

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

Approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 4b (landscaping - Phase AJ2), 5 (SBD - Phases AB, AC, AD, AO, AE, AF, AG and AJ2) and 8b (ground conditions - Phases AE, AG and AJ2) attached to planning permission referenced 118379/JO/2017

Location: Brunswick Neighbourhood, Manchester, M13 9TQ

Date of application: 6 April 2023

Application number: CDN/23/0240

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 4b landscaping Phase AJ2

The landscaping details shown on Phase AJ2 General Arrangement and Planting Plan ref: M4976-177-AJ2 have been considered to be acceptable . Therefore, on the basis that the approved landscaping scheme is implemented in accordance with the details on the Phase AJ2 General Arrangement and Planting Plan ref: M4976-177-AJ2, and if within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, 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, condition no.4b in respect of Phase AJ2 is discharged.

Condition no.5 SBD - AB, AC, AD, AO, etc

The submitted Secure by Design accreditation certificate relating to the Phases AB,AC,AD, AE, AF, AG , AJ2 and AO dated 21.03.2023 has been noted . On the basis of the accreditation certification , condition no.5 is discharged in relation to Phases AB,AC,AD, AE, AF, AG , AJ2 and AO.

Condition no.8b Ground conditions AE etc

The following information has been examined, and is considered to be acceptable .

Phase AE (All Plots- Plots 362 & 363):

o Garden Validation Plots 362-363 Document Reference: 14-207-V31, Letter and technical appendices from E3P dated 24th January 2022 regarding Soil Validation of Plots 362 to 363.

Phase AG (All Plots - 373-396) :

o Garden Validation Plot 373-380 Document Reference: 14-207-V37 , Letter and technical appendices from E3P dated 1st August 2022 regarding Soil Validation of Plots 373-380.

o Garden Validation Plots 381, Document Reference: 14-207-V38 Letter and technical appendices from E3P dated 3rd October 2022 regarding Soil Validation of Plots 381.

o Garden Validation Plots 388 - 395 Document Reference: 14-207-V39, Letter and technical appendices from E3P dated 30th November 2022 regarding Soil Validation of Plots 388 - 395.

o Garden Validation Plots 381-387 & 396 Document Reference: 14-207-V40, Letter and technical appendices from E3P dated 12th December 2022 regarding Soil Validation of Plots 381-387 & 396 .

Phase AJ2 (All Plots - Plots 397-410)

o Garden Validation Plots 397-401 & 403-407 Document Reference: 14-207-V41, Letter and technical appendices from E3P dated 19th December 2022 regarding Soil Validation of Plots 397-401 & 403-407.

o Garden Validation Document Reference: 14-207-V42 Plots 402 & 408-410, Letter and technical appendices from E3P dated 27th January 2023 regarding Soil Validation of Plots 402 & 408-410.

On the basis of the information referenced above , I can confirm that condition no.8b is discharged in regard to Phases AE, AG and AJ2.

Date: 24 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 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.