

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 Jake Crompton
Countryside Properties (UK) Ltd
301 Bridgewater Place
Warrington
WA3 6XG

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of condition nos. 6 (site drainage maintenance), 12a (travel plan), 18 (bio-diversity enhancement), 21 (secure by design), 30 (local employment strategy) and 31 (acoustic fence details) attached 122160/FO/2018

Location: Former Belle Vue Greyhound Stadium, Kirkmanshulme Lane, Manchester, M18 7BD

Date of application: 8 August 2022

Application number: CDN/22/0553

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 no.6 Maintenance of drainage

The drainage maintenance measures detailed in the documents and plans specified below have been examined and are considered to be acceptable.

Trustmgt TG1329 Belle Vue document received 8th August 2022 confirming maintenance of the 3 no. on site attenuation tanks
Section 104 Layout plan ref: ELL-18039-B-CS-180 rev.Q
Maintenance Strategy received by email 12th September 2022, and content of Email from Countryside properties dated 12th September 2022;
Trust Green document regarding 'SuDS SW Cellular Storage Crates' received 29th September 2022

On the basis that the development is implemented in accordance with the drainage maintenance measures detailed in the documents and plans set out above, and thereafter managed and maintained for as long as the development remains in use, condition no.6 is discharged.

Condition no.12a Travel Plan

The contents of the Travel Plan doc ref: CBO-0527-006 Issue 2 dated 29.07.2022 have been examined. On the basis that the development is implemented in accordance with the measures in the Travel Plan doc ref: CBO-0527-006 Issue 2 dated 29.07.2022, condition no.12a is discharged.

Condition no.18 Biodiversity enhancement

The details of type of bird and bat boxes and their location on the Bird and Bat Box Plan ref: 80-486 001 dated 27.06.2022 prepared by E3P is considered to be satisfactory. On the basis that the biodiversity enhancement measures are implemented in accordance with the approved scheme, condition no.18 is discharged.

Condition no.30 Local Labour Strategy

The content of the Local Employment Strategy April 2022, the Local Employment spreadsheet and email from the applicant dated 29th November 2022 regarding local employment have been considered. On the basis of the documentation referred to above, I can confirm condition no.30 is discharged.

Condition no.31 Acoustic barrier

The details and specifications in the following documents and plans have been examined.

- Trustmgt TG1329 Belle Vue document received 8th August 2022
- Belle Vue- 3.7m Acoustic Fence detail dated 16.07.2020
- 3.7m high close boarded fence along the western boundary of the site adjoining plot nos. 202-214 (all) and plot no. 220 on boundary plan ref: SK441-BP-01 rev.O Sheet 1 of 1 received 8th September 2022;
- Noise Barrier - Acoustic Fencing by Gramm Barrier Systems - Natural SoundBlok specification sheet received 8th September 2022;
- Acoustic Barrier at Ends plan ref: 22087-01 received 8th September 2022;
- Trust Green document regarding maintenance of the acoustic fence/barrier' received 29th September 2022 revised by email from application dated 29th September 2022 confirming Trust Green will inspect the fence once a quarter as per the Trust Green Maintenance regime.
- Agent email 9th September 2022 confirming the system uses a double board design consisting of 20 x 150mm wide boards per 3m bay as a backing face, with a 60mm wide cover strip across each joint which prevents any gaps appearing if the timber moves throughout its design life.
- Applicant email 03.10.2022 confirming maintenance would be for the lifetime of the development in perpetuity.

On the basis that the development is completed in strict accordance with the approved design, is fully installed prior to the first occupation of the dwellings and is retained in situ for as long as the dwellings are occupied, condition no.31 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 no.21 Secure by Design

The content of the letter from Greater Manchester Police Design for Security dated 28th July 2022 confirming the construction phase meets the Secure by Design requirements in relation to the Crime Impact Statement ref: 2007/1630/SBD/01 has been noted, and is welcomed and accords with the first element of condition no.21.

However, condition no.21 cannot be formally discharged until written confirmation of a Secured by Design accreditation has been submitted for consideration. Therefore, condition no.21 is not discharged at this time.

Date: 13 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 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.