

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

Partial approval of details reserved by condition

Applicant

Singh
Sital Holdings Ltd
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Agent (if used)

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25 King Street
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Part 1 – Particulars of the application/development

Proposal: Discharge of condition 10 (roller shutters), 14 (ground conditions), 15 (CMP) and 18 (drainage) attached to planning permission referenced 115485/FO/2017

Location: 3 Bradstone Road, Manchester, M8 8WA

Date of application: 19 June 2024

Application number: CDN/24/0545

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 10 (roller shutters)

The details of the roller shutter specification, shown within the submitted Technical Manual, received by the City Council as Local Planning Authority on 19 June 2024, is satisfactory. Subject to implementation of the agreed details, condition 10 can be discharged.

Condition 15 (CMP)

The details contained within the submitted Construction and Environmental Management Plan prepared by A and H Safety Consultants Ltd, received by the City Council as Local Planning Authority on 19 June 2024, are satisfactory. Subject to implementation of the agreed details, condition 15 can be 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 14 (ground conditions)

Whilst the content of the updated EEG Site Investigation Report dated 24 June 2024 is acceptable, a verification report is required to validate that work has been undertaken in accordance with the agreed strategy. This report should also provide confirmation that the asbestos management plan have been complied, along with waste transfer notes to demonstrate that asbestos impacted soil has been suitably removed and disposed of. Subject to compliance with the agreed Site Investigation report, condition 14 can be partially discharged. Full discharge can provided upon submission and approval of a Verification Report.

Condition 18 (drainage)

The submitted details are insufficient. In order to discharge the condition, the following information is required:

The proposed drainage GA (7194-ADS-XX-00-DR-C-500-P5) indicates manhole MH-17 is limited to 7.5l/s. However, the proposed calculations indicate 10.5l/s. The modelling should be amended to demonstrate a 7.5l/s discharge rate, to ensure all documents correspond. A consistent package is required to discharge this condition (Including all layouts and calculations). The layout and calculations must be jointly updated to account for any edits required.

An agreement from United Utilities for the point of connection and flow rate is required. This can be an agreement in principle via email.

Clarification on the proposed attenuation tank positioning is required. It must be ensured that the attenuation tank is positioned 5 metres of a building or highway and 2.5 metres of a boundary. In the instance the above easement cannot be achieved, it is necessary to provide a section demonstrating no adverse impacts on th foundations zone of influence for the proposed buildings.

The proposed drainage layout should be updated to include all levels to outfall. Currently the outfall manhole only references cover level (51.24AOD). This needs to be updated to include existing invert level, to ensure a freeflowing outfall.

Construction details and product information for all SuDS components and flow control devices to include, attenuation tank (must include material specification), hydro-brake manhole schedule (must include material specification and engineering section). The current submission only includes flow rate.

Until such time that satisfactory details are received and agreed by the City Council as Local Planning Authority, condition 18 cannot be discharged.

Date: 12 August 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.