

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 David Mottershead
Little Greene Paint Company Ltd
420 Ashton Old Road
Manchester
M11 2DT

Agent (if used)

Mr David Hamer
Bradshaw Gass and Hope LLP
21 Silverwell Street
Bolton
BL1 1PR

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (Materials), 5a (Contaminated Land), 6 (Archaeology), 7 (Surface water drainage), 8 (Drainage maintenance) and 13 (CMP) attached to planning permission 108951/FO/2015/N2

Location: 420 Ashton Old Road, Manchester, M11 2DT

Date of application: 19 October 2021

Application number: CDN/21/0772

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 following information has been submitted for approval in respect of this planning condition:

Drawings numbered 2039.01.624 rev C2 and 2039.01.627 rev C3 and the Bradshaw Gass and Hope - External Superstructure Materials Schedule. stamped as received by the City Council, as Local Planning Authority, on 19 October 2021

The information is considered to be acceptable and condition 3 is now formally discharged, subject to the development only being constructed in accordance with these approved details.

c5a contam land

The following information has been submitted for approval in respect of this planning condition:

LK Consult Ltd Remediation Strategy dated February 2017 (ref:LKC 17 1058), stamped as received by the City Council, as Local Planning Authority, on 19 October 2021

The information is considered to be acceptable and condition 5a is now formally discharged.

c6 archaeology

The following information has been submitted for approval in respect of this planning condition:

Email to David Hamer. from Jeni Regan, dated 10 January 2017, which confirms that all the archaeological work required by this condition has been completed.

Email from GMAAS, dated 1 November 2011, which confirms that all requirements for condition 6 (archaeology) have been met, including the publication of a popular booklet in the Greater Manchester's Past Revealed series which summarises the history/archaeology of the site.

The information is considered to be acceptable and condition 6 is now formally discharged.

c13 - cmp

The following information has been submitted for approval in respect of this planning condition:

Cruden Construction Ltd Construction Management Plan and Bradshaw Gass and Hope Highways Reinstatement document, stamped as received by the City Council, as Local Planning Authority, on 15 March 2022

The information is considered to be acceptable and condition 13 is now formally discharged, subject to the development only being carried out in accordance with the approved construction management plan.

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.

c7 surface water

The following information has been submitted for approval in respect of this planning condition:

Drawing numbered 2139.01.101 rev C10 and 2139.01.102 rev C2 and Lees Roxburgh Flood Risk assessment dated February 2015, stamped as received by the City Council, as Local Planning Authority, on 19 October 2021.

LK Group Sustainable Drainage Re-Assessment dated June 2022 (ref:) FRA 22 1059), stamped as received by the City Council, as Local Planning Authority, on 1 July 2022.

The information is not considered to be acceptable and condition 7 is not formally discharged.

c8 - drainage maintenance

The following information has been submitted for approval in respect of this planning condition:

Bradshaw Gass and Hope Drainage Management Plan (ref:2139/1), stamped as received by the City Council, as Local Planning Authority, on 19 October 2021.

The information is not considered to be acceptable and condition 8 is not formally discharged.

Date: 2 May 2025

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

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.