

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 John Kenyon
268 Manchester New Road
Middleton
M24 1JR

Agent (if used)

Mr Dave Trudgeon
Conway Architectural Design
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Middleton
M24 1EW

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 8a (noise commercial), 9 (noise residential), 11 (air quality) and 12 (waste management) attached to planning permission referenced 141906/FO/2025

Location: 1110 - 1112 Rochdale Road, Manchester, M9 6FQ

Date of application: 18 July 2025

Application number: CDN/25/0694

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 8a (noise commercial)

The City Council as Local Planning Authority have considered the submitted information.

a. Amber Acoustics assessment reference AA/25/06/JK/RR/NIA dated 22nd June 2025

Condition 8a (noise commercial) attached to planning permission 141906/FO/2025 is discharged.

Condition 8b is required prior to occupation:

Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Condition 12 (Waste management)

The City Council as Local Planning Authority have considered the submitted information.

a. Drawing - Proposed 18 Jul 2025 907-06B SITE, BLOCK AND LOCATION PLAN

Condition 12 (Waste Management) attached to planning permission 141906/FO/2025 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 9 (Noise residential)

The City Council as Local Planning Authority have considered the submitted information.

a. Noise assessment or information 18 Jul 2025 AA/25/06/JK/RR/NIA
ENVIRONMENTAL NOISE ASSESSMENT

The submitted documents have been reviewed and is considered to be insufficient. On this basis condition 9 to planning permission referenced 141906/FO/2025 is not discharged.

The above report includes assessment of the required glazing performance and provides the necessary glazing specification and build ups required to ensure the internal noise criteria can be met at the front and rear facades which we can accept. Once selected, the glazing specification will need to be provided to the acoustic consultant for review to confirm it meets the criteria and evidence will need to be provided in the validation report to address part b) of the condition.

It has been proposed that MVHR system will be installed throughout the residential properties which we can accept. The details of the system will need to be provided and an assessment of the system will be required to demonstrate that when in full use, it will not exceed the internal noise criteria. Mitigation or acoustic insulation measures may need to be specified once the system has been selected and assessed.

An assessment of any façade penetrations will be required and insulation measures recommending where required to confirm that any penetrations such as louvres for air intake or extract associated with the MVHR system do not compromise the acoustic integrity of the building and allow a noise transmission path from outside to the living spaces and impact the internal noise criteria.

Condition 11 (Air quality)

The City Council as Local Planning Authority have considered the submitted information.

a. Supporting Information 18 Jul 2025 AIR QUALITY ASSESSMENT

The submitted documents have been reviewed and is considered to be insufficient. On this basis condition 9 to planning permission referenced 141906/FO/2025 is not discharged.

We have reviewed the Amber AQ assessment dated 9th July 2025 reference 0686A and we will still need comment with regard to EVCP's to confirm the number to be installed, their location on a diagram and charging capacity to meet the requirements in our MCC guidance document.

As MVHR is to be installed, we will need details of the clean air filters to be installed. This should recommend the specification and maintenance / replacement requirements of the clean air filter. The applicant / agent will need to provide a strategy to demonstrate how the clean air filter specification and maintenance requirements will be maintained during the building use and how future occupiers will be aware of the requirement (i.e.a handover document for any future buyers / occupiers)

Date: 4 September 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.