MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant

Mr Craig Collishaw
LNC Property Developments Ltd
Unit 2 Lindricks Way
Barlborough
S43 4XE

Agent (if used)

Mr Alex Webster-Brown
Jackson Design Associates
Latimer House
Latimer Way
Sherwood Energy Village
Ollerton
NG22 9QW

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 8 (landscaping), 13 (external equipment), 17 (internal waste management) ,18 (Highways works), 22 (electric vehicle charging points) and 26 (Obscure Window Design) from planning approval reference 136127/JO/2023

Location: Yew Tree Manor, Yewtree Lane, Manchester,

Date of application: 18 September 2024

Application number: CDN/24/0898

Part 2 – Particulars of decision (a)

Manchester City Council gives notice that the following detail(s) referred to in Part 1 are **approved** in accordance with the information set out below.

Condition 18 - Highways works
Subject to the Applicant continuing ongoing discussions with the MCC Highways team regarding the Highways Works and Section 278 agreement (pursuant to the Highways Act 1980), the submitted details are acceptable.

Condition 22 - Electric Vehicle Charging
The submitted details are acceptable and shall be incorporated into the development.

Condition 26 -Obscure Glazing
The submitted details of the obscure glazed windows to the ground and first floor north and west elevations as identified on the submitted drawings and window schedule is acceptable. The development shall be carried out in accordance with these details.

Part 2 – Particulars of decision (b)

Manchester City Council gives notice that the following detail(s) referred to in Part 1 are **refused** in accordance with the information set out below.

Condition 8 - Landscaping
Condition 8 of planning approval reference 136127/JO/2023 sets out the approved landscaping scheme for the development. As it is a condition that requires compliance with the previously agreed details, it is not possible to discharge this condition with the submitted details. If the intention is to rely on revised information then this would need to be undertaken and considered via a variation of condition application.

Condition 13 - External Equipment
Condition 13 is a condition that requires compliance with the agreed noise assessment and technical notes previously agreed, it is not therefore possible to discharge this condition. If the intention is to rely on revised information then this would need to be undertaken via a variation of condition application.

Condition 17 - Internal waste management
Condition 17 requires the submission of details of internal bin storage areas to be provided within the development. The submitted details only include for external bin store areas which were previously agreed as set out in condition 17. Details and provisions for internal waste storage to ensure that the development has been designed to accommodate recycling of the different waste streams are required to be submitted.

Condition 17 is therefore not discharged.

Date: 4 November 2024

Signed:

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates 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. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

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 their 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.