

Our Ref: 2020-040

Your Ref:

FAO: Sue Wills

Planning,
Manchester City Council,
P O Box 532,
Manchester,
M60 2LA

Northspring, 6th Floor,

70 Spring Gardens,

Manchester M2 2BQ

E: info@njlconsulting.co.uk

www.njlconsulting.co.uk

22nd September 2025

Dear Sue,

Application to Discharge Condition 40 of Planning Permission Ref: 137751/MO/2023 at the Land Opposite 83-87 Vine Street, Manchester, M18 8SR

Please find enclosed for your consideration an application to discharge condition 40 of the planning permission granted in November 2023 (Ref: 137751/MO/2023) for the following development at the Land Opposite 83-87 Vine Street, Manchester:

'Reserved matters application for consideration of appearance, landscape and scale following outline planning permission referenced 128864/OO/2020 for 25 x 2 storey dwellinghouses (Class C3)'.

The application was submitted via the Planning Portal. The requisite application fee has been paid to Manchester City Council.

Condition 40

Condition 40 states

Prior to the commencement of the development, full details of proposed ground levels, earthworks and excavations to be carried out near to the northern boundary with the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scheme

The following information has been submitted in respect to condition 40:

- Basic Asset Protection Agreement
- Ground Investigation of Embankment prepared by E3P (Ref: 14-944-L2)
- Depth of Made Ground Plan (Drawing Ref: 006)
- Proposed Site Layout & Levels (Drawing Ref: VSG-RDG-XX-XX-DR-C-0001_P08)
- Earthworks Cut & Fill Isopachytes (Drawing Ref: VSG-RDG-XX-XX-DR-C-0002_P04)
- Earthworks Cut & Fill Formation Depths (Drawing Ref: VSG-RDG-XX-XX-DR-C 0003_P04)
- Earthworks Summary prepared by the LK Group

A previous application to discharge Condition 40 was submitted in April 2025 and subsequently refused permission on 18th June 2025. The reason for the refusal as follows:

It has been confirmed that from a Network Rail perspective the detail in the above plans is accepted, on the basis that the works can be managed through the Basic Asset of Protection

Agreement (BAPA)

However, it is noted that the works on Proposed Site Layout & Levels (Drawing Ref: VSG-RDG-XX-XX-DR-C-0001_P06), adjacent to the rail line would result in two rear gardens having gradients within the rear gardens of 1:13 and one having a 1:17 gradient, which is of concern.

Furthermore, the gradients of the rear gardens to the plots in the southwestern corner of the site (plot nos. 10 - 14) vary from 1:11 to 1:5, which is not acceptable on the basis that these are gardens serving dwellinghouses for families, and would not deliver satisfactory private usable amenity space. Whilst the annotation on plan ref: VSG-RDG-XX-XX-DR-C-0001_P06 in respect of plot nos. 11-14 states that the preferred gradient over these rear gardens is to be confirmed, there are no details to revise these levels. On the basis of levels/ gradients indicated Proposed Site Layout & Levels (Drawing Ref: VSG-RDG-XX-XX-DR-C-0001_P06) condition no.40 is not discharged.

Information previously submitted in relation to the earthworks in the area of the embankment have been resubmitted without change noting that this was accepted previously.

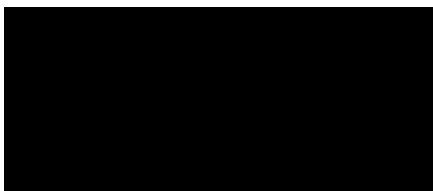
Drawing ref 'Proposed Site Layout & Levels (Drawing Ref: VSG-RDG-XX-XX-DR-C-0001_P08' supersedes the previously submitted 'Proposed Site Layout & Levels (Drawing Ref: VSG-RDG-XX-XX-DR-C-0001_P06'.

With regards the gradients of gardens adjoining the railway line, whilst noted as a point of concern the condition was not previously refused on the basis that plots 16, 19 and 20 was below the 1:20 target.

Of the 11 properties which bound the railway line 7 meet the preferred gradient and 6 of these significantly exceed the target and whilst 4 are under the target they are only slightly lower and it is considered gardens would still be usable for residents. Therefore on balance for consistency the same conclusion should be reached on this aspect of the application.

That plan also identifies all gradients for rear gardens and highlights further improvements which have been made to the rear gardens of plots 10-14. These are significant with all properties now being at least 1:15 and again represent usable rear gardens for future residents and expect the details to be acceptable to the Council in this instance.

Yours sincerely



Mark Saunders
Director

For and on behalf of NJL Consulting (Manchester) Ltd

Encs.