

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

Partial approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Application to discharge condition nos. 11 (Construction Management Plan), 13 (EV charging points), 14 (drainage), 16 (Local Labour Employment), 19 (contam land) and 22 (construction environmental management plan) attached to planning permission 129195/FO/2021

Location: Glendene , 150 Greenbrow Road, Manchester, M23 2RE

Date of application: 18 May 2022

Application number: CDN/22/0318

Part 2 – Particulars of decision (1)

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 11 - Construction Management

The information submitted to discharge Condition 11 - Construction Management Plan attached planning application 129195/FO/2021 is acceptable and the condition can be discharged.

Condition 13 - EV points

The information submitted to discharge Condition 13 (EV points) attached to planning permission 129195/FO/2021 is acceptable and Condition 13 can be discharged.

Condition 16 - Local Labour

The information submitted to discharge condition 16 (local labour) attached to planning permission 129195/FO/2021 is acceptable. The spreadsheet must be updated and returned to the Works and Skills team quarterly and are happy to be contacted regarding any recruitment support.

Part 2 – Particulars of decision (2)

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 14 - Drainage

In order to discharge the drainage planning condition (Condition 14), further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

Consideration of alternative green SuDS solution (non-infiltrating permeable pavings on individual driveways) if practicable;

Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building; some discrepancies between proposed drainage layout and hydraulic model.

Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.

Condition 19 - Contam Land

Condition 19 (Contaminated Land) attached to planning permission 129195/FO/2021 cannot be discharged until we have received the following:

Submission of a Site Investigation and updated final risk assessment for beneath the existing building footprint.

Submission of a Remediation Strategy

After completion of site works, a verification report is required to validate that the work undertaken conforms to the remediation proposals received.

Condition 22 - CEMP

The information supplied to discharge Condition 22 (Construction Environmental Management) attached to planning permission 129195/FO/2021 is not sufficient to discharge the condition.

Date: 26 July 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.