

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

Approval of details reserved by condition

Applicant

Ms Abbie Mason
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Birchwood
WA3 6XG

Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge (partial) of condition 8 (ground conditions) attached to planning permission referenced 118379/JO/2017 in relation to Phase AB, Plots 327 to 330; Phase AC, Plot 340; Phase AD, Plot 351; Phase AF, Plots 364, 365, 366, 367, 368, 369, 370, 371 and 372; Phase AS, Plots 197 and 198; Phase P, Plots 187 to 194, Phase V, Plot 284

Location: Brunswick Neighbourhood, Manchester, M13 9TQ

Date of application: 16 June 2023

Application number: CDN/23/0401

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.

Condition no.8 Ground conditions

The following information has been considered in connection with the discharge of condition no.8 in relation to Phase AB (Plots 327 to 330), Phase AC (Plot 340), Phase AD (Plot 351), Phase AF (Plots 364, 365, 366, 367, 368, 369, 370, 371 and 372), Phase AS (Plots 197 and 198), Phase P (Plots 187 to 194), and Phase V(Plot 284).

Phase AB (Plots 327 to 330) - Document Reference: 14-207-V25 Garden Validation - Brunswick Manchester prepared by E3P and dated 09 September 2021 for Plots 315-316, 321-325, 327-330.

Phase AC (Plot 340)- Document Reference: 14-207-V33 Garden Validation - Brunswick Manchester Plots 340, 342, 343, 321, 315 and 344, prepared by E3P and dated 11 April 2022.

Phase AD (Plot 351) - Document Reference: The submitted information includes Document Reference: 14-207-V33 Garden Validation - Brunswick Manchester Plots 340, 342, 343, 321, 351 and 344, prepared by E3P and dated 11 April 2022

- Email from agent dated 28th June 2023 and 29th June 2023 in regard to surfacing treatment of external areas in connection with Plot 351.

Phase AF (Plots 364, 365, 366, 367, 368, 369, 370, 371 and 372 (all plots within phase)),

-Document Reference: Redstart Letter and appendices dated 15.05.2023 for 'Phase AF, Plots 364-366, Glenbarry Close, Manchester, M13 9RQ'.

- Document Reference: Redstart Letter and appendices dated 12.06.2023 for 'Phase AF, Plots 367-368, Glenbarry Close, Manchester, M13 9RQ'.

- Document Reference: Redstart Letter and appendices dated 15.06.2023 for 'Phase AF, Plots 369-370, Glenbarry Close, Manchester, M13 9RQ'.

- Document Reference: Redstart Letter and appendices dated 15.06.2023 for 'Phase AF, Plots 371-372, Glenbarry Close, Manchester, M13 9RQ'.

Phase AS (Plots 197 and 198(all plots within phase)) - Document Reference: Redstart Letter and appendices dated 21.06.2019 for 'Phase AS, Plots 197-198 & Phase P, Plots 187-194 -Galliford Try, Brunswick'.

Phase P (Plots 187 to 194) -Document Reference: Redstart Letter and appendices dated 21.06.2019 for 'Phase AS, Plots 197-198 & Phase P, Plots 187-194 -Galliford Try, Brunswick'.

Phase V(Plot 284) - Document Reference: Redstart Letter and appendices dated 25.03.2020 for 'Phase V, Plots 284 & 289 Galliford Try, Brunswick'

On the basis of the above information, I can confirm that condition no.8 is discharged in regard to Phase AB (Plots 327 to 330), Phase AC (Plot 340), Phase AD (Plot 351), Phase AF (Plots 364, 365, 366, 367, 368, 369, 370, 371 and 372), Phase AS (Plots 197 and 198), Phase P (Plots 187 to 194), and Phase V(Plot 284).

It is also noted that in conjunction with previous discharges of condition no.8, that condition no.8 is now discharged for all plots within Phases AB,AC, AD,AF, AS, P, and V.

Date: 19 July 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.