reduce potential conflict with pedestrians.

-Highways request additional details on contractor/construction vehicle parking.
-Highways require confirmation that no such works are required for external traffic/pedestrian management.

Until such details are received and agreed, condition 5 cannot be discharged.

Date: 6 December 2024

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.