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

Miss Jade Wright
Manchester City Council
Level 6 Town Hall Extension
Lloyd Street
Manchester
M60 2LA

Agent (if used)

Miss Jade Wright
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Level 6 Town Hall Extension
Lloyd Street
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Part 1 – Particulars of the application/development

Proposal: Application to discharge condition nos. 2, 3, 4a, 4b, 4c and 5 attached to planning permission ref: 115645/VO/2017

Location: Heaton Park , Middleton Road, Manchester, M25 2SW

Date of application: 12 July 2017

Application number: CDN/17/0425

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.

Specified plans

I have noted your confirmation that the proposed development will be implemented in accordance with the approved plans and documents listed below.
209623H/0000/002 (Enabling Works); 209623H/0200/001 (Site Clearance) 209623H/0000/001 rev. A (Site Location Plan); 209623H/SD/01 (Scheme Detail No Dig Path); 209623H/SD/02 (Scheme detail Resin bound gravel footpath adjacent to existing playground); 209623H/SD/03 (Scheme detail Playground Entrance to existing park footpath); 209623H/SD/04 (Scheme detail Tree Top Trek entrance); 209623H/SD/05 (Scheme detail Footpath tie into existing estate road); 209623H/SD/06 (Scheme detail Honeycomb Containment System); Tree Survey and Arboricultural Constraints Area of Parkland at Heaton Park March 2017; Ecological assessment of Areas of Parkland at Heaton Park; Heritage Impact Assessment Access Path; Heaton Park Estate /Parkland fencing specification date stamped as received 17th March 2017;

209623H/700/001 rev.A (Construction layout)) date stamped as received 4th April 2017.
On the basis of compliance with the above plans and documents, I can confirm condition no.2 is discharged.

Materials
The submitted samples of golden self binding gravel - Breedon Wayfarer and Breedon Golden Amber Gravel; resin bound gravel (Autumn Gold 5mm Resin bound); and honeycomb containment system (Geocell supplied by Terram) (detailed on plan ref: 209623H/SD/06 - Honeycomb Containment System) have been examined, and are considered to be acceptable. I have noted that either the Breedon Wayfarer , or the Breedon Golden Amber Gravel will be used, however as they are both the same colour and the difference relates to particle sizes in the samples, I can confirm either product would be satisfactory in visual terms.
On the basis that the development is implemented in accordance with the materials listed above I can confirm that condition no.3 is discharged.

Tree Protection
It is noted that the proposed path has been designed as a permeable 'no dig' path to ensure minimal impact to the adjacent trees. Furthermore, in accordance with plan approved plan ref: A3_209623H_SD-01- No Dig footpath, the use of no dig gravel means that no heavy machinery will be required to the works in the woodland .It is also noted that a 1.8m temporary heras fence would be erected in the locations shown on plan ref; 209623H_0000_0002 (Enabling Works) to safeguards the existing retained trees.
On the basis that the development is implemented in accordance with the measures and plans materials listed above, and the protective fencing is retained in situ for the duration of the construction works, I can confirm that condition no.4 is discharged.

Bird nesting season
Your confirmation in e-mail dated 10th August 2017 , that no works are being undertaken to trees during the bird breeding season (March - August inclusive), with construction being scheduled for November 2017 with completion for February 2018 is noted.
On the basis that no works are being undertaken to trees during the bird breeding season (March - August inclusive), I can confirm condition no.5 is discharged.

Date: 15 August 2017

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.