

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

Approval of details reserved by condition

Applicant

Southway Housing Trust
729 Princess Road
Manchester
M20 2LT

Agent (if used)

Mr Connor Foster
Bridgestone Construction
Cartwright Street
Hyde
SK14 4EH

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (Construction Management Plan), 4 (Bats Method Statement), 8 a) (Contaminated Land) and 11 a) (local labour agreement) from planning approval reference 135235/FO/2022

Location: Vacant Site Bound By The Boulevard, The Avenue, Didsbury High School And Existing Properties On Clearwater Drive, Manchester

Date of application: 28 May 2024

Application number: CDN/24/0454

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.

Condition 3 - Construction Management

The submitted information is satisfactory. The development shall be carried out in accordance with the agreed details.

Please note: the applicant is advised to make contact with the council's Highway Network Management teams via Email -highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk to discuss the following:

- Pedestrian and traffic management plans:

*What will be the effect on vehicular and pedestrian movement?

*Are there any temporary road/footway closures or diversions required to facilitate the development?

*Are works to the back of kerb or right on the kerb edge?

*Any requirements for licensing, hoarding / scaffolding, skips.

Condition 4 - Bat Method Statement

The submitted information is acceptable and if demolition occurs within 12 months of the date of the submitted Bat report then this condition will have been complied with.

Condition 8 a) - Contaminated Land

The majority of the made ground is to be removed and any remaining made ground is to be turned over to removed obstructions and vegetation. This work should be extended to include a watching brief for any unexpected contamination or ground conditions that are likely to be gas causing such as organic matter/peat type material. On the basis that this watching brief is undertaken the submitted information is satisfactory to discharge part a) of Condition 8.

Please note that in order to discharge condition 8 in full the following is required to be submitted at the appropriate time:

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Condition 11 a) - Local Labour

The submitted information is satisfactory to discharge part (a) of condition 11.

Please note that part (b) of condition 11 requires the submission of further information :
"Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) (of part (a)) shall be submitted for approval in writing by the City Council as Local Planning Authority. "

Date: 25 June 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.