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 | Agent (if used) |
|---|---|
| Mr Moore<br>Lovell Partnerships North<br>St Johns House<br>Barrington Road<br>Altrincham<br>WA14 1JY | Mr Ben Smith<br>PRP<br>Croxley House<br>14 Lloyd Street<br>Manchester<br>M2 5ND |

## Part 1 – Particulars of the application/development

**Proposal**: Application to discharge condition no. 4 (Landscaping) attached to planning permission reference 118530/FO/2017.

**Location**: Land Bounded By Fairfield Road, Ashton Old Road, Silverlace Avenue, Alpha Street And Toxteth Street, Manchester, M11 1FG

**Date of application**: 23 October 2018

**Application number**: CDN/18/0788

## 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.

**Landscaping**
The submitted plans and Lovell Landscape Management Plan have been examined.

The revised plans refs: 5834.01 rev.D ( Landscaping proposals sheet 1 of 2) and 5834.02 rev.D ( Landscaping proposals sheet 2 of 2), which incorporate Acer campertre 'William Caldwell' , and Betula albosinensis 'Fascination', as replacements for the Pyrus callaryana shown on the originally submitted landscaped plans are considered to be satisfactory. Therefore, on the basis that the landscaping scheme is implemented in accordance with the landscaping details shown on plans refs: 5834.01 rev.D (Landscaping proposals sheet 1 of 2) and 5834.02 rev.D, that Lovell ( or a management company employed by Lovell) undertake on going maintenance in accordance Lovell Landscape Management Plan; 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.4 is discharged .

Date: 3 December 2018

Signed: 

Julie Roscoe
Head 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.