

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

Approval of details reserved by condition

Applicant

Challenger Homes (Moston) Limited &
Jigsaw Homes North
1 City Road East
Manchester
M15 4PN

Agent (if used)

Mrs Hayley Knight
Hayley Knight Planning Ltd
205 Stockport Road
Altrincham
WA15 7SW

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (materials), 4 (CMP), 6 (invasive species), 7 (ground conditions), 10 (drainage) and 26 (affordable housing) attached to planning permission referenced 134715/FO/2022

Location: Land At Sulby Street, Manchester, M40 5HR

Date of application: 6 July 2023

Application number: CDN/23/0467

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 3 (materials)

The external materials detailed on the submitted schedule, received by the City Council as Local Planning Authority on 12 October 2023, are satisfactory. Subject to implementation of the agreed details, condition 3 can be discharged.

Condition 4 (CMP)

The information contained with the Construction Environmental Management Plan (Rev 1.03) dated and received by the City Council as Local Planning Authority on 13 September 2023, is satisfactory. Subject to the implementation of agreed details, condition 4 can be discharged.

Condition 6 (invasive species)

The details contained within the Invasive Weed Management Plan produced by Knotweed Eradication, dated 1 March 2023 and received by the City Council as Local Planning Authority on 6 July 2023, are acceptable. Subject to implementation of the agreed measures, condition 6 can be discharged.

Condition 7a (ground conditions)

The following reports have been reviewed by Environmental Health, the content of which has been assessed as being acceptable:

E3P - Phase II Geoenvironmental Site Assessment - Sulby Street, Manchester. (Ref: 15-395-R2-2), dated August 2023;

E3P - Remediation and Enabling Works Strategy - Sulby Street, Manchester. (Ref: 15-395-R3-1), dated March 2023;

E3P Ground Gas Assessment (Ref: 15-395-L1) dated and received by the City Council as Local Planning Authority on 6 September 2023.

On the basis of the agreed details, condition 7a can be discharged.

Condition 10 (drainage)

The following information has been assessed by Flood Risk Management as being acceptable:

Drainage layout, calculations and overland flow route details received by the City Council as Local Planning Authority on 1 December 2023;

Drawing referenced 2923 D1 received by the City Council as Local Planning Authority on 25 October 2023;

E-mail from HK Planning dated 9 August 2023;

Subject to implementation of the agreed details, condition 10 can be discharged.

Condition 26 (affordable housing)

The details contained within the submitted Affordable Housing Statement produced by Jigsaw, received by the City Council as Local Planning Authority on 6 July 2023, are acceptable. Subject to implementation of the agreed details, condition 26 can be discharged.

Date: 19 December 2023

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.