

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

**Approval of details reserved by condition**

**Applicant**

Mr Steven Ludlam  
Westchurch Homes Ltd  
Kennedy House  
31 Stamford Street  
Altrincham  
WA14 1ES

**Agent (if used)**

**Part 1 – Particulars of the application/development**

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**Proposal:** Discharge of conditions 3 (CMP, 19 (Archaeology), 25 (Badger and Hedgehog RAMS), 37 (Bats) referenced 134775/FO/2022

**Location:** Land Off Louisa Street, Manchester

**Date of application:** 26 June 2023

**Application number:** CDN/23/0426

**Part 2 – Particulars of decision**

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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 Environmental and Waste Management Plan Rev C dated 23.06.2023 (including Noise Reduction and Condition Survey and Appendices ) has been examined and is considered to be acceptable.

On the basis that the development is carried out in accordance with the approved construction management plan for the duration of the construction period , condition no.3 is discharged.

**Condition no.19 Archaeology 1i and 1ii**

Condition no.19 requires that the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority. Furthermore , that the WSI covers the following:

1. A phased programme and methodology of investigation and recording to include:
  - (i) historic building investigation (Level 2 / 3);
  - (ii) archaeological evaluation trenching;
  - (iii) pending the results of the above, a targeted open-area excavation.
2. A programme for post-investigation assessment to include:

- production of a final report on the results of the investigations and their significance.
- 3. Deposition of the final report with the Greater Manchester Historic Environment Record.
- 4. Dissemination of the results of the archaeological investigations commensurate with their significance.
- 5. Provision for archive deposition of the report and records of the site investigation.
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

The submitted Written Scheme of Investigation for Historic Building Recording and Archaeological Evaluation ref: 4627 dated June 2023 has been examined . I can confirm that the submitted Written Scheme of Investigation (WSI) dated June 2023, which sets out an appropriate programme of historic building investigation and initial intrusive investigation of the site, is acceptable . On this basis parts 1(i) and 1 (ii) of condition no. 19 are discharged , and construction works can progress without any further archaeological investigation. However, condition no.19 cannot be formally discharged until parts 2 to 6 of the condition requiring a report presenting the results of the investigations and their significance have been prepared and deposited with the Historic Environment Record, followed by an appropriate level of dissemination (Part 4) and deposition of the project archive have been actioned.

#### **Condition no.25 Badger Hedgehog RAMS**

The Reasonable Avoidance Measures Method Statement for the protection of wildlife ref: 2023 -107b dated June 2023 has been examined and is considered to be satisfactory .

On the basis that the measures in the Reasonable Avoidance Measures Method Statement for the protection of wildlife ref: 2023 -107b are fully implemented prior to the commencement of works at the site and that the measures are retained for the duration of the construction period, condition no.25 can be discharged.

#### **Condition no.37 Bats**

The following information has been examined :

- Email from applicant with attached confirmation of the registration of the Bat License from Natural England dated 5th July 2023
- Email from ERAP to applicant dated 7th July 2023 in relation to bats
- Natural England email to Bat consultant dated 21st June 2023.

On the basis of the information referenced above , condition no.37 is discharged.

Date: 19 July 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](http://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.