

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

Partial approval of details reserved by condition

Applicant

Ms Rachel Rogerson
Chapman Taylor Architects
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4 Castle Street
Manchester
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Agent (if used)

Ms Rachel Rogerson
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Manchester
M3 4LZ

Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 4 (method of piling), 5 (vegetation clearance), 6 (drainage), 8 (ground conditions), 9 (construction management) and 43 (local labour) associated with planning permission 116366/FO/2017 (plots 2 and 3 only)

Location: Plots 2 And 3 Angel Meadow, Dantzic Street, Aspin Lane, Gould Street And Old Mount Street, Manchester

Date of application: 9 November 2018

Application number: CDN/18/0848

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 4 method of piling

The following information has been submitted in respect of this planning condition:

- Ground investigation report, CFA piling risk assessment pack, environmental site condition report, hydraulic rotary rig, phase 1 preliminary environmental risk assessment, remediation strategy, schedule of piling rig component weights and work package plan CFA piling all stamped as received by the City Council, as Local Planning Authority, on the 9 November 2018
- Gas monitoring equipment calibration certificate stamped as received by the City Council, as Local Planning Authority, on the 3 December 2018

The above information has been considered and the piling for plots 2 and 3 should be carried out in accordance with this information. Condition 4 is therefore discharged in respect of plots 2 and 3.

condition 5 vegetation clearance

This condition must be complied with in respect of no vegetation clearance within the specified periods.

condition 6 drainage

The following information has been submitted in respect of this planning condition:

- Flood risk assessment and outlined drainage proposal, DT 510 001 Rev P01, DT 510 002 Rev P0, DT 510 003 Rev P01, DT 510 004 Rev P01 and GA 510 00 1001 Rev P02 stamped as received by the City Council, as Local Planning Authority, on the 9 November 2018

- Email from Neil O'Brien from United Utilities stamped as received by the City Council, as Local Planning Authority, on the 19 October 2018.

The above information has been considered and is acceptable. The development shall be carried out in respect of this information. Condition 6 is now formally discharged in respect of plots 2 and 3.

condition 9 construction management plan

The following information has been submitted in respect of this planning condition:

- Revised construction management plan stamped as received by the City Council, as Local Planning Authority, on the 19 December 2018
- Email from Rachel Rogerson dated 14 January 2019

The above information has been considered and is acceptable. The development shall be carried out in accordance with the above information. Condition 9 is formally discharged on this basis in relation to plots 2 and 3 only.

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 8 ground conditions

The following information has been submitted in respect of this planning condition:

- Ground investigation report, CFA piling risk assessment pack, environmental site condition report, hydraulic rotary rig, phase 1 preliminary environmental risk assessment, remediation strategy, schedule of piling rig component weights and work package plan CFA piling all stamped as received by the City Council, as Local Planning Authority, on the 9 November 2018

- Gas monitoring equipment calibration certificate stamped as received by the City Council, as Local Planning Authority, on the 3 December 2018

The above information has been considered and is acceptable. The ground conditions works for plots 2 and 3 should be carried out in accordance with this information. Prior to the first occupation of plots 2 and 3 a verification report shall be submitted for

approval in writing by the City Council, as Local Planning Authority, in order to verify that the works have been carried out in accordance with the above. Condition 8 is not formally discharged at this stage in relation to plots 2 and 3.

condition 43 local labour

The following information has been submitted in respect of this planning condition:

- Local Labour Strategy stamped as received by the City Council, as Local Planning Authority, on the 9 November 2018

The above information has been submitted and you have agreed with the City Council's works and skills team to provide 6 months report updating on the above.

Prior to the first occupation of the development, and in line with the planning condition, a final monitoring report shall be submitted outlining the success of the strategy. Condition 43 is therefore no discharged at this stage in relation to plots 2 and 3.

Date: 21 January 2019

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

Julie Roscoe
Head 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.