

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: Discharge of Conditions 4 (Construction Management), 6 (Electric Vehicle Charging), 8 (Surface Water Drainage), 9a (Noise), 10 (Waste Management), 11 (Ground Conditions), 12 (Ground Verification) and 15 (biodiversity) attached to planning permission 140374/FO/2024

Location: Old Market Street, Blackley, M9 8FY

Date of application: 19 June 2025

Application number: CDN/25/0577

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 4 (CMP)

The details contained within the submitted Construction Management Plan (Revision 5), together with the Dilapidation Survey received by the City Council as Local Planning Authority on 7 July 2025 is satisfactory. Subject to implementation of the agreed details, condition 4 can be discharged.

Condition 6 (EVC)

The details of the electric vehicle charging point shown on drawing referenced PL13, received by the City Council as Local Planning Authority on 7 July 2025 is satisfactory. Subject to implementation of the agreed details, condition 6 can be discharged.

Condition 8 (drainage)

The following information has been assessed as being acceptable:

Soakaway Test report produced by Earth Environmental and Geotechnical Ltd, Soil Infiltration Rate Assessment Letter Report (Ref: A3274/22), produced by Earth

Environmental and Geotechnical Ltd on 15 July 2023 and received by the City Council as Local Planning Authority on 12 August 2023, as agreed under condition discharge application referenced CDN/23/0366.

Soakaway Pit Log, produced by Earth Environmental and Geotechnical Ltd, received by the City Council as Local Planning Authority on 12 August 2023;

Drawing 1 Rev 1 (outline surface water drainage plan), Final Inspection and Calibration Certificate, Fasttrack Utility Search Report (EMS06064/fast_M9 8DX), micro drainage calculations, Surface Water Drainage Strategy (Ref: A3274), prepared by Earth, Environmental and Geotechnical, received by the City Council as Local Planning Authority on 19 June 2025.

Surface Water Drainage and Maintenance Plan, received by the City Council as Local Planning Authority on 29 July 2025.

Subject to implementation of the agreed details, condition 8 can be discharged.

Condition 9a (Noise)

The information contained within the following documents is considered satisfactory.

Acoustic Planning Report 0785/APR1 - Rev P2) dated 30 April 2021.

Letter from Lighthouse Acoustics (Ref: 0785/le/02) received by e-mail dated 22 July 2025.

On this basis, condition 9a can be discharged.

Condition 10 (waste management)

The waste management details shown on drawing referenced PL12/A and on the accompanying waste management pro forma, received by the City Council as Local Planning Authority on 7 July 2025, are satisfactory. Subject to implementation of the agreed details, condition 10 can be discharged.

Condition 11 (ground conditions)

The details contained within the submitted Ground Investigation Report (Ref: 7268A - July 2025) and Remediation Strategy Report (7268B Rev 2, August 2025) prepared by Sub Surface, received by the City Council as Local Planning Authority on 14 July 2025 and 25 July 2025 respectively, is satisfactory. Subject to implementation of the agreed details, condition 11 can be discharged.

Condition 15 (biodiversity)

The ecological enhancement measures. Namely, the provision of a bird box as shown on drawing referenced PL11, received by the City Council as Local Planning Authority on 19 June 2025, is satisfactory. Subject to implementation of the agreed details, condition 15 can be 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 12 (ground verification)

A verification report is required to confirm that the ground remediation has been completed in accordance with the agreed details, pursuant to condition 11 of the host permission. Until such time that satisfactory details are received and agreed by the City Council as Local Planning Authority, condition 12 cannot be discharged.

Date: 12 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.