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

Miss Rachel McDonnell
2 Green Lane
Saughall
Chester
CH1 6AJ

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 8 (obscured glazing), 9 (highways), 10 (cycle storage), 12 (boundary treatment), 20 (drainage), 24 (bat and bird boxes) and 25 (landscaping) attached to planning permission referenced 133433/FO/2022.

Location: 1515 Ashton Old Road, Manchester, M11 1GR

Date of application: 2 August 2023

Application number: CDN/23/0532

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.

C8 Glazing
The discharge of 8 (Obscured glazing) is approved on the basis that the development is implemented in accordance with the glazing specification detailed on drawing referenced: Windows & Door Elvations Ref: PS-RM-ZZ-ZZ-DR-A-33100 Rev. P2 (including the attainment of obscured glazing equating to Level 5 on the Pilkington Glass Scale.

C9 Highways
The discharge of condition 9 (Highways) is approved on the basis that the development is implemented in accordance with drawings referenced:

Proposed pavement & kerbing layout (Overview Plan) Ref: 23065-AJF-ZZ-DR-C-010 Rev. R1
Vehicle tracking Ref: 23065-AJF-ZZ-DR-C-012 Rev. R1
Pavement and kerbing details Ref: 23065-AJF-ZZ-DR-C-013 Rev. R1
Road markings & signage Ref: 23065-AJF-ZZ-DR-C-022 Rev. R1

The required works shall be fully implemented prior to the first occupation of any part of the development and maintained in situ thereafter.

C10 Cycle storage
The discharge of condition 10 (Cycle storage) is approved on the basis that the development is implemented in accordance with the details specified document referenced: Grant Haze '3 Bike Shed - Police Approved'. The authorised cycle storage units shall be located on the positions shown on approved drawing referenced: Site location plan (Proposed) Ref: 0000_70400 Rev P04 and maintained in situ thereafter.

C24 Bat Bird Boxes
The discharge of condition 24 (Bat and bird boxes) is approved on the basis that upon occupation of the development the specified Schwegler 2FE wall mounted bat shelter and Vivara Pro Woodstone single chamber house sparrow nest boxes are installed to the gable elevation of plots 01 and 03 as specified on drawings referenced: The Grove Site Landscaping GA plan BG- EWA- ZZ- ZZ- GA- A- 70405 Rev P0. The implemented bat and bird boxes shall be maintained in situ thereafter.

C25 Landscaping
The discharge of condition 25 (Landscaping) is approved on the basis that the development is implemented in accordance with details and planting specified on drawing referenced: The Grove Site Landscaping GA plan BG- EWA- ZZ- ZZ- GA- A- 70405 Rev P0.
The hard and soft landscaping shall be implemented before the occupation of the development and tree planting completed within the first full planting season following the completion of the development. The phases of the landscaping scheme shall be maintained in situ at all times following their implementation. If within a period of 5 years from the date of the planting, 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.

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.

C12 Boundary
The discharge of condition 12 (Boundary treatment) is refused as satisfactory details have not been submitted. The following additional information is required:
i. Confirmation that the siting of fencing and associated fencing will not conflict with attenuation tanks below.
ii. The western boundary treatment adjacent to Plot 1 parking space should be amended to ensure and wall and railing that is visually permeable from a distance of 600mm upwards.

C20 Drainage
The discharge of condition 20 (Drainage) is refused as insufficient detail has been submitted to demonstrate that appropriate site drainage would be achieved.

Date: 12 March 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.