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

Mr Mark Barnes
Casey Construction
Rydings Road
No1 Arts Village
Henry Street
Rochdale
OL12 9PS

Agent (if used)

Mr David Smith
John McCall Architects
No1 Arts Village
Henry Street
Liverpool
L1 5BS

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 6 (CMP), 10 (drainage), 12 (noise) attached to planning permission referenced 135788/FO/2022.

Location: Former White Moss Road Day Care, Benmore Road, Manchester, M9 6LD

Date of application: 13 February 2024

Application number: CDN/24/0096

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.

CMP

The following information has been submitted in respect of planning condition 6 (CMP):
-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 13 February 2024.
-Supporting Information- Vibrock Seismograph V901- Calibration Certs, stamped and received by the City Council as Local Planning Authority on 27 March 2024.
-Supporting Information- Vibrock-Operator-Manual, stamped and received by the City Council as Local Planning Authority on 27 March 2024.
-Noise Assessment or Information- Noise Assessment, stamped and received by the City Council as Local Planning Authority on 27 March 2024.
-Supporting Information- Construction Environmental Management Plan, stamped and received by the City Council as Local Planning Authority on 4 April 2024.

The above details are considered to be acceptable to discharge the condition 6 attached to planning permission referenced 135788/FO/2022 on the basis the development is fully implemented in accordance with the approved details.

Drainage

The following information has been submitted in respect of planning condition 10 (drainage):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 13 February 2024.
-Flood Risk Assessment or Drainage- Infiltration Testing Results, stamped and received by the City Council as Local Planning Authority on 13 February 2024.
-Supporting Information- Calibration Certificates, stamped and received by the City Council as Local Planning Authority on 14 March 2024.
-Flood Risk Assessment or Drainage- Proposed SW Network, stamped and received by the City Council as Local Planning Authority on 26 March 2024.
-Drawing- Proposed- S104 Agreement Plan, numbered BEN-AJP-ZZ-00-DR-C-1000-P04, stamped and received by the City Council as Local Planning Authority on 26 March 2024.
-Drawing- Proposed- Domestic Drainage Layout, numbered BEN-AJP-ZZ-00-DR-C-1001-P01, stamped and received by the City Council as Local Planning Authority on 26 March 2024.
-Drawing- Proposed- S104 Control Manhole Detail, numbered BEN-AJP-ZZ-00-DR-C-1090-C0, stamped and received by the City Council as Local Planning Authority on 26 March 2024.
-Flood Risk Assessment or Drainage- Design Drawing, stamped and received by the City Council as Local Planning Authority on 26 March 2024.
-Flood Risk Assessment or Drainage- Hydraulic Characteristics, stamped and received by the City Council as Local Planning Authority on 26 March 2024.
-Supporting Information- UU Section 104 Pre Start Invoice, stamped and received by the City Council as Local Planning Authority on 26 March 2024.

The above details are considered to be acceptable to discharge the condition 10 attached to planning permission referenced 135788/FO/2022 on the basis the development is fully implemented in accordance with the approved details.

Noise (part A)
The following information has been submitted in respect of planning condition 12 (A) (noise):
-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 13 February 2024.
-Supporting Information- Discharge of Condition 12 numbered 50-477-TN1, stamped and received by the City Council as Local Planning Authority on 13 February 2024.
-Supporting Information- Discharge of Condition 12 numbered 50-477-TN1-2, stamped and received by the City Council as Local Planning Authority on 13 February 2024.
-Supporting Information- Discharge of Condition 12 numbered 50-477-TN1-3, stamped and received by the City Council as Local Planning Authority on 13 February 2024.

The above details are considered to be acceptable to discharge the part A of condition 12 attached to planning permission referenced 135788/FO/2022 on the basis the development is fully implemented in accordance with the approved details.

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report
shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason- To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

Date: 8 April 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 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.