

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

Approval of details reserved by condition

Applicant

Mr Kevin Murphy
KMM Homes
C/o Agent

Agent (if used)

Mrs Carol Clarke
Bramhall Town Planning Limited
Rhion Court (In Accountancy)
6 Station View
Hazel Grove
Stockport
SK7 5ER

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 14a (ground conditions), 16 (Construction Management Plan), 19 (drainage) and 22a (acoustic insulation) attached to planning permission referenced 133433/FO/2022

Location: 1515 Ashton Old Road, Manchester, M11 1GR

Date of application: 25 August 2022

Application number: CDN/22/0610

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.

Ground condition

The discharge of condition 14a (ground conditions) is approved on the basis that the development is implemented in accordance with the details of the following documents, including asbestos removal:

Phase I Environmental Assessment: The Former Grove Public House, 1515 Ashton Old Road, Manchester, M11 1GR Ref: 42210R1/lss- Rev A and supporting appendices by Peak Environmental Solutions dated 10 March 2022:

Discovery strategy for site at The Grove, Openshaw Planning Reference CDN/22/0610 attached to email from Bramhall Town Planning dated 5 December 2022;

Letter relating to the discovery strategy from CC Geotechnical Ltd attached to email from Bramhall Town Planning dated 29 November 2022;

Demolition Asbestos Survey Report Site Address: The Grove Public House, 1515 Ashton Old Rd, Openshaw, Manchester, M11 1GR dated 12 October 2022 by JPR Asbestos Services Limited.

When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation a

Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

CMP

The discharge of condition 16 (Construction Management Plan) on the basis that the construction phase of the development is implemented in accordance with the following documents: Construction Phase Plan by KMM Homes Revision 1 attached to email from Bramhall Town Planning dated 29 November 2022 and email from Bramhall Town Planning dated 5 December 2022 confirming sheeting over of construction vehicles.

Drainage

The discharge of condition 19 (drainage) is approved on the basis that the development is implemented in accordance with the following documents:

The Former Grove Public House, 1515 Ashton Old Road, Manchester M11 1GR
Proposed Residential Development Drainage Strategy for KMM Homes by Integra Consulting Ref: 3338-DS Rev A dated October 2022
Email from Bramhall Town Planning dated 7 October 2022 and attached Integra Consulting (Engineers) Ltd document dated 2 September 2022 Network 2019.1 Storm Sewere design and Below ground drainage strategy layout (NoTopo) Ref: 3338/001 Rev P1 attached to email from Bramhall Town Planning dated 31 October 2022
United Utilities Letter referenced: UUPS-ORD-310889 dated 29 July 2022 and sewer plan refenced 21 Backwell Street, Manchester, M11 1NE.
Email from Bramhall Town Planning dated 7 October 2022 and attached Groundsure documents Ref: HMD-8570732.

The development shall be constructed and completed in accordance with the approved details.

Acoustic

The discharge of condition 22a (acoustic insulation) is approved on the basis that the development is implemented in accordance with the following document referenced: Noise impact assessment Ref: YA407.P1 Full planning application for the demolition of existing building and construction of three residential dwellings (Use Class C3), with access, landscaping and associated infrastructure - The Former Grove Public House 1515 Ashton Old Road Manchester M11 1GR Version 2.0 dated July 25 2022 by Y Acoustics.

Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in

the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Date: 14 December 2022

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.