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	Agent (if used)
Mr Liam Charnock John Southworth Builders Ltd Ravensfield Industrial Estate Charles Street Dukinfield SK16 4SD	Miss Kyra Jennings AEW Architects Trinity Court 16 John Dalton Street Manchester M2 6HY

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 8 (Secure By Design -plots 19-24) and 23 (remediation - for plots 19-24) attached to planning permission 137462/FO/2023

Location: Land Off Parkmount Road, Manchester, M9 4AJ

Date of application: 30 May 2025

Application number: CDN/25/0498

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 8 (SBD plots 19-24))
Based on the e-mail from Greater Manchester Police (Design for Security) dated 18 March 2025 and received by the City Council as Local Planning Authority on 30 May 2025, which states that Secure by Design Accrediatino can be acheived for plots 19-24, condition 8 can be discharged with respect to plots 19-24.

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 23 (ground conditions)
The submitted information is not satisfactory for the following reasons:

Soil sampling should consist of at least three samples for each source used and it should be demonstrated that the soil is free from contamination by supplying results of

analytical tests. Material should not be utilised at the site until its suitability has been adequately demonstrated. This has not yet been achieved for this site.

The wording in the report: "exceeds the above requirements - 1 per 200m3" should include the caveat regarding the minimum requirement of 3 No. samples. Neither the sampling for the imported topsoil nor subsoil materials have met this requirement.

The report states that "The chemical test results at source are contained in Appendix 2". These results include no provenance of the topsoil and should therefore be removed from the report.

The report states that "All transfer notes, providing evidence of source and import, will be provided in the final validation report when clean cover system installation is complete". The final report must also include waste transfer notes for the Made Ground excavated off site. This remains outstanding.

Until such time that satsifactory details are received and agreed by the City Council as Local Planning Authority, condition 23 cannot be discharged.

Date: 6 August 2025

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.