

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 Kath McVicker
Manchester City Council
Clayton Old Hall
Ashton New Road
Manchester
M11 4RU

Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (specification), 4 (equipment colour), 5 (CCTV), 7 (landscaping), 8 (trees), 12, (wildlife habitats), 13 (habitats) and 14 (hedgehogs) attached to planning permission referenced 135354/VO/2022.

Location: Clayton Old Hall, Ashton New Road, Manchester, M11 4RU

Date of application: 6 February 2025

Application number: CDN/25/0104

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 no. 4 (equipment colour)

The contents of the Clayton Hall: Scope of Works P0224-SCH-REP010 rev A, and Clayton Hall Security and repairs Note dated 05.02.2025 (paragraph 3.2) confirming that Bullet cameras to be provided in black finish, dome camera to be provided with a casing and weathershield in black. Mounting brackets, radar and speakers to be spray finished in black have been noted.

On the basis that all the security measures, including horn speakers, radar detectors and cameras shown on Elevation CCTV positions Ref: MCC-B01-XX-DR-E-0011 and Proposed security system layout Ref: MCC-ZZ-XX-DR-E-0010 rev.D are black (RAL 9005) in colouration and are installed in the positions shown on drawing referenced: Elevation CCTV positions Ref: MCC-B01-XX-DR-E-0011 and Proposed security system layout Ref: MCC ZZ-XX-DR-E-0010 rev. D and maintained in situ thereafter, condition no.4 is discharged.

Condition no. 5 (CCTV)

The details shown on CCTV Column details plan ref: MCC-XX-XX-DR-E-0020 have been examined. It is noted from the annotation on the plan that column and camera would be black (RAL 9005) in colouration. On the basis that the column as shown on CCTV Column details plan ref: MCC-XX-XX-DR-E-0020 is implemented in the position shown on drawings referenced: Site plan as proposed Ref: 0224-al (05)012, as part of the development, to a timescale agreed by the City Council as local planning authority and maintained in situ at all times thereafter, condition no.5 is discharged.

Condition no. 7 (landscaping)

The content of the Landscape proposal plan ref: 2407-CWS-XX-GF-DR-L-100 rev.P04; Tree Removals plan ref: 2407-CWS-XX-GF-DR-L-102 rev.P04; Planting plan ref: 2407-CWS-XX-GF-DR-L-200 rev.P03; Planting schedule and tree pit detail plan ref: 2407-CWS-

XX-GF-DR-L-201 rev.P03 have been reviewed and are considered to be acceptable.

On the basis that the development is implemented in accordance with the details on the plans referenced above and is implemented within the first full planting season following the

completion of the development and retained in situ at all times thereafter, condition no.7 is discharged.

Condition no. 8 (trees)

The development shall be implemented in accordance with document referenced: Preliminary Arboricultural Assessment (PA) Ref: UG1455 dated 21 March 2023 by Urban Green (as updated by the details in the updated report extract from the Preliminary

Arboricultural Assessment ref: UG_1455_ARB_TS_TCP_01_REV 01 dated July 2024) and the details on the Tree Removals Plan ref: 2407-CWS-XX-GF-DR-L-102 rev. P04.

On the basis that the development is implemented in accordance with the details in the documentation and plan referenced above condition no.8 is discharged.

Condition no. 12 (wildlife habitats)

The submitted licence reference 2024-001733-SPM-LIC has been noted. On this basis the development is implemented in accordance with the approved details, condition no.12 is discharged.

Condition no. 13 (habitats)

The content of the Badger Monitoring and Hedgehog Survey report dated June 2024 has been reviewed and is considered to be satisfactory. On the basis that development is implemented in accordance with the details in the report, condition no.13 is discharged.

Condition no. 14 (hedgehogs)

The content of the Badger Monitoring and Hedgehog Survey report dated June 2024 has been reviewed and is considered to be satisfactory. On the basis that development is implemented in accordance with the details in the report prior to the commencement of excavation works and at all times during the construction phase of the development, condition no.14 is 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 no. 3 (specification)

The contents of the Morton Partnership Schedule and Specification for Clayton Hall document ref: RGR/BBR/16076-sched&spec-Rev A; Clayton Hall: Scope of Works Security and Fabric Repairs ref: P0224-SCH-REP010 rev A; and Floyd Consult Timber Report May 2024 have been reviewed.

An email setting numerous requirements for the submission related to the scope of roof repairs, samples of materials (including repair finishes, netting and fixings), mortar analysis, confirmation if additional paint removal is to take place and any associated resulting stonework and brickwork repairs, the extent of pointing works, the extent of timber repairs, etc and the submission of a detailed contractor method statement was sent to the planning agent on 26th March 2025.

On the basis of the Morton Partnership Schedule and Specification for Clayton Hall document ref: RGR/BBR/16076-sched&spec-Rev A; Clayton Hall: Scope of Works Security and Fabric Repairs ref: P0224-SCH-REP010 rev A; and Floyd Consult Timber Report May 2024 it is

considered that the pre-commencement element of the condition has been satisfied, which will enable the investigative works to inform the matters set out in the email dated 26th March 2025. to be provided for consideration.

However, due to the level of detailed information which is required as set out in the email dated 26th March 2025 to the planning agent condition no.3 cannot be discharged at this time, and no repair works should be undertaken.

Date: 13 June 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.