

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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Manchester
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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 7 (Landscape and Boundary Treatment), 9 (Cycle storage), 10a and 11 (Contaminated Land), 12 (Drainage Strategy) and 13a (EV charging) attached to planning permission 141006/FO/2024

Location: 70 Mauldeth Road, Manchester, M20 4WF

Date of application: 10 April 2025

Application number: CDN/25/0350

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 7 (Landscape and BT)

The following information has been submitted in respect of planning condition 7 (Landscape and Boundary Treatment):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 10 April 2025.
- Landscape Masterplan, numbered 1961-001C, stamped and received by the City Council as Local Planning Authority on 2 June 2025.

The above details are considered to be acceptable to discharge the condition 7 attached to planning permission referenced 141006/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

Condition 9 (Cycle storage)

The following information has been submitted in respect of planning condition 9 (Cycle storage):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

-Landscape Masterplan, numbered 1961-001C, stamped and received by the City Council as Local Planning Authority on 2 June 2025.

The above details are considered to be acceptable to discharge the condition 9 attached to planning permission referenced 141006/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

Condition 10a (Contaminated Land)

a) The following information has been submitted in respect of planning condition 10a (Contaminated Land):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

-Contaminated Land Phase One Desk Study (Martin Environmental Solutions Ltd, dated March 2025, report no:2912-1, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

-Supporting Information- Groundsure- Report, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

-Supporting Information- Groundsure- Maps, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

-Supporting Information- Groundsure- Maps 2, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

The above details are considered to be acceptable to discharge the condition 10 part A attached to planning permission referenced 141006/FO/2024 on the basis the development is fully implemented in accordance with the approved details.

b. Prior to the first use/occupation of the development, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to validate that the development conforms with the approved Site Investigation Report and/or Remediation Strategy.

c. In the event of any non-conformity with the approved Site Investigation Report and/or Remediation Strategy, then any further measures that are required to remediate the land shall be carried out. Any required measures/remediation and validation shall continue until conformity has been achieved and agreed in writing by the City Council as local planning authority, prior to first use/occupation of the development.

Condition 13a (EV charging)

a) The following information has been submitted in respect of planning condition 13a (EV charging):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

-Supporting Information- EV Charger Specification, stamped and received by the City Council as Local Planning Authority on 12 May 2025.

-Landscape Masterplan, numbered 1961-001C, stamped and received by the City Council as Local Planning Authority on 2 June 2025.

The above details are considered to be acceptable to discharge the condition 13a attached to planning permission referenced 141006/FO/2024 on the basis the development is fully 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.

Condition 11 (Contaminated Land)

The following information has been submitted in respect of planning condition 11 (Contaminated Land):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 10 April 2025.
- Contaminated Land Phase One Desk Study (Martin Environmental Solutions Ltd, dated March 2025, report no:2912-1, stamped and received by the City Council as Local Planning Authority on 10 April 2025.
- Supporting Information- Groundsure- Report, stamped and received by the City Council as Local Planning Authority on 10 April 2025.
- Supporting Information- Groundsure- Maps, stamped and received by the City Council as Local Planning Authority on 10 April 2025.
- Supporting Information- Groundsure- Maps 2, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

The information submitted to discharge condition 11 is not sufficient.

The outstanding evidence is required:

The watching brief relates to any ground contamination, groundwater contamination and/or ground gas, not previously identified, found to be present on the site at any time after development commences. It is understood that the development has not yet commenced nor has been completed and so it is not possible to discharge the watching brief at this time.

Until such details are received and agreed, condition 11 cannot be discharged.

Condition 12 (Drainage Strategy)

The following information has been submitted in respect of planning condition 12 (Drainage Strategy):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 10 April 2025.
- Drainage Strategy- Outline Sustainable Drainage Strategy, LK Consult, job number: FRA 25 1016, report dated 9 April 2025, stamped and received by the City Council as Local Planning Authority on 10 April 2025.

The information submitted to discharge condition 12 is not sufficient.

The outstanding evidence is required:

- Finalised surface water drainage layout including all components, levels and connectivity.
- Evidence of connection approval in principle.
- An updated maintenance and management plan including the responsible party and schedules of tasks/ frequencies for the components.

Until such details are received and agreed, condition 12 cannot be discharged.

Date: 4 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.