

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

Approval of details reserved by condition

Applicant

BNP Paribas Real Estate
Bridgewater Manchester (Luxembourg)
Holding SARL
5 Aldermanbury Square
London
EC2V 7BP

Agent (if used)

Miss Sophie Moore
Savills UK Ltd
12 Booth Street
Manchester
M2 4AW

Part 1 – Particulars of the application/development

Proposal: Discharge of Condition 5 (Canal and Rivers Trust) pursuant to planning permission 129081/FO/2021

Location: 70 Great Bridgewater Street, Manchester, M1 5ES

Date of application: 13 April 2022

Application number: CDN/22/0238

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.

Discharge 5 (Canal and Rivers Trust)

This discharge of condition application has been submitted in relation to Condition 5 (Canal and Rivers Trust) as attached to permission granted under 129081/FO/2021 as below:

The Applicant shall consult with the Canal and River Trust (CRT) prior to the commencement of the construction phase of the development, to ensure that the Site is not at risk of breach flooding and that the proposed development will not affect the integrity of the canal asset during construction & operational phases. Copies of email correspondence shall then be submitted to and approved in writing by the City Council as local planning authority prior to the commencement of the construction phase of the development.

Reason: To prevent the increased risk of flooding, to improve and protect water quality pursuant to policy EN14 & EN17 of the Core Strategy.

The following information has been received to demonstrate compliance/provide further detail as required:

- Correspondence from Canal & River Trust (Reference CRTR-PLAN-2022-35866 dated 11 May 2022) - Received 11 May 2022
- Covering Letter prepared by Savills (Reference PP-11190276 dated 12 April 2022) - Received 13 April 2022
- Email Correspondence between Gilbert Ash and Canal & Rivers Trust dated 07 April 2022 at 16:20) - Received 13 April 2022
- Email Correspondence between Gilbert Ash and Canal & Rivers Trust dated 11 April 2022 at 17:08) - Received 13 April 2022

The submitted information is acceptable and allows for Condition 5 (Canal and Rivers Trust) to be fully discharged, subject to the ongoing correspondence with Canal and Rivers Trust as agreed to between the applicant and the Trust.

Date: 13 May 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.