

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

Approval of details reserved by condition

Applicant

Mr A Halpern
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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 5 (car parking), 7 (BREEAM), 9 (Raised plateau design), 11 (repaving strategy) and 31 (cemetery gates) attached to planning permission referenced 115139/FO/2017

Location: Clarksville Farm , Crescent Road, Manchester, M8 5ZA

Date of application: 24 May 2022

Application number: CDN/22/0294

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.5 Car parking

The parking spaces shown on the Proposed Development Landscape Works General Arrangement Plan ref:PR/17/AH01/GA/01 REV G are considered to be acceptable . Therefore, on the basis the car parking spaces are surfaced, demarcated and made available for use before the development is occupied, and then are available at all times whilst the buildings are occupied, condition no.5 is discharged.

Condition no.7 Sustainability

The following submitted information has been examined .

- Air Permeability Test Certificates for Plots nos.1 ,15, 17,18, 33,38 and 39 ;
- Building Regulation Compliance for nos.34 -86 Saddlecote Close and nos. 69- 101 Saddlecote Close;
- Code for Sustainable Homes Calculation for water usage for the 4 bed semi detached houses;
- Electrical Installation Certificate for 79 Saddlecote Close;
- Energy Performance Certificate Energy Rating B for nos. 34 - 86 and 69-101 Saddlecote Close.

On the basis of the above documentation condition no.7 is discharged.

Condition no.9 Raised plateau

The submitted information referenced below has been examined .

- Section 38 - Proposed highway for adoption plan ref: J4284/HW04 rev.L and Highways Details J484/HW05 rev.C received 5th May 2022
- Saddlecote Close existing plan ref: J7839 /SASD01 received 24th May 2022;
- Section 38 and 278 agreement dated 21st June 2019
- Raised plateau/speed cushion design ref: Insitu Speed Cushions Standard Design Detail C15 rev.A received 18th October 2022;
- Proposed kerb layout plan ref: J4284/HW03 rev.G 18th October 2022;
- Saddlecote Close Proposed Levels plan ref: J7839 /SASD02 ; Saddlecote Close Sections plan ref: J7839 /SASD03; Saddlecote Close legal plan ref: J7839 /SASD04; Remedial Iron Works plan ref: J7839 /SASD05; Saddlecote Close Private Works plan ref: J7839 /SASD06 (on the basis that the annotation referring to steps related to steps which are sited within the curtilage of the associated dwellinghouse) received 15th November 2022.

On the basis that the development is implemented in accordance with the details on the plans specified above before the development is completed, condition no.9 is discharged.

Condition no.11 Re-paving Strategy

The submitted information referenced below has been examined .

- Section 38 - Proposed highway for adoption plan ref: J4284/HW04 rev.L and Highways Details J484/HW05 rev.C received 5th May 2022
- Saddlecote Close existing plan ref: J7839 /SASD01 received 24th May 2022;
- Section 38 and 278 agreement dated 21st June 2019
- Raised plateau/speed cushion design ref: Insitu Speed Cushions Standard Design Detail C15 rev.A received 18th October 2022;
- Proposed kerb layout plan ref: J4284/HW03 rev.G 18th October 2022;
- Saddlecote Close Proposed Levels plan ref: J7839 /SASD02 ; Saddlecote Close Sections plan ref: J7839 /SASD03; Saddlecote Close legal plan ref: J7839 /SASD04; Remedial Iron Works plan ref: J7839 /SASD05; Saddlecote Close Private Works plan ref: J7839 /SASD06 (on the basis that the annotation referring to steps related to steps which are sited within the curtilage of the associated dwellinghouse) received 15th November 2022.

On the basis that the development is implemented in accordance with the details on the plans specified above before the development is completed, condition no.11 is discharged.

Condition no.31 Cemetery Gates

The content of the Cemetery Gates document (ref: H&S Job no.12,490) revision A dated 2nd February 2022, has been examined .

It is noted that it is proposed to strip down, paint and re-use the existing cemetery gates, which will be refurbished and painted black and installed in the existing location, and that a closed-shackle padlock similar to the keyed Alike CEN 4 Abus Silver Rock padlock is proposed to be used to lock the gates, complying with the secure by design recommendation. On the basis that the measures set out above are implemented in full before the development is completed, I can confirm that condition no.31 is discharged.

Date: 29 November 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 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.