MANCHESTER CITY COUNCIL

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

Approval of details reserved by condition

Applicant

Mr William Haywood
Mears New Homes
5 Hepton Court
York Road
Leeds
LS9 6PW

Agent (if used)

Mr Joseph Smith
Triangle Architects
Raven House
113 Fairfield Street
Manchester
M12 6EL

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 12 (hard landscaping), 14 (bio diversity), 23 (lighting), 29 (soft landscaping) attached to planning permission referenced 122797/FO/2019

Location: Crossley Street, Manchester, M18 8BA

Date of application: 30 September 2020

Application number: CDN/20/0619

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 no.12 Hard Landscaping
The use of 'Oakdale Centurion' buff flags to form the hard landscaped areas within the curtilage of the dwellinghouses, in the locations as shown on the approved drawing ref: 02 rev.D as received by the Local Planning Authority on the 15th May 2019 is considered to be acceptable. On the basis that the approved hard landscaping scheme is implemented not later than 12 months from the date of commencement of the works condition no.12 is discharged.

Condition no.14 Biodiversity
Plan ref: 18-013 SK61 rev. A received on 16th November 2020 confirms that each house would have a bat or bird box, with 22 houses having bat boxes and 23 houses having bird boxes. Furthermore that the bat box would be in the form of a Free Access Bat Box Brick (A) and the bird nesting box , would be in the form of an Eco Habitats for Swifts brick (C), (as per the manufacturers specifications received on 16th November 2020) with both located on the rear faced of each dwellinghouse close to the eaves.

On the basis that the development is fully implemented in accordance with manufacturers specifications in the locations on plan ref:SK61 rev.A , condition no.14 is discharged.

Condition no.23 Lighting
The proposed type and location of the street lighting to Leach Street and Crossley Street shown on plan ref: AC-MSL-5484 Rev A is considered to be acceptable. On the basis that the Philips Micro Luma NW lanterns are used in the locations shown on the submitted is implemented in full prior to the first use of the development and remains in operation for so long as the development is occupied, condition no.23 is discharged.

Condition no.29 Soft Landscaping
The originally proposed soft landscaping scheme raised concerns in relation to the proposed tree species . The revised planting scheme on plan refs: 15297-LD01D, 15297-LD-02A, & 15297-LD-03D has been examined, including the planting of 4No. Amelanchier lamarckii "Robin Hill" Standard; 3No. Amelanchier lamarckii Extra Heavy Standard; 5No. Crataegus laevigata "Pauls Scarlet" standard; 10No. Magnolia kobus Selected Standard; 6No. Malus Tschnoskii Selected Standard; and 2No. Sorbus aucuparia "Streetwise" Extra Heavy Standard; and is considered to be satisfactory
On the basis that the approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied, and 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, condition no.29 is discharged .

Date: 20 November 2020

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 of 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.