

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

Approval of details reserved by condition

Applicant

Mrs Racheal Clifford
Prosper Learning Trust Grange School
Grange School Matthews Lane
Manchester
M12 4GR

Agent (if used)

Mr Mark Manifold
Prosper Learning Trust
Greenacre Building
Firbank Road
Wythenshawe
Manchester
M23 2YS

Part 1 – Particulars of the application/development

Proposal: Discharge of condition nos. 1 (time frame), 2 (specified plans), 3 (materials), 4 (roller shutter) and 5 (tree protection measures) attached to planning permission ref: 135187/FO/2022

Location: Grange School , Matthews Lane, Manchester, M12 4GR

Date of application: 16 January 2023

Application number: CDN/23/0028

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.

Time frame

Condition no.1 is a compliance condition , as such on the basis the development is begun before 16th December 2025 , you will have complied with the requirements of condition no.1.

The school's confirmation that all works associated with this initiative will commence at be completed within a three year period from the planning approval date in the discharge of conditions document received 16th January 2023 is acknowledged.

Specified plans

Condition no.2 is a compliance condition , as such on the basis the development is implemented in accordance with the following documents and plans :

Rainbow canopy visual images received 12th October 2022;

Location Plan ref: 22010 01 rev.P0 received 7th November 2022;

Agent email dated 28th November 2022

Site Plan ref: 22010 02 rev.P1 received 30th November 2022;

Floor Plan and Elevations plan ref: 22010 03 rev.P1 received 16th December 2022;

you will have complied with the requirements of condition no.2.

The school's confirmation that all works will be carried out in accordance with this condition in the discharge of conditions document received 16th January 2023 is acknowledged.

Materials

The proposed use of roof panels comprising triple wall polycarbonate (16mm in depth) in the school colours - Fuschia Pink, Clear , Sea Grass Green , Pacific Blue and Sunburst yellow as viewed on site on 11th January 2023 to be installed in accordance with the visual image in the discharge of conditions document received 16th January 2023, together with the use of standard redwood wooden panelling and glue laminated redwood pressure treated timber support posts as viewed on site on 11th January 2023 are considered to be acceptable . On the basis the development is implemented in accordance with the materials specified above condition no.3 is discharged .

Roller shutters

Condition no.4 is a compliance condition. However, the statement in the discharge of conditions document received 16th January 2023 that all shutters on the proposed canopy will be green in colour, and the canopy provider has confirmed that each shutter will be recessed so that the front cover on the shutter box will be level with the outside edge of the canopy upstands has been noted. Furthermore, the confirmation that the front of each side rails on the shutters will also be level with the outside edge of the canopy upstand is acknowledged.

On the basis of the statement in the discharge of conditions document received 16th January 2023 in relation to condition no.4 , you will have complied with the requirements of condition no.4.

Tree protection measures

It is noted that a full tree survey has been commission by the school in connection with the discharge of condition no.5 , and although the completed survey identified root protection zones for number of trees immediately in the canopy area, it has further been confirmed that the 3no. trees on the northern boundary would also need pruning back. In addition, it has been noted that concern has been raised, that the amount of pruning that would be required to the south side of the trees could result in the trees dying within a year of the works being completed. This matter has been considered together with the school's proposal removal these trees, and a common alder and a goat willow, and following the installation of the canopy plant new trees of the same species on a 3:1 ratio in an adjacent area of the school grounds.

The submitted documentation identifies the trees that school are seeking permission to remove are references T1, T3, T4, T5 and T11, but that these would be replaced with 5no. wild cherry trees , 3no.Goat Willow, 3no.Bird Cherry , and 3no.Common Elder, in the locations shown on plan ref: 5206 01 - Proposed Tree planting plan received 20th February 2023.

It is acknowledged that the on the basis of the above information that the trees to have protected fencing would no longer be retained at this site.

It is however, considered that the proposed tree planting scheme would mitigate the loss . Therefore, on the basis that the replacement tree planting in the locations on plan ref: 5206 01 - Proposed Tree planting plan and in accordance with the content of the email from the applicant received on 20th February 2023 , no further action would be required in relation to condition no.5 .

Date: 22 February 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 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 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 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.