

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

Partial approval of details reserved by condition

Applicant

Mangrove Estates Ltd / Jigsaw Homes
C/o Agent

Agent (if used)

Mr Matthew Gray
Grays Architecture Ltd
Park 287 Office 1
Chaddock Lane
Manchester
M28 1DU

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 7 (drainage), 11 (cycle storage), 12 (EV), 13 (environmental standards), 14 (lighting), 18 (bio-diversity) and 21 (external equipment) attached to planning permission referenced 129852/FO/2021

Location: Former Chatsworth Mill , Williams Road, Manchester, M18 7AY

Date of application: 11 November 2022

Application number: CDN/22/0814

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 7 (drainage)

The following surface drainage details are satisfactory:

-SUDS Management Plan (Ref: 7588SMP) dated 18 August 2022 and received by the City Council as Local Planning Authority on 11 November 2022;

-E-mail from Multevo Civil Engineering Contractors confirming the drainage has been installed in line with the required drawings, along with some images of the installation dated 24 October 2022;

-Proposed Drainage Layout drawing referenced 7588-08_F.

On this basis, condition 7 can be discharged.

Condition 11 (cycle storage)

The cycle storage arrangements shown on drawings referenced 316-01B and 416-02A, supplemented by an e-mail received from Grays Architecture dated 9 January 2023, is acceptable. Subject to implementation of the agreed details condition 11 can be discharged.

Condition 12 (EV)

The details of the electric vehicle charging points shown on drawing referenced 4402-101D and within the Energy Statement produced Zero 3 (Ref: 22-083 - issue C), received by the City Council as Local Planning Authority on 11 November 2022 and 14 April 2023 respectively, are acceptable. Subject to implementation of the agreed details, condition 12 can be discharged

Condition 18 (bio diversity)

The bio-diversity enhancement measures detailed within the submitted report by Simon Brain (Version 1) and landscape drawing referenced 01/B, received by the City Council as Local Planning Authority on 11 November 2022 and 12 January 2023 respectively, are satisfactory. Subject to implementation of the agreed details, condition 18 can be discharged.

Condition 21 (external equipment)

On the basis that the proposal does not include any external equipment, as detailed within the submitted application form, received by the City Council as Local Planning Authority on 11 November 2022, condition 21 can be discharged.

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 13 (ES)

Condition 13 requires a post construction review certificate/statement to be submitted for approval, prior to first occupation of the development approved. It is therefore considered premature to seek the discharge of this condition at this stage. As such, condition 13 cannot be discharged.

Condition 14 (lighting)

Insufficient details of the external lighting has been submitted. Details should be provided in relation to the location, specification and illumination levels of all external lighting proposed. Until such time that satisfactory details are received and agreed, condition 14 cannot be discharged.

Date: 9 May 2023

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.