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

Mr Michael Berrie
Tyson Construction
1 Mitcham Road
Blackpool
FY4 4QN

Agent (if used)

Mr Louis Farquharson
JDA Architects
The Warehouse
Saxon Street
Manchester
M34 3DS

Part 1 – Particulars of the application/development

Proposal: Application to discharge conditions 3 (Construction Management Plan), 11 (contaminated land) , 18 (Drainage) and 20 (Ecology) attached to planning permission 137912/FO/2023

Location: Police Station, Plant Hill Road, Manchester, M9 8LU

Date of application: 28 August 2024

Application number: CDN/24/0817

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.

Condition no.3 (CMP)
The details on the Plant Hill Road - Site Layout plan ref: 1227 -A-DR-007 with access, compounds , canteen, store. etc annotated received 28th August 2024 have been reviewed in conjunction with the Construction Management Plan by Tyson dated 20th August 2024 received 10th October 2024. On the basis that the development is implemented in accordance with the report and plan referenced above for the full duration of the construction period , condition no.3 is discharged.

Condition no.20 (Ecology)
The Nesting Bird Surveys report dated 22nd August 2024 (ERAP Ltd 2024-306) received 28th August 2024 has been examined and is considered to be acceptable. I can therefore confirm condition no.20 is discharged.

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.

Condition no. 11 (Contaminated land)
The content of the Phase II site investigation report ref: GSI 1941 MP PII Report V1 received 28th August 2024 and Remediation Strategy report Ref: GSI 2209 GB RS dated October 2024 received 10th October 2024 have been examined. However, the appendices of the Preliminary Risk Assessment (Curtins, Ref: 077873-CUR-00-XX-RP-GE-014 Revision: V01 Date: 07 May 2021) (which were not submitted with respect to application 137912/FO/2023), remain outstanding.
On this basis insufficient information has been provided to enable the discharge of condition no.11, and condition no. 11 is not discharged.

Condition no.18 (Drainage)
The content of the Preliminary Drainage Strategy plan ref: 2109-SCE-00-00-DR-C-0001 rev. P03 , Drainage Strategy and Maintenance Document rev.P03 dated 08.12.2022
received 28th August 2024 have been reviewed . At this time further information is required in relation to appropriate easements in respect of the attenuation tank (or embedded design to protect the tank/nearby building foundations); the revision of the simulation package for the 100+45% CC; overland flow routes with the management of any flooded volume in the 100+45%CC simulation need to be re-run and shown on the layout, and hydraulic calculations of the proposed drainage system, including all engineering parameters, for simulation of 100+CC are required.

On this basis insufficient information has been provided to enable the discharge of condition no.18, and condition no. 18 is not discharged.

Date: 21 October 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.