

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 J Henry
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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 2 (materials), 3 (contaminated land), 5 (obscure glazing), 6 (boundary treatments), 7 (acoustic insulation), 8 (electric vehicle charging points), 9 (bicycle parking), 10 (landscaping scheme), 11 (car parking spaces), 12 (off site highway works), 13 (Inclusive access), 14 (drainage) and 15 (secured by design) from planning approval reference 141292/FO/2024

Location: Land To The Rear Of 25 Ladybarn Road Fronting Moseley Road, Manchester, M20 3BN

Date of application: 29 April 2025

Application number: CDN/25/0408

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.

C3 materials

The discharge of condition 2 (Materials) is approved on the basis that development has been implemented in accordance with the following materials as detailed in drawing and photomontages referenced Exterior finishes schedule:

Brickwork - Weinberger: Autumn Russet Stock brick
Roof - Marley Modern concrete interlocking tile roofing material in smooth grey colour
Entrance - Cedar timber cladding
Windows - Black powder coated aluminium
Bin store - Timber latt cladding.

C5 Glazing

The discharge of condition 5 (Obscure glazing) is approved on the basis that the development has been implemented in accordance with the detail of drawing and photomontages referenced Photo evidence of obscure glazing to side windows (confirming the attainment of Level 5 on the Pilkington scale). The implemented glazing shall be maintained in situ thereafter.

C6 Boundary

The discharge of condition 6 (Boundary treatments) is approved subject to the development being implemented in accordance with the detail of drawing referenced Proposed landscape plan Ref: 169-SK-GL3 and Boundary treatment Ref: 169-SK-GL4. The implemented boundary treatment shall be maintained in situ thereafter.

C7 Acoustic

The discharge of condition 7 (Acoustic insulation) is approved on the basis that development has been implemented in accordance with document referenced: Noise Assessment - Moseley Road, Manchester M14 6NR Report date 10 Jun 2012 Report Number 102573 by Miller Goodall and supplementary document Ref: P4867/L01/PJK by Acoustic & Engineering Consultants Ltd dated 27 November 2023. The implemented acoustic attenuation shall be maintained in situ thereafter.

C8 EV

The discharge of condition 8 (Electric vehicle charging points) is approved on subject to the development being implemented in accordance with the EV unit specification document referenced: Project EV-7.3 KW wall AC charger Dual Gun RFID in the position shown on drawings referenced: Proposed EV charging point Ref: 169-SK-GL3 (EV). The implemented EV charging points shall be maintained in situ thereafter.

C9 Cycles

The discharge of condition 9 (Bicycle parking) is approved on the basis that the development is implemented in accordance with the submitted Asgard cycle storage unit in the position shown on drawings referenced Proposed landscape plan Ref: 169-SK-GL3 Rev B. The implemented cycle storage shall be maintained in situ thereafter.

C10 Landscape

The discharge of condition 10 (Landscaping scheme) is approved on the basis that, subject to any ground remediation works required by condition 3, the landscaping scheme is implemented in accordance with the detail of drawing referenced: Proposed landscape plan Ref: 169-SK-GL3 Rev B.

If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place. The approved scheme shall be fully implemented in accordance with the approved details and to a timescale agreed with the City Council as local planning authority.

C11 parking

The discharge of condition 11 (Car parking spaces) is approved on the basis that the development is implemented in accordance with the detail of drawing referenced: Proposed EV charging point Ref: 169-SK-GL3 (EV) relating to the arrangement of car parking spaces, which shall be maintained in situ thereafter.

C13 Inclusive access

The discharge of condition 13 (Inclusive access) is approved on the basis that the development is implemented in accordance with the level thresholds to external doors, access ramps and balustrades detailed on drawings referenced Proposed landscape plan Ref: 169-SK-GL3 Rev B and Proposed landscape ramp sections Ref: 169-SK-GL3 (2) Rev A. The implemented arrangements for inclusive access shall be maintained in situ thereafter.

C15 SBD

The discharge of condition 15 (Secured by Design) is approved on the basis the submitted Secured by Design Certificate (Ref: 2018/0010/SBD/01) confirming the attainment of a bronze award.

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.

C3 Contam land

The discharge of condition 3 (Contaminated land) is refused as the submitted document Geo Assist Ltd Remediation Strategy and Deployment Plan reference 6070/VMF-RSDP v1.00 dated May 2021 has not demonstrated satisfactory remediation of land comprising garden areas within the development.

C12 off site highways

The discharge of condition 12 (Off site highway works) is refused as drawings relating to finalised and agreed off-site highways works have not been submitted.

C14 Drainage

The discharge of condition 14 (Drainage) is refused as insufficient information has been received relating to an appropriate surface water drainage scheme and arrangement to secure connections to the drainage network.

Date: 17 July 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.