MANCHESTER CITY COUNCIL

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 Javeed Hussaini
7 Enfield Drive
Manchester
M11 4HP

Agent (if used)

Mr Ahmad Turkmani
AT A. Design
12 Hastings Gardens
Stockport
SK5 8BF

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (materials), 4 (drainage), 5 and 6 (ground conditions), 7 (construction management), 8 (security), 10 (vehicle charging), 11 (boundary treatment), 12 (landscaping), 13 (environmental statement), 14 (biodiversity) and 15 (cycle parking) attached to planning permission referenced 138677/FO/2023

Location: 7 Enfield Drive, Manchester, M11 4HP

Date of application: 22 March 2024

Application number: CDN/24/0227

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 3 (materials)
The external material details on the submitted Discharge of Condition Document received by the City Council as Local Planning Authority on 22 March 2024, are satisfactory. Namely:

-Forterrra Claughton Manor bricks;
-Grey UPVC window frames;
-Marley Modern Interlocking Concrete Roof Tile Smooth Grey.

Subject to implementation of the agreed details, condition 3 can be discharged.

Condition 7 (CMP)
The information included in the 'Discharge of Conditions document, received by the City Council as Local Planning Authority on 22 March 2024 is adequate. Subject to implementation of the agreed details, condition 7 can be discharged.

Condition 8 (security)
The security measures detailed within the submitted Discharge of Condition Document received by the City Council as Local Planning Authority on 22 March 2024, are satisfactory. Subject to implementation of the agreed details, condition 8 can be discharged.

Condition 10 (EV)
The information included in the 'Discharge of Conditions document, received by the City Council as Local Planning Authority on 22 March 2024 is adequate. Subject to implementation of the agreed details, condition 10 can be discharged.

Condition 11 (boundary treatment)
The boundary treatment shown on drawing referenced BT87B (1) 23, received by the City Council as Local Planning Authority on 23 April 2024 is satisfactory. Subject to implementation of the agreed detail, condition 11 can be discharged.

Condition 12 (landscaping)
The landscaping scheme shown on drawing referenced BT87B (1) 23 and accompaning block paving specification, received by the City Council as Local Planning Authority on 23 April 2024 is satisfactory. Subject to implementation of the agreed detail, condition 12 can be discharged.

Condition 13 (ES)
The environmental standards outlined within the submitted Environmental Standard Statement received by the City Council as Local Planning Authority on 22 March 2024, is satisfactory. Subject to implementation of the agreed details, condition 13 can be discharged.

Condition 14 (bio diversity)
The bio diversity enhancement measures shown on drawing referenced BT87B(1) 23, received by the City Council as Local Planning Authority on 1 May 2024, are satisfactory. Namely, the provision of 2 x bird boxes and 2 x Acer Campestre trees.

Subjec to implementation of the agreed measures, condition 14 can be discharged.

Condition 15 (cycle parking)
The cycle storage details shown within the submitted Discharge of Condition Document received by the City Council as Local Planning Authority on 22 March 2024, are satisfactory. Subject to implementation of the agreed details, condition 15 can be discharged.

Conditions 16-20
Conditions 16-20 (inclusive) are for information and compliance purposes only and do not require a formal discharge.

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 4 (drainage)
The following details are required:

-Details of cover levels, invert levels, outfall levels;
-Finalised drainage layout showing all components, outfalls, levels and connectivity;
-Hydraulic calculations to ensure the proposed tank attenuation is suitable;
-Hydraulic calculations of the proposed drainage system, including all design parameters. Calculations must include Critical Storm Events for the 1 in 2, 1 in 30 and 1 in 100 + 45% Climate Change. Results must demonstrate no surcharge for the 1 in 2, no flooding in the 1 in 3 and no flooding of buildings for the 1 in 100 + 45% climate change;
-Details of front driveway surfacing.

Until such time that satisfactory details are received and agreed in writing by the City Council as Local Planning Authority, condition 4 cannot be discharged.

Condition 5 (ground conditions)
No report relating to ground conditions has been submitted. Until such time that satisfactory details are received and agreed to comply with the requirements of the condition, condition 5 cannot be discharged.

Condition 6 (ground verification)
It is premature to apply for this condition to be discharged. This condition can only be discharged upon completion of the development and the submission and agreement of a Verification Report to confirm the development has been implemented in accordance with the agreed remediation proposal.

Date: 11 June 2024

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.