

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

Partial approval of details reserved by condition

Applicant

Rowlinson Constructions Ltd
Gardale House
118B Gatley Road
Gatley
Cheadle
SK8 4AU

Agent (if used)

LRW Architects
Leach Rhodes Walker
Ground Floor West
50 Dearmans Place
Manchester
M3 5LH

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 3B (Local Labour) 5B (Remediation Validation Report), 9 (Sustainable Drainage), 15 (External Plant), 18 (Lighting), 20 (Terrace Opening Hours), 21 (Secure by Design), 29 (Signage) and 30 (Bird boxes) associated with planning permission 122945/FO/2019

Location: 328-336 Stockport Road, Manchester, M13 0LE

Date of application: 6 December 2022

Application number: CDN/22/0881

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 5B - Remediation Validation

The submitted Remediation Validation Report -Stockport Road, Longsight - Ref BEK-18469-4, dated November 2022 has been examined and W.Maher & Sons waste transfer notes (x2) received 13th February 2023 have been examined and are considered to be acceptable. I can therefore confirm condition no.5b is discharged.

Condition 9 Sustainable Drainage

The Transport and Infrastructure Design Development document Ref: ASR-BWB-GEN-XX-RP-D-0002 rev.P01 dated November 2022 has been examined and the content is considered to be satisfactory . I can therefore confirm condition no. 9 is discharged on the basis that the management and maintenance plan is retained for the lifetime of the development.

Condition 15 External Plant

The confirmation in correspondence dated 6th December 2022 ref:CJG/RW/KM/7891/C - 06 from the planning agent that there is no externally mounted plant within the development has been noted. On this basis no further action is required in connection with the discharge of condition no.15.

Condition no.18 - Lighting

Plan refs: DWH-SRA-E-00-001 Site Lighting Layout and DWH-SRA-E-00-002 Site Containment Layout have been examined and are considered to be acceptable. On the basis that the approved scheme is implemented in full prior to the first use of the residential accommodation and remains in operation for so long as the development is occupied, condition no.18 is discharged.

Condition no.20 -Terrace opening hours

The statement in correspondence dated 6th December 2022 ref :CJG/RW/KM/7891/C - 06 from the planning agent, of their client's confirmation that there will be no admittance beyond 11pm; that the roof terrace will be amenity space for residents - no music, and this will be managed by the appointed managing agent with appropriate notices served has been noted.

Contents of a further email from the planning agent dated 23rd January 2023 stating their client's confirmation that the opening times would be 8am - 10pm is further noted.

Therefore, on the basis that the roof terrace has restricted opening from 8am to 10pm on a daily basis ;that no music would be played; and the use of the roof terrace would be managed by the appointed managing agent with appropriate notices, for as long as the building is occupied , condition no.20 is discharged .

Condition 21 Secure by Design

The submitted Secure by Design accreditation certificate dated 28th November 2022 has been noted . Condition no.21 is discharged on this basis.

Condition 29 Signage

The details on the Building Signage Drawing dated December 2022 are noted. This drawing also subsequently formed part of an application for the installation of non illuminated lettering sign to frontage of Chadwick House ref: 135672/AO/2022 approved on 16th January 2023. On the basis the development is implemented in accordance with the details on the plan referenced above, condition no.29 is discharged.

Condition 30 Bird boxes

The two no. robin and 2no. tree sparrow nesting boxes in the location shown on plan ref : LRW_7891_L(00)140 Bird Box Locations and detailed specifications on plan ref: LRW_7891_L(00)140 Bird Box Locations have been examined and are considered to be satisfactory. On the basis that details on the plan referenced above are fully implemented and be in place prior to the first occupation of the development hereby approved and are thereafter be retained and maintained in situ, condition no.30 is discharged.

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 3b - Local Labour Agreement

The submitted list of post codes for local labour recruitment has been noted. However, on 28th December 2022 it was advised that this information would not be sufficient to discharge condition no.3b. It was advised Condition 3B required the submission of a detailed report which took into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) below.

i) the measures proposed to recruit local people including apprenticeships

ii) mechanisms for the implementation and delivery of the Local Benefit Proposal

You were requested to complete and return a KPI reporting sheet which had been forwarded to you, so that it can be read in conjunction with the list of postcodes accompanying the submission to discharge condition no.3 B. You were also advised to submit a detailed report which took into account the information and outcomes about local labour recruitment pursuant to i) the measures proposed to recruit local people including apprenticeships;
and ii) mechanisms for the implementation and delivery of the Local Benefit Proposal.

To date none of the outstanding information requested has been submitted for consideration and as such condition no.3b cannot be discharged at this time.

Date: 6 March 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.