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 Anthony Blackwell
Redrow Homes Lancashire Ltd
Redrow House
14 Eaton Avenue
Matrix Office Park,
Lancashire
PR7 7NA

Agent (if used)

Mr Anthony Blackwell
Redrow Homes Lancashire Ltd
Redrow House
14 Eaton Avenue
Matrix Office Park
Lancashire
PR7 7NA

Part 1 – Particulars of the application/development

Proposal: Discharge of Condition 7b (Contaminated Land) attached to planning permission 104654/FO/2014/N1.

Location: Land Between Ashley Lane And Kingsley Avenue/Brantwood Terrace And Between Waverley Road And Railton Terrace , (site 6) , Moston, Manchester

Date of application: 16 February 2024

Application number: CDN/24/0110

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. No.7b (Contaminated Land)
It is noted that at the time of the determination of a subsequent application (ref:108756) to substitute previously approved House types on plots 7 -11, 14, 19, 23-26 and 43 & 44 with associated boundary treatments, landscaping and car parking (approved as part of planning approval ref: 104654/FO/2014/N1) , that the proposed development was to be only be constructed in strict accordance with the previously approved desk top study, site investigations, final risk assessment and proposed remediation strategy, as included within the following documents:
i) Geo-Environmental Assessment, Moston Site 6 Ashley Lane, WSP Environmental Limited, Project Number: 12121870/002, File Reference: 9121(3), Dated: March 2010,
ii) Letter from the Environment Agency regarding the controlled waters risk assessment, Reference: SO/2010/106896/01-L01, Dated: 25 March 2010,
iii) Email from Michael Nedan, WSP Environmental Ltd, Site investigation information, Dated: 20 January 2009,
iv) Geo-Environmental Assessment, Moston Site 6 Ashley Lane, Moston, Manchester, WSP Environmental Ltd, Project Number: 12121870/002, File reference: 9121 (2), Dated: January 2010, and

v) Letter report Recommendations for Gas
(Measures: Six sites at Moston, Manchester, WSP Environmental Ltd Reference:12121870/002/9132, Dated: 15 February 2010) thereby addressing condition no.7a attached to planning approval ref: 104654/FO/2014/N1.

Furthermore, planning records indicate that condition no.7 was discharged in regard to plot nos.7 and 9 on 11.01.2017; in relation to 10 on 14.12.2016.

The following information has been reviewed in respect of plot nos, 7,9,10,23,24,34,35 and 36 :
The Garden Topsoil Validation - Plot 34 by WSP dated 08.12.2017
The Garden Topsoil Validation - Plot 35 and 36 by WSP dated 05.12.2017
The Garden Topsoil Validation - Plots 7,23-24 by WSP dated 08.12.2016
The Garden Topsoil Validation - Plots 9-10 by WSP dated 30.11.2016

On the basis of the Garden Topsoil Validation reports for plot nos. 7,9,10,23, 24 , 34,35 and 36, I can confirm condition no.7b is discharged in respect of plot nos. 7,9,10,23, 24 , 34,35 and 36.

Date: 29 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.