

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

Approval of details reserved by condition

Applicant

Mr Rob Watson
Watson Construction Limited
Spark Studio
208-210 Great Clowes Street
Salford
M7 2ZS

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 3 (CMP), 4 (materials), 10 a(ground conditions), 21 (ecology), 25 (lighting), 28 (bio diversity) and 39 (water course protection) attached to planning permission referenced 135270/FO/2022

Location: Land Between 121-131 Levenshulme Road , Manchester, M18 7NF

Date of application: 8 March 2023

Application number: CDN/23/0164

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 (CMP)

The measures in the Construction Environmental Management Plan ref: 0033 Levenshulme Road , Gorton rev. 03 Received 14th April 2023 are considered to be satisfactory . On the basis that the measures in Construction Environmental Management Plan ref: 0033 Levenshulme Road , Gorton rev. 03 are implemented in full for the duration of the construction period condition no.3 is discharged.

Condition 4 (Materials)

The use of Tullamore Smooth and Clarendon Blue smooth bricks with natural mortar and Condron flat slate grey coloured roof tiles for the above development is considered to be acceptable . The use of dark Grey (RAL 7016) composite front entrance doors, dark grey UPVC windows (RAL 7016), and the use of dark grey (RAL 7016) steel louvres to the cycle and bin stores is considered to be satisfactory. On the basis that the development is implemented in accordance with the materials referenced above, condition no. 4 is discharged .

Condition 10 a (Ground conditions)

The submitted Phase 2 Geo-Environmental Investigation, Risk Assessment and Remediation Strategy ref: LKC 22 1031 rev.R1 7th February 2023 Received 8th March 2023; and Phase 1 : Preliminary Risk Assessment report ref: LKC 11 1031 dated 16th September 2022.

Received 9th May 2023 have been examined together with the content of the email from Watson Homes dated 12.07.2023 regarding mitigation measures.

On the basis that the development is fully implemented with the measures in the documentation referenced above, I can confirm that condition no.10a is discharged.

Condition 21 (RAMS)

The details contained in the Protection of mammals document received 08.03.2023; Landscaping plan 6990.01 rev.D received 21.04.2023 and Terrestrial Mammals - Reasonable Avoidance Measures Statement (RAMS) dated 21.06.2023 received 23.06.2023 are considered to be satisfactory. On the basis that the development implemented in full accordance with the submitted avoidance measures within the information referenced above, condition no.21 is discharged.

Condition 25 (Lighting)

The details shown on Private lighting design plan ref: SHD 895 rev.0; Proposed equipment schedule ref: SHD895-SHD-HLG-LEVE-SG-EO-Lightng Schedule -R0 dated February 2022; and in Lighting Design Risk Assessment ref: SHD 895-SHD-HLG-LEVE -RA-EO received 8th March 2023 have been examined.

On the basis that the development is implemented in full accordance with the measures referenced in the specified documents above condition no.25 is discharged.

Condition 28 (Biodiversity)

The Updated Biodiversity Enhancement measures as shown on Landscape Proposals plan ref: 6990.01 rev.D received 21st April 2023, are considered to be acceptable . On the basis that the biodiversity enhancement measures are fully implemented in accordance with the approved scheme, prior to the occupation of the buildings, and retained at all times thereafter, condition no.28 is discharged.

Condition 39 (Water course protection)

The measures within the Watercourse protection measures statement received 8th March 2023 are considered to be acceptable. On the basis that the watercourse protection measures are fully implemented in accordance with the approved scheme for the duration of the construction works , condition no.39 is discharged.

Date: 4 August 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.