

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

Partial approval of details reserved by condition

Applicant

Mr Rob Watson
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208-210 Great Clowes St
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Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 8 (glazing), 13 (EV charging point), 14 (bin store), 15 (waste management), 18 (drainage maintenance), 21 (landscaping), 24 (site maintenance) and 26 (boundaries) attached to planning permission referenced 124265/FO/2019

Location: Land Bounded By Ashton Old Road, Lees Street And Stanley Street, Manchester

Date of application: 7 July 2022

Application number: CDN/22/0456

Part 2 – Particulars of decision (1)

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 condition 8 (glazing) is approved on the basis that the development is implemented in accordance with the detail of the Watson Homes letter (Condition 8) dated 20 June 2022 confirming the installation of glazing to a specification of Cotswold privacy Level 5. The approved glazing shall be implemented before the occupation of the development and maintained in situ at all times thereafter.

C13 EV

The discharge of condition 13 (EV charging point) is approved on the basis that the development is implemented in accordance with the detail of the Watson Homes letter (Condition 13) dated 20 June 2022 and supplementary details referenced:

Appendix A- Site plan L.100A;

Appendix B- EV data sheet for wall mounted Rolec EV charging point Type 2, Mode 3;

Appendix C- EV point for the apartment; and

that the approved details achieve a charging capacity of 7 Kw/H and are installed upon first occupation of the development and maintained in situ at all times thereafter.

C14 Bin store

The discharge of condition 14 (bin store) is approved on the basis that the development is implemented in accordance with the detail of drawing by John McCall Architects referenced Proposed bin store elevations Ref: 1715/L.102, and that the approved details are fully implemented before the occupation of the development and maintained in situ at all times thereafter.

C15 Waste

The discharge of condition 15 (waste management) is approved on the basis that the development is implemented in accordance with the detail of the Watson Homes letter (Condition 15) dated 18 August 2022 with bin storage located in the positions shown on approved drawings ref: Site location plan Ref: PP.2017 / L-001A; and that the approved details are implemented before the occupation of the development and maintained in situ at all times thereafter.

C21 landscaping

The discharge of condition 21 (landscaping) is approved on the basis that the development is implemented in accordance with the detail of Trevor Bridge Associates drawing referenced: Landscape Proposals Ref: 6862.02 Rev A; and the approved scheme is fully implemented not later than 12 months from the date the buildings are first occupied. 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.

Part 2 – Particulars of decision (2)

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.

C18 Drainage

The discharge of condition 18 (drainage maintenance) is refused, as insufficient information has been provided for consideration. A satisfactory verification report is required to be submitted with satisfactory photographic evidence of construction, as shown on the design drawings, including hydrobrake chamber and permeable paving details.

C24 site maintenance

The discharge of condition 24 (site maintenance) is refused, as the submitted details do not respond to the specified and detailed requirements of this condition, in relation to the management of external areas, including the presentation and returning of bins to and from collection points.

C26 Boundaries

The discharge of condition 26 (boundaries) is refused, the details of the metal railing (Type R1) indicates that a gap would be formed between the base of the railings and ground level. This arrangement would not be acceptable as it would potentially lead to

the formation of a litter or vegetation trap. A design solution that encloses this gap should be provided.

Date: 31 August 2022

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.