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	Agent (if used)
Mr Chris Baldwin Great Places Housing Group 2A Derwent Avenue Manchester M21 7QP	Mr Patrick Boyd Buttress Architects 41 Bengal Street Manchester M4 6AF

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 6 (archaeology), 7 (contaminated land), 10 (piling) and 13a (highway condition) attached to planning permission 137841/FO/2023

Location: Land At Downley Drive, Manchester, M4 6BW

Date of application: 15 April 2024

Application number: CDN/24/0301

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.

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

o Written Scheme of Investigation for an archaeological Project: Downley Drive, Ancoats, Manchester (Prepared by University of Salford - Salford Archaeology; Dated May 2022)
o Archaeological Evaluation: Downley Drive, Ancoats, Manchester (Prepared by University of Salford - Salford Archaeology; Dated 01/08/2023)

Both stamped as received by the City Council as Local Planning Authority on 15/04/2024.

The above information has been considered and is acceptable in regard to condition 6 only. To fully comply with the condition the approved details shall be implemented as part of the development, including its dissemination and archiving.

Condition 6 is now formally discharged on this basis

Contaminated Land
The following information has been submitted in respect of this planning condition:

o Certification of Calibration (Prepared by QED Environmental Systems; Dated 21/12/2020)
o Controlled Waters Summary Risk Assessment (Prepared by Carley Daines and Partners Limited; Dated 21/07/2021)
o Phase 3 Remediation Statement (Prepared by Carley Daines and Partners Limited; Dated 09/03/2021)
o Further Site Investigation (Prepared by Carley Daines and Partners Limited; Dated 04/03/2024)

All stamped as received by the City Council as Local Planning Authority on 15/04/2024.

The above information has been considered and is acceptable in regard to condition 7 only. To fully comply with the condition the approved details shall be implemented as part of the development.

Condition 7 is now formally discharged on this basis.

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

o Certification of Calibration (Prepared by QED Environmental Systems; Dated 21/12/2020)
o Controlled Waters Summary Risk Assessment (Prepared by Carley Daines and Partners Limited; Dated 21/07/2021)
o Phase 3 Remediation Statement (Prepared by Carley Daines and Partners Limited; Dated 09/03/2021)
o Further Site Investigation (Prepared by Carley Daines and Partners Limited; Dated 04/03/2024)

All stamped as received by the City Council as Local Planning Authority on 15/04/2024.

The above information has been considered and is acceptable in regard to condition 10 only. To fully comply with the condition the approved details shall be implemented as part of the development.

Condition 10 is now formally discharged on this basis.

Highway Condition
The following information has been submitted in respect of this planning condition:

o Highway Dilapidation Photographic Survey

Stamped as received by the City Council as Local Planning Authority on 15/04/2024.

The above information has been considered and is acceptable in regard to part a of condition 13 only. To fully comply with the condition once the construction phase of the development has been completed, the same area covered by the approved highway survey will be re-surveyed and the results and any necessary repair works be submitted to and approved in writing by the City Council as Local Planning Authority.

Part a of condition 13 is now formally discharged on this basis.

Date: 31 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 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.