

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Approval of details reserved by condition

Applicant

Mr Abraham Halpern
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4 The Cottage
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M3 7BE

Agent (if used)

Mr DK Seddon
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64 Washway Road
M33 7RE

Part 1 – Particulars of the application/development

Proposal: Discharge of condition no. 30 (Boundary treatment) attached to planning permission 115139/FO/2017

Location: Clarksville Farm , Crescent Road, Manchester, M8 5UR

Date of application: 15 September 2020

Application number: CDN/20/0581

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Approved** in accordance with the information set out below.

Boundary Treatment

The submitted plans, documents and content of the emails specified below have been examined and are considered to be satisfactory.

Plan ref: 12,490 /136 rev.B (Wall/Railing detail - Acoustic fencing to rear of plot nos. 1-14); BMC J4284 Fence 01 (3 metre high acoustic fencing with no corners); BMC J4284 Fence 02 (3 metre high acoustic fencing with return corners);
12,490 100 rev.B (Site Plan solely in relation to location boundary treatment) (as amended by plans received 28th January 2021);

Received 15th September 2020

Agent email 28.01.2021 confirming that use of timber post in place of originally proposed concrete posts, due to the topography of the site and to enable the construction a stable and well aligned fencing taking into account the considerable changes in levels across the site.

Plan ref :12,490 201 rev.C (External Works Fence details); 12,490 202 rev.D (External Works Plots.36-40); 12,490 205 rev.D (External Works Plots.12-16); 12,490 206 rev.D (External Works Plots.17-20); 12,490 207 rev.D (External Works Plots.21-24); 12,490

208 rev.D (External Works Plots.25-30); 12,490 209 rev.D (External Works Plots.31-34); 12,490 210 rev.D (External Works Plots.35 and 2); 12,490 211 rev.D (External Works Plots.41-44);
Received 28th January 2021.

Content of email from agent dated 4th March 2021 , confirming due to installation difficulties due to the steep banking below the fence, it would not be possible to install the fencing to Crescent Road with the finished side fronting Crescent Road, or to fix the pails to the Crescent Road side of the fence, and also confirming that the timber fencing would be impregnated with Tanalith E wood preservative using a vacuum pressure treatment to protect and preserve the timber used in the fencing.

Specification for greening of the existing 3M high timber fence document ref: 2016 12 03 GS rev.A dated June 2021 received 4th June 2021;
Proposed Development Landscape Works General Arrangement Plan ref: PR/17/AH01/GA/01 REV G received 4th June 2021;
Plan refs: 12,490 203 rev.E (External Works Plots.1-6); 12,490 204 rev.E (External Works Plots.7-11); received 4th June 2021;

On the basis that the development is implemented in full accordance with the details and measures shown in the plans , documents and content of the emails specified above , in particular the climbing planting arrangements of the rear of the acoustic fencing forming the southern boundary to plot nos. 1-11, I can confirm condition no.30 is discharged

Date: 9 June 2021

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers 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.

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 his 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.