

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

Approval of details reserved by condition

Applicant

Tom Stott
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2A Derwent Avenue
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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (CMP), 4 (materials), 10a, (ground conditions), 17 (invasive species), 18 (bird nesting season) and 19 (small mammals) attached to planning permission referenced 136721/FO/2023

Location: Site Of Former Day Nursery, Longhurst Road, Manchester, M9 8NS

Date of application: 1 November 2023

Application number: CDN/23/0739

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. 3 (CMP)

The Construction and Environment Management Plan rev.2 dated November 2023 has been considered in conjunction with the documentation referenced below which formed part of the planning application submission.

-Transportation Planning - Technical Note by SCP (notwithstanding plan Appendix B layout plan which has been superseded)

-Design and Access Statement - Rev C;

-UCML Level 2 Utility Study - Longhurst Road

-Noise Assessment 13th March 2023 ref; P4687/R01/RDC
received 22nd November 2023;

and Highways Dilapidation Survey dated 08.01.2024 received 15th January 2024.

On the basis that the development is implemented in accordance with the measures in the Construction and Environment Management Plan rev.2 and Highways Dilapidation Survey dated 08.01.2024 , condition no.3 is discharged .

Condition no. 4 (materials)

The use of Oakleigh Red Blend brick with detailing in Ibstock Staffordshire Slate Blue Smooth Brick, together with Grey Edgemere Interlocking concrete tiles, and window

frames , doors , railings and dormer GRP coloured dark grey RAL 7016 is considered to be satisfactory .

On the basis that the development is implemented in accordance with the materials and colouration specified above, condition no. 4 is discharged.

Condition no. 10a (ground conditions)

The reports and the content of the emails referenced below have been reviewed .

Soil technics - Ground Investigation Factual Report dated April 2023 doc ref: STU5839-R01-Rev- C received 5th December 2023

Email from Developer's Contaminated Land consultant dated 3rd January 2024

Phase I and Phase II Geo- Environmental Report , Longhurst Road Caulmert report ref: 3025-CAU-XX-XX-RP-V-0307.A0-C1 received 15th January 2024

Email from Developer's Contaminated Land consultant dated 19th January 2024

Certificate of Calibration ref: G503563_1/31358 dated 06.10.2022 used by Soiltechnics during their monitoring at Longhurst Road (23.01.1023 - 24.03.2023) received 19th January 2024

Email from Developer's Contaminated Land consultant dated 22nd January 2024 regarding topsoil thickness.

Generic Quantitative Risk Assessment (Site Investigation and Risk Assessment Report) ref:106240-PEF-XX-XX-RP-GG-600001_P02 GQRA Longhurst Road dated 24th January 2024
and Land Contamination Risk Management Remediation Strategy (includes Remediation Option Appraisal) 106240-PEF-XX-XX-RP-GG-600002_P02 dated 24th January 2024
received 25th January 2024 .

On the basis that the development is implemented in accordance with the information referenced above condition no.10 a is discharged.

Condition no. 17 (Invasive species)

The Japanese Knotweed and Himalayan Balsam Management Plan doc ref: IPM 23 1026 MMP version 001 dated 25th July 2023 has been reviewed and is considered to be acceptable. On the basis that the development is implemented in full accordance with the measures within the Japanese Knotweed and Himalayan Balsam Management Plan doc ref: IPM 23 1026 condition no.17 is discharged.

Condition no.18 (Bird nesting season)

The content of the Nesting Bird Report Letter prepared by Ascerta 29th August 2023 confirming that no active nests were observed on the site on 29th August 2023 has been noted. On the basis of the Nesting Bird Report Letter dated 29th August 2023, that the trees identified as part of the planning approval to be removed, are removed before 1st March 2024 , condition no.18 has been complied with .

Condition no. 19 (Small mammals)

The content of the Avoidance of harm to hedgehogs and other wildlife during construction prepared by Ascerta dated August 2023 has been reviewed. On the basis that development is implemented in full accordance with the measures within the

Avoidance of harm to hedgehogs and other wildlife during construction report , condition no.19 is discharged.

Date: 5 February 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.