

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

Approval of details reserved by condition

Applicant

Mr Gary Armstrong
Armstrong Construction
29 Penny Meadow
Ashton-Under-Lyne
OL6 6HG

Agent (if used)

Mr Mark Hobson
MRH Planning Services
The Old Post Room
34 Chew Valley Road
Greenfield
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OL3 7DA

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 2 (materials), 9 (external equipment), 11 (boundary treatment), 12 (roller shutters), 13 (ground conditions), 15 (drainage) and 18 (EV) attached to planning permission 127962/FO/2020

Location: 804 - 806 Oldham Road, Manchester, M40 2AB

Date of application: 23 June 2023

Application number: CDN/23/0421

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 2 (materials)

The following external materials, as detailed by e-mail from MRH Planning Services, dated 17 July 2023, are acceptable:

Marley Edgemere roof tile - (Anthracite Colour);
Reaburn red multi facing brick;
Black aluminium window frames;
Dark black-grey mortar (Marshall M12 PM96);

Subject to implementation of the agreed materials, condition 2 can be discharged.

Condition 9 (external equipment)

On the basis that no externally mounted plant or equipment is to be installed on the building, condition 9 can be discharged.

Condition 11 (boundary treatment)

The proposed boundary treatment shown on the submitted boundary treatment document received by the City Council as Local Planning Authority on 23 June 2023 and the gate location shown on approved drawing referenced GDA/01B, is acceptable. Namely, 2 metre high twin mesh fencing and gate (black colour). Subject to implementation of the agreed details, condition 11 can be discharged.

Condition 12 (rollers shutters)

The proposed roller shutters specification (Rs7502 Industrial Steel Security Rated Roller Shutters - black colour), received by the City Council as Local Planning Authority on 23 June 2023, is acceptable. Subject to implementation of the agreed details, condition 12 can be discharged.

Condition 13 (ground conditions)

The details contained within the submitted Preliminary Risk Assessment produced by The Arley Consulting Company Ltd (Ref: 20931/1) dated October 2020 and received by the City Council as Local Planning Authority on 27 June 2023, together with the details of the gas membrane received by e-mail from MRH Planning Services on 20 July 2023, are acceptable. Subject to implementation of the agreed details, condition 13 can be discharged.

Condition 15 (drainage)

The following information has been assessed as being satisfactory:

Drawing referenced 001 (proposed drainage plan), received by the City Council as Local Planning Authority on 19 September 2023;
Drainage calculations produced by Holdgate Consulting, received by the City Council as Local Planning Authority on 19 September 2023;
Timescale and Maintenance of Works document, received by the City Council as Local Planning Authority on 19 September 2023;
United Utilities response dated 16 June 2023, received by the City Council as Local Planning Authority on 19 September 2023;
E-mail from Holdgate Consulting dated 19 September 2023;
Drawing referenced D02/PO1 (typical drainage details) received by the City Council as Local Planning Authority on 23 June 2023.

Subject to implementation of these agreed details, condition 15 can be discharged.

Condition 18 (EV)

The electric vehicle charging point specification (Rolec Secureicharge: EV Superfast Type 2 Mode 3 Charging Socket) as shown on the approved site location drawing referenced GDA/01B, received by the City Council as Local Planning Authority on 23 June 2023, is satisfactory. Subject to implementation of the agreed details, condition 18 can be discharged.

Date: 20 September 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.