MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant

Mr Jim Nicholson & Mark Rodgers
PQ Ventures LLP
C/o Agent

Agent (if used)

Mr Chris Parks
Calderpeel Architects
Market Court
20-24 Church Street
Altrincham
WA14 4DW

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 9 (watercourse drainage scheme),14 (EV charging points), 16 (surface water drainage scheme), 17 (drainage maintenance scheme) and 23 (Contaminated land - verification report) from planning approval reference 131453/FO/2021

Location: Vacant Land To The North Of Longstone Road, Manchester,

Date of application: 20 March 2024

Application number: CDN/24/0215

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 9 - Watercourse drainage
The submitted information is considered acceptable.

Condition 14 (Electric Vehicle Charging)
The submitted information of the type of EV charging point to be installed received by the City Council as local planning authority on the 15th April 2024 is acceptable. The development shall be carried out in accordance with these approved details and the approved site layout plan.

Condition 16 - Surface Water drainage
The submitted surface water drainage scheme is acceptable and shall be installed as part of the development.

Please note: Given the 340mm difference between top water (64.100AOD) and outfall invert level (64.440AOD), it is recommended that the applicant considers installing a none return valve to avoid any backwater affects.

Condition 23 - Contaminated Land
The submitted information is acceptable and condition 23 is 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 17- Surface Water Verification
Insufficient information has been provided to discharge condition 17.

The following points require further information:

a. Verification report providing photographic evidence of construction as per design drawings;

- Photographic evidence of the hydro-brake once completed.

b. As built construction drawings if different from design construction drawings;

- If different from the approved details under condition 16 the developer will need to submit as-built drawings. If the development has been installed exactly as per drawing no. T_21_2463-55-01, this will need to be confirmed by the developer in writing via email.

c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

- The developer must clearly outline the maintenance schedule for each SuDS component, in accordance with The SuDS Manual (CIRIA C753). The maintenance schedule must be in accordance with the "operation and maintenance requirements" for each component, which can be found within the SuDS manual.

The maintenance document states the following; "The majority of the maintenance for the drainage features on each plot will likely be the responsibility of the tenant". Prior to approval the maintenance schedule needs to clearly outline the responsibility between maintenance company and tenants.

Date: 24 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 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.