MANCHESTER CITY COUNCIL

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 Paul Woodcock
Merepark Project Management LLP
Market Court
Garden Lane
Altrincham
Cheshire
WA14 4DW

Agent (if used)

Mr Matt Mason
Pozzoni Architects Ltd
Woodville House
2 Woodville Road
Altrincham
WA14 2FH

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3,5,7,8,9,10,11,12,13,14,15,16,17,18a,19,20,21,22 and 23 attached to application 105734/FO/2014/S1

Location: 435 Barlow Moor Road, Manchester, M21 8AU

Date of application: 11 January 2017

Application number: CDN/16/0422

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 3
Condition 3 was discharged on the 28/01/2016 - Materials - Russet Red Mixture Brick, Aluminium Shopfront glazing RAL 7016 Anthracite grey, Residential glazing (UPVC) RAL 7016 Anthracite grey, Envirowall render white WH89, Equitone cladding panel RAL 7046 Telegray.

Condition 5
Condition 5 was discharged on the 29/09/2016 subject to information contained within an email from Pozzoni from Matt Mason dated 13/09/2016 stating that there would be no extract/fumes.

Condition 7
Condition 7 was confirmed as being discharged in an email dated 20/01/2017.

Condition 8

Providing the glazing and ventilation specifications are adhered to, we can confirm that the information submitted is sufficient to discharge Condition 8.

Condition 9
The information submitted was sufficient to discharge Condition 9.

Condition 10
Condition 10 was discharged on the 29/09/2016 subject to adherance to information submitted within an email from Pozzoni from Matt Mason dated 26/08/2016.

Condition 11
Condition 11 was confirmed as being discharged in an email dated 21/09/2016.

Condition 12
Condition 12 was discharged on the 28/01/2016.

Condition 13
Condition 13 was confirmed as having been discharged on the 20/01/2017 with regards to photographs submitted in discharge of condition request received 11.01.2017

Condition 14
Condition 14 was discharged on the 23/08/2016

Condition 15
Condition 15 was discharged on the 29/09/2016.

Condition 18a
Condition 7 was confirmed as being discharged on the 16/02/2016.

Condition 19
The information provided within the car park and servicing management plan (11/11/2016) is sufficient to discharge Condition 19.

Condition 20
Condition 20 was confirmed as being discharged on the 23/08/2016.

Condition 21
The information contained within the application to discharge Condition 21 is satisfactory subject to the retention of obscure glazing.

Condition 22
The information provided within the travel plan (12/10/2016) is acceptable and Condition 22 can be discharged.

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 16
Condition 16 cannot be discharged until we have received confirmation of Secured by Design accreditation

Condition 17
Condition 17 cannot be discharged until we have received post construction certificate.

Condition 18b
Environmental Health require results of the asbestos survey and the validation report prior to discharge of Condition 18b.

Condition 23
No further information has been provided with respect to Condition 23. The condition is therefore not discharged.

Date: 23 March 2017

Signed: 

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.