

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

Approval of details reserved by condition

Applicant

Mr M Bamberger
Welcome Estates Ltd
Heaton House
148 Bury Old Road
Manchester
M7 4SE

Agent (if used)

S Parmar
Debtal Architecture Ltd
72 Bury New Road
Prestwich
M25 0JU

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (materials), 5 (security measures), 6 (ground conditions), 8 (surface water drainage), 10 (boundary treatment), 11 (landscaping), 12 (cycle parking), 13 (environmental standards) attached to planning permission referenced 130239/FO/2021

Location: 10 Moxley Road, Manchester, M8 4HJ

Date of application: 15 November 2021

Application number: CDN/21/0858

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.

Condition 3 (materials)

The external materials detailed on drawings referenced 110/1 received by the City Council as Local Planning Authority by e-mail dated 1 February 2022 and 20 December 2021 are satisfactory. These include:

Bricks - Olde Mill Blend;
Roof tiles - Marley Modern (anthracite).

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

Condition 5 (security)

The security measures shown on drawing referenced 120/1, received by the City Council as Local Planning Authority by e-mail dated 1 February 2022 are satisfactory. Subject to implementation of the agreed details, condition 5 can be discharged.

Condition 6 (Ground Conditions)

The measures contained within the submitted Phase 1 Desk Study and Site Investigation Report by Earth Environmental and Geo Technical Ltd (Ref: A4255/21)

received by the City Council as Local Planning Authority on 15 November 2021, are acceptable. On this basis, condition 6 can be discharged.

Condition 8 (drainage)

The details contained within the submitted Drainage Strategy produced by BDI, received by the City Council as Local Planning Authority on 15 November 2021, supplemented by e-mail confirmation dated 20 December 2021 that the front garden paving will be permeable, the response from United Utilities dated 4 March 2022 and the Outline Surface Water Drainage Maintenance Strategy V2 produced by BDI, received by the City Council as Local Planning Authority on 30 May 2022, are acceptable. Subject to implementation of the agreed details, condition 8 can be discharged.

Condition 10 (boundary treatment)

The boundary treatment shown on drawings referenced 120/1 and 110/1 received by the City Council as Local Planning Authority by e-mail dated 1 February 2022, is satisfactory. Subject to implementation of the agreed details before the house is occupied, condition 10 can be discharged.

Condition 11 (landscaping)

The landscaping scheme shown on drawings referenced 120/1 and 110/1 received by the City Council as Local Planning Authority by e-mail dated 1 February 2022, is satisfactory. Subject to implementation of the agreed details, condition 11 can be discharged.

Condition 12 (cycle parking)

The cycle storage details shown on drawing referenced 120/1, received by the City Council as Local Planning Authority by e-mail dated 1 February 2022, is satisfactory. Subject to implementation of the agreed details before the house is occupied, condition 12 can be discharged.

Condition 13 (environmental standards)

The details contained within the submitted Energy Statement produced by E2 consultants (V.1), received by the City Council as Local Planning Authority on 15 November 2021 and supplemented by confirmation that the solar pv option would be implemented, as per the e-mail received by the City Council as Local Planning Authority 20 December 2021, is satisfactory. On the basis that the agreed energy efficiency measures will be implemented, condition 13 can be discharged.

Date: 31 May 2022

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.