

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

Partial approval of details reserved by condition

Applicant

Mr Richard Wilshaw
PJ Livesey Holdings Ltd
Beacon Road
Trafford Park
Manchester
M17 1AF

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 4 (contaminated land), 6 (highways works), 10 (Environmental Standards Statement) and 14 (EV charging) attached to planning permission 129628/JO/2021

Location: The Siemens Campus , Nell Lane, Manchester, M20 2UR

Date of application: 16 December 2022

Application number: CDN/22/0914

Part 2 – Particulars of decision (a)

Manchester City Council gives notice that the following detail(s) referred to in Part 1 are **approved** in accordance with the information set out below.

Condition 6 - Highway Works

The submitted highway works are acceptable. The development shall be carried out in accordance with these details.

Condition 14 - Electric Vehicle

The submitted information indicates that the infrastructure is in place to provide EVCs in the future to visitor parking spaces and that residents are able to install their own EVCs within their plots. This strategy is acceptable in this instance.

Part 2 – Particulars of decision (b)

Manchester City Council gives notice that the following detail(s) referred to in Part 1 are **refused** in accordance with the information set out below.

Condition 4 - Contaminated Land

No information has been submitted other than the application form statement that "No cover system / garden requirement but Ground gas protection measures were required, and this has been installed".

The information provided is inadequate in order to discharge condition 4 attached to planning approval 129628/JO/2021. A validation report is required alongside appropriate evidence such as photographs etc to verify that the proposed remediation has been completed in accordance with the agreed remediation of the site.

Condition 10 (Environmental Standards)

The submitted information is insufficient to confirm compliance with condition 10. Evidence provided only relates to apartments or does not confirm which property it relates to. Confirmation is required the development incorporates the specified measures within the development, including dated photographic documentary evidence of the implementation and completion of required works.

Date: 23 January 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 decision relates 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. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

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 their 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.