

**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 Sam Sabti  
Bond Real Estate  
98 Crumpsall Lane  
Manchester  
M8 5SG

**Agent (if used)**

Miss Kim Ebling  
Corstorphine + Wright Architects  
The Stables  
Paradise Wharf  
Ducie Street  
Manchester  
M1 2JN

**Part 1 – Particulars of the application/development**

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**Proposal:** Discharge of condition 6 (noise), 8 (cycle parking) and 9 (security) attached to planning permission referenced 112282/FO/2016/N1

**Location:** 303 Cheetham Hill Road, Manchester, M8 0SN

**Date of application:** 3 August 2022

**Application number:** CDN/22/0444

**Part 2 – Particulars of decision (a)**

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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.

**8 (cycle parking) X**

The following information has been submitted in respect of the cycle parking;

The Letter from Corstorphine and Wright Architects, received on the 3 August 2022.  
The Letter from Bond Real Estate, received on the 30 June 2022 and photographs, received on the 3 August 2022.

The information provided is considered to be acceptable. Therefore, Condition 8 is now formally discharged.

**9 ( Security Measures) X**

The following information has been submitted in respect of the security measures;

The Letter from Corstorphine and Wright Architects, received on the 3 August 2022.  
The Letter from Bond Real Estate, received on the 30 June 2022 and photographs,  
received on the 3 August 2022.

The information provided is considered to be acceptable. Therefore, Condition 9 is now formally discharged.

## **Part 2 – Particulars of decision (b)**

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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.

### **6 (noise),**

There is insufficient information to fully discharge the condition, details of the mechanical ventilation system installed to ensure that windows do not need to be opened for ventilation and then a verification report which includes measurements inside the bedroom and living room to confirm the day time and night time internal noise criteria has been met whilst the mechanical ventilation system is in use. Therefore, condition 6 noise is not discharged.

Date: 1 November 2023

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](http://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.