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 Dan Arya
Urbanize Homes Limited
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Agent (if used)

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M33 7RE

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 3 (Materials), 7 (Surface Water Drainage Scheme), 12 (Bats - Reasonable Avoidance Method Statement), 13 (Feral Pigeons), 14 (Biodiversity Enhancement), 17 (Construction Management Plan), 18 (Preliminary Risk Assessment), 19 (Remediation Strategy / Verification Report), 22 (Acoustic insulation), 23 (Air Quality Impact Assessment), 24 (Electric Vehicle Charging), 26 (Contract for Building Works), 28 (Works to the Trans Pennine Trail) and 30 (Local Benefit Scheme) to planning permission 125635/FO/2019

Location: Tatton Arms Public House , Boat Lane, Manchester, M22 4HR

Date of application: 22 January 2024

Application number: CDN/24/0036

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 3 - Materials
The following submitted materials are deemed to be acceptable:

Brick - Commercial Red (The brick should be full brick, should not utilise a slip system, the arrangement shown in the material specification plans is therefore not approved)
Roof covering / window surrounds - Zinc
Stone - Supplied by Procter Cast Stone
Polyroof Protec
Glass Balustrade
Aluminium Framed Double Glazed Doors and windows in Anthracite Grey.

Condition 3 is only discharged on the basis of the abovementioned materials.

Condition 7 - Drainage
The information provided to discharge condition 7 (Drainage) attached to planning permission 125635/FO/2019 is acceptable.

Condition 12 - Bats
The information provided to discharge condition 12 (Bats) attached to planning permission 125635/FO/2019 is acceptable.

Condition 13 - Pigeons
The information provided to discharge condition 13 (Pigeons) attached to planning permission 125635/FO/2019 is acceptable.

Condition 14 - Biodiversity Enhancement
The information provided to discharge condition 14 (Biodiversity Enhancement) attached to planning permission 125635/FO/2019 is acceptable.

Condition 23 - Air Quality
The information provided to discharge condition 23 (Air Quality) attached to planning permission 125635/FO/2019 is acceptable.

Condition 24 - EV Charging
The information provided to discharge condition 24 (EV Charging) attached to planning permission 125635/FO/2019 is acceptable.

Condition 26 - Contract
The information provided to discharge condition 26 (Contract) attached to planning permission 125635/FO/2019 is acceptable.

Condition 28 - Trans Pennine
The information provided to discharge condition 28 (Trans Pennine) attached to planning permission 125635/FO/2019 is acceptable.

Condition 30 - Local Benefit Scheme
The information provided to discharge condition 30 (Local Benefit Scheme) attached to planning permission 125635/FO/2019 is acceptable.

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 - Construction Management
The information submitted to discharge Condition 17 (Construction Management) is insufficient as the working hours set out do not align with MCC working hours. Condition 17 is not discharged.

Condition 18 - Contaminated Land
The information submitted to discharge Condition 18 (Contaminated Land) is insufficient as we need a site investigation and Phase 2 report. Condition 18 is not discharged.

Condition 19 - Contam - Verification
The information submitted to discharge Condition 19 (Contaminated Land) is insufficient as we need a site investigation. Condition 19 is not discharged.

Condition 22 - Acoustics
The information provided to discharge condition 22 (Acoustics) attached to planning permission 125635/FO/2019 is acceptable. The comment is still made that the development will need some sort of MHVR system as the occupants will not be able to open their windows during periods of warm weather due to the noise levels in the area. A verification report will be needed on completion of the work.

Date: 11 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 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.