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 Keith Burke
Burke Developments
C/o Agent

Agent (if used)

Mr Ralph Taylor
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 8 (Secured By Design), 14a (Noise), 15b (Contaminated Land), 18 (Off site Highways), 19 (Boundary Treatment), 20 (Environmental Standards), 21 (Ecology), 23 (Access) attached to Planning Permission 141101/JO/2024.

Location: 7 Chapel Street, Levenshulme, M19 3QB

Date of application: 15 January 2026

Application number: CDN/26/0047

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.

SBD
The discharge of condition 8 (Secured by Design) is approved as the development has attained a Secured by Design Gold Award on 3 December 2025 Ref: 2023/0585/SBD/01.

C18 Off site highways
The discharge of condition 18 (Off site Highways), is approved subject to the development being implemented in accordance with drawing referenced: Road Layout Ref: 00142/H10 and Road Construction Details Ref: 00142/H11 received on 15 January 2026. The approved details do not preclude any required works that may need to be undertaken as part of any required s.278 Highways Agreement.

Boundary treatment
The discharge of condition 19 (Boundary Treatment) is approved subject to the development being implemented in accordance with drawing referenced: Boundary Treatment Plan Ref: 24-0016-90-012 Rev P05 received on 10 March 2026 and details

of Piranha Composite Slatted Fencing (to be installed between rear gardens) received on 13 February 2026. The implemented measures shall be maintained in situ thereafter.

Env Standards
The discharge of condition 20 (Environmental Standards) is approved subject to the development being implemented in accordance with document referenced Post Construction Stage (PCS) Energy Report Ref: AG-77942-PCS-Rev A dated 6 January 2026 by Anderson Goddard Ltd confirming that the development achieves the environmental performance and carbon reductions detailed in approved document Ref: Proposed residential development at 7 Chapel Street Levenshulme Manchester M19 3QB dated June 2023 by Award Energy Consultants.

Ecology
The discharge of condition 21 (Ecology) is approved subject to the development being implemented in accordance with the details of bat and bird box installation as detailed on drawings referenced Bird and Bat Boxes Ref: 24-0016-50-002 Rev 1. The implemented measures shall be maintained in situ thereafter.

Access
The discharge of condition 23 (Access) is approved in accordance with the arrangements for inclusive access as detailed on drawing referenced: Door Threshold Details Ref: 23-0019030-203 Rev P01 and Paul Butler Associates email dated 9 March 2026 confirming that the threshold details accord with Building Regulations. The implemented measures shall be maintained in situ thereafter.

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.

Noise
The discharge of condition 14a (Noise) is refused as the submitted documents Ref: Acoustic Survey and Assessment by Martin Environmental Solutions dated January 2026 Ref: 3154-1, have not addressed the requirements of part A of condition for the following reasons:
i. It has not been demonstrated that noise monitoring has not been undertaken at the nearest house (forming part of the development) that may be affected by noise from nearby commercial and industrial uses.
ii. Required details of an acoustic scheme have not been submitted as part of the discharge of Part A of condition 14.
iii. The submitted report contains details that need to be discharged in relation to Part B of condition 14 (and following the discharge of Part A).

Contam Land
The discharge of condition 15B (Contaminated Land) is refused as the submitted document Ref: Contaminated Land Verification Report by Martin Environmental Solutions Report dated October 2025 Ref: 3052-2 and Ground Gas Verification Report by UKRS dated 27 January 2026 Ref: UKRS-01599-V1 have not addressed the requirements of part B of condition 15 for the following reasons:

i. The proposed open mesh membrane would not achieve full compliance with the remediation strategy.

ii. Satisfactory details pf soil sampling and imported soil have not been provided.
iii. The submission has not included waste transfer notes for excavated material disposed of off-site.
iv. It has not been demonstrated that a satisfactory gas membrane has been applied to the site.

Date: 8 April 2026

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.