

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 3 (materials specifications), 8 (EV charging specifications), 10 (construction management), 12a (acoustic insulation), 14a (contaminated land), 18b (biodiversity), 19 (BNG), 25 (air quality) and 26 (window reveals) attached to planning permission referenced 139946/FO/2024

Location: Land Bounded By Parkhill Avenue, Cleveland Road And Delaunays Road , Manchester

Date of application: 25 April 2025

Application number: CDN/25/0394

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.

Materials

The materials as shown on drawing ref: 21-041 42 Materials Details and listed as follows are considered acceptable and can discharge Condition 3 Materials in full.

External Facing Brick- Ibstock Milburn Ashen Brown
Contrasting Facing Brick-Michelmarsch Blockley Windermere Grey
Vertical Cladding- Etex Cedral Board Colour C51 Silver Grey
Marley Edgemere Roof Tiles Anthracite Grey RAL 7016
Upvc Fascias and Soffits RAL 7016
Marley Clipmaster Gutters and Down Pipes Black
Upvc Windows RAL 7016
Stoppolyte Glass Level 4 Bathroom
Composite Front Doors Ral 6034
Walk On Balcony RAL 7016
Juliet Balconies RAL 7016

EV

The information submitted by Apex project Ev Data sheet 5 and 19 received 18th June 2025 provides the technical specification for the Electric vehicle charging points. These are a minimum of 7kw and are considered acceptable and sufficient to discharge condition 8.

Construction Management

The Construction Environmental Management Plan submitted 25th of April 2025 has been assessed and the information is sufficient to discharge condition 10 so long as implemented in accordance with the approved report.

Acoustic insulation

The information submitted to discharge condition 12a) has been assessed and is considered sufficient to discharge part a) of condition 12. The verification reports will need to be submitted to discharge part b to enable full discharge of condition 12.

Biodiversity

The information submitted in the Ascerta Biodiversity Impact Assessment is sufficient to discharge part b) of the condition, part a) will be considered discharged so long as the scheme is implemented in accordance with those approved details prior to the first occupation of the development.

Air Quality

The information submitted for the Apex vehicle charging point together with the Pell Frischmann air quality report is sufficient to satisfy the requirements for the contribution to improved air quality and as such condition 25 is considered discharged.

Window Reveals

The information submitted on drawing reference 21-041-40 Reveal Details, and Drawing Reference 21-041-41 Soffit Details have been assessed and are considered acceptable. Therefore condition 26 is considered fully discharges so long as implemented in accordance with the approved details.

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.

Contaminated Land

The information submitted for the discharge of condition 14a) is insufficient to discharge this element of condition 14 -contaminated land. Until the outstanding information is submitted to and approved in writing by the City Council as local planning authority, condition 14a) cannot be discharged.

BNG

Further information is required with regards to the full details of how 10% net gain will be achieved. This will be either in the form of evidence of off- site purchase registered on the Defra website, or statutory credits. Therefore, until this information has been received, Condition 19 cannot be discharged at this stage.

Date: 16 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.