

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 Carl Garrity
Splash Developments
577 Oldham Road
Manchester
M35 9AE

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 3 (Materials), 6 (Drainage miantenance), 8 (Landscaping), 10b (Contaminated Land), 21 (Western Boundary Treatment) attached to Planning Permission 112059/FO/2016.

Location: Daisy Bank Mill , Terrence Street, Manchester, M40 1GD

Date of application: 29 January 2026

Application number: CDN/26/0089

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 no.3 Materials

The content of the materials schedule has been reviewed, together with the roof tile and brick specification data sheets and is considered to be acceptable . On the basis that the development is implemented in accordance with the materials which have been referenced condition no.3 is discharged.

Condition no.6 Drainage maintenance

The correspondence dated 19th January 2026 in connection As-Built drawings showing the final drainage layout together with the Info drainage modelling results for the 1 in 100-year return period +45% for climate change has been reviewed in conjunction with the Storm Phase : Proposed surface water calculation dated 19.01.2026, and Drainage Asset Management Plan Report Ref: D246/KGB/001 Rev 01 dated 27.02.2026; and details of the management company received 2nd March 2026.

On the basis that the approved scheme is thereafter managed and maintained for as long as the development remains in use condition no. 6 is discharged.

Condition no. 21 (Western Boundary)

The photographic images of western boundary treatment adjacent to plot no.18 (to the boundary of the site to the rear of 1 - 15 Mabel Street) has been reviewed in conjunction with the content of the email from the applicant dated 15th April 2026, confirming the height of the installed close boarded wooden fencing in the images is 1.8m above ground level. It is noted that the height of the fencing in the image varies due to the change in site levels.

On the basis that the treatment to the western boundary of plot no.18 is retained as such thereafter, condition no.21 is discharged.

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 no.8 Landscaping

Condition no.8 is a compliance condition requiring the implementation of the hard and soft landscaping scheme approved by the City Council as local planning authority shown on the site layout drawing showing the proposed tree planting and landscaping notes stamped as received by the Local Planning Authority on 3rd May 2017.

Furthermore, there is a further on-going compliance element requiring, that if within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place. On this basis, this condition cannot be formally discharged until 5 years have elapsed from when the planting was implemented.

Condition no.10b Contamination Verifi

The content of the following documentation has been reviewed:

- Top soil analysis correspondence from B.J. Crowther Ltd
 - RSK Remediation Strategy Letter Report dated 12 February 2020, and Remediation Strategy by RSK
- Received 1st April 2026

It is considered that insufficient information has been provided for evaluation. There is a requirement for gas membrane verification, and also delineation of the lead found. Furthermore, evidence and analysis of the sub soil (450mm) and topsoil (150mm) levels for all the soft landscape areas is also needed. On this basis condition no. 10b is not discharged.

Date: 16 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.