

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

Approval of details reserved by condition

Applicant

Mr Jonathan Lee Clarke-Tomlinson
JCT Building Services (NW) Ltd
10 Braemar Avenue
Manchester
M41 6HP

Agent (if used)

Mr Jonathan Lee Clarke-Tomlinson
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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 4a (ground conditions), 5 (CMP), 6a (noise), 7 (air quality) and 17 (boundary treatment) attached to planning permission referenced 130197/FO/2021

Location: 309 Dickenson Road, Manchester, M13 0NR

Date of application: 7 June 2023

Application number: CDN/23/0367

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.

C4a - Contaminated land

The following information has been submitted for approval in respect of this planning condition:

CCG Ground Investigation Report dated March 2023 (ref: CCG-C-23-13693) and stamped as received by the City Council, as Local Planning Authority, on 7 June 2023.

Letter from United Utilities dated 1 July 2022, with accompanying plan of water mains records

Letter from United Utilities dated 15 December 2022, with accompanying plan of sewer records

Cadent Gas overview map of site

CCG document titled 'Appendix D - Gas and Groundwater Monitoring'

All stamped as received by the City Council, as Local Planning Authority, on 28 July 2023.

The information is considered to be acceptable and condition 4a is now formally discharged, subject to the measures for investigating the site identified in the Site Investigation Proposal being carried out, before the development commences.

C5 - CMP

The following information has been submitted for approval in respect of this planning condition:

Construction Management Plan dated 24 July 2023 and stamped as received by the City Council, as Local Planning Authority, on 28 July 2023.

The information is considered to be acceptable and condition 5 is now formally discharged, subject to the development being carried out in accordance with the approved details.

C6a - Noise

The following information has been submitted for approval in respect of this planning condition:

Braiden Acoustics Ltd Noise Impact Assessment dated 1 November 2023 (ref: 11177 rev B) and stamped as received by the City Council, as Local Planning Authority, on 2 November 2023.

The information is considered to be acceptable and condition 6a is now formally discharged, subject to the approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

C7 - air quality

The following information has been submitted for approval in respect of this planning condition:

Construction Management Plan dated 5 June 2023 and stamped as received by the City Council, as Local Planning Authority, on 7 June 2023.

Wilkinson Cowan Partnership Pre-Construction Information document dated 13 December 2022 and stamped as received by the City Council, as Local Planning Authority, on 28 July 2023.

GLD document titled 'Outline Scope of Works / Performance Specification - Mechanical and Electrical Services'

Pod Point Fast Charging Solo 3 - Home Datasheet

Solo 3 - Technical File

All stamped as received by the City Council, as Local Planning Authority, on 1 September 2023.

The information is considered to be acceptable and condition 7 is now formally discharged, subject to the development being carried out in accordance with the approved details and remaining in situ whilst the use or development is in operation.

C17 - boundary treatment

The following information has been submitted for approval in respect of this planning condition:

Drawing numbered 19584-0319 rev P-01 and Wienerberger Tuscan Red Multi sample document, stamped as received by the City Council, as Local Planning Authority, on 28 July 2023.

The information is considered to be acceptable and condition 17 is now formally discharged, subject to the development being carried out in accordance with the approved details

Date: 14 May 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 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 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.