

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 1 (Timescale), 2 (Specified Plans), 3 (Noise), 4 (Remediation), 5 (Boundary Treatment), 6 (Secure By Design), 7 (Waste), 8 (Car Parking), 9 (PD Extensions), 10 (PD Hardstanding), 11 (C3A restriction), 12 (Footpaths), 13 (Landscaping) and 14 (Cycle Store) attached to planning permission 130987/FO/2021

Location: 492 Claremont Road, Manchester, M14 5WA

Date of application: 5 February 2025

Application number: CDN/25/0068

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 1 - Timescales

Condition 1 relates to the timescales for starting the development. This condition is one requiring compliance, from the site photos provided, this condition appears to have been complied with.

Condition 4 - Site remediation TBC

The submitted report prepared the LK Group dated October 2024 is acceptable and condition 4 is discharged.

Condition 6 - secured by design

Condition 6 can be discharged following receipt of confirmation from GMP Secured by Design team.

Condition 8 - Car Parking

Condition 8 is a condition that requires compliance with based on the approved drawings and provision of surfaced parking spaces in accordance with the approved drawings. It is noted that photographs have been provided that indicate the surfacing of parking areas at the site.

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 2 - Specified plans

This condition requires the development to be carried out in accordance with the approved drawings and documents and is therefore a condition that requires compliance. It is noted that some elements of the development have not been carried out in accordance with the approved drawings and documents and therefore this condition has not currently been complied with.

Condition 3 - Noise

The submitted information refers to an earlier acoustic report undertaken by Echo acoustics in 2021. This document has not been submitted to the council for review or approval. At the current time condition 3 cannot be discharged.

Condition 5- Boundary Treatments

Condition 5 requires compliance with the approved drawing reference :A1344(02)004 Rev A. The submitted drawings do not show installed gates to drives and pathways. This condition has not yet been complied with. Please note all gates shall open inwards into the site as set out on the approved drawing.

Condition 7 - waste

Condition 7 relating to the type and location of bin stores is one that requires compliance with. These details are set out on approved drawing references: A1344(02)005 Rev B - Landscape plan; and A1344(02)003 - bike and bin store details. The submitted photograph does not appear to reflect the approved details, in addition one photograph appears to show a bike and bin store at the front of a property on Victory Street. These details are not in accordance with the agreed details, and evidence that condition 7 has been complied with has not been provided.

Condition 9 - Permitted development ext

Condition 9 is a condition that requires compliance and cannot be discharged. No additional extensions, garages or dormers can be installed/erected at the site unless planning permission has first been obtained.

Condition 10 - PD harstanding

This condiiton is one that requires compliance. No additional hardstandings can be installed at the front of the development other than those set out on the approved drawings without specific planning permission.

Condition 11- C3a

Condition 11 is a condition that requires compliance with whilst the development is occupied. This condition states that the development can only be occupied as a C3a dwellinghouse.

Condition 12 - Footpaths

The City Council Highway Services have commented that the works to footpaths outside of the site have been undertaken without the necessary statutory approvals and are not acceptable in their current form. These works will need to be regularised via the following weblink:

https://www.manchester.gov.uk/directory_record/451887/permission_to_work_on_the_highways_-_section_278_agreements/category/355/highways_and_pavements

Condition 13- Landscaping

Condition 13 is a condition that require compliance with the approved drawing reference A1344(02)005 REV B within 12 months of first occupation. No information has been provided against this condition but the provided site photos do not suggest that the approved scheme has been implemented.

Condition 14 - Bike Store

Condition 14 relating to the type and location of bike stores is one that requires compliance with. These details are set out on approved drawing references: A1344(02)005 Rev B - Landscape plan; and A1344(02)003 - bike and bin store details. The submitted photos do not appear to reflect the approved details, in addition one photo appears to show a bike and bin store at the front of a property on Victory Street. These details are not in accordance with the agreed details and evidence that condition 14 has been complied with has not been provided.

Date: 10 March 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.