

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

Approval of details reserved by condition

Applicant

Ms Sophie Nolan
Tilbury Douglas
Woodhouse Drive
Wigan
WN6 7NT

Agent (if used)

Ms Sophie Nolan
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WN6 7NT

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 5 (Drainage), 11 (Fumes), 12 (Plant), 13 (Waste), 15 (Off Site Highways Works), 17 (Traffic Management), 19 (Cycle Storage), 20 (Opening Hours), 25 (Bird and Bat Boxes), 26 (Roller Shutters), 27 (Boundary Treatment) and 29 (Community Use Strategy) associated with planning permission 124767/FO/2019

Location: 56 Bank House Road, Manchester, M9 8LT

Date of application: 9 November 2021

Application number: CDN/21/0836

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.

Drainage

The following information has been submitted in respect of planning condition 5 (Drainage):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Flood Risk Assessment or Drainage, stamped and received by the City Council as Local Planning Authority on 13 December 2021.
- Flood Risk Assessment or Drainage, Flow Control, stamped and received by the City Council as Local Planning Authority on 13 December 2021.
- Photo, stamped and received by the City Council as Local Planning Authority on 17 March 2022.

The above details are considered to be acceptable and condition 5 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Fumes

The following information has been submitted in respect of planning condition 11 (Fumes):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Ventilation Layout 1/3, numbered FS0831-HEC-B1-GF-DR-M-5701, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Ventilation Layout 2/3, numbered FS0831-HEC-B1-GF-DR-M-5702, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Ventilation Layout 3/3, numbered FS0831-HEC-B1-GF-DR-M-5703, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information, Airedale Ventilation Services, stamped and received by the City Council as Local Planning Authority on 7 December 2021.
- Supporting Information- Summary Fan Data Sheet, stamped and received by the City Council as Local Planning Authority on 7 December 2021.
- Supporting Information- Kitchen Ventilation Canopies, numbered DR-Y-0003 P01, stamped and received by the City Council as Local Planning Authority on 8 December 2021.
- Supporting Information- Kitchen Ventilation Design Strategy, stamped and received by the City Council as Local Planning Authority on 4 January 2022.

The above details are considered to be acceptable and condition 11 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Plant

The following information has been submitted in respect of planning condition 12 (Plant):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Noise assessment or information- Acoustic Design Specification (14 November 2019), stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Condition 12 Plant Noise Assessment (7 February 2022), stamped as received by the City Council as Local Planning Authority on 7 February 2022.
- Noise assessment or information- Condition 12 Plant Noise Assessment Validation Measurements (12 April 2022), stamped and received by the City Council as Local Planning Authority on 13 April 2022.
- Email Correspondence- Hours of Operation for the Plant, stamped and received by the City Council as Local Planning Authority on 19 April 2022.

The above details are considered to be acceptable and condition 12 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Waste

The following information has been submitted in respect of planning condition 13 (Waste):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Drawing- Proposed- External Works Details, numbered FS0831-DEP-00-XX-DR-L-0013 C04, stamped and received by the City Council as Local Planning Authority on 14 January 2022.

-Drawing- Proposed- Bin Store, numbered FS0831-JMA-01-ZZ-DR-A-900004-A5 C02, stamped and received by the City Council as Local Planning Authority on 14 January 2022.

-Waste Management- Waste Management Strategy Form, stamped and received by the City Council as Local Planning Authority on 14 January 2022.

-Drawing- Proposed- Surface Finishes and Indicative Levels, numbered FS0831-DEP-00-XX-DR-L-0001revN, stamped and received by the City Council as Local Planning Authority on 25 April 2022.

The above details are considered to be acceptable and condition 13 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Off Site Highways Works

The following information has been submitted in respect of planning condition 15 (Off Site Highways Works):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Supporting Information- Section 278 Plan, numbered FS0831-SUT-ZZ-XX-DR-C-650-001, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Supporting Information- Section 278, numbered FS0831-SUT-ZZ-XX-DR-C-650-002, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 15 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Traffic Management

The following information has been submitted in respect of planning condition 17 (Traffic Management):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Supporting Information- Transport Brief, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 17 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Cycle Storage

The following information has been submitted in respect of planning condition 19 (Cycle Storage):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Supporting Information- Letter, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 19 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Opening Hours

The following information has been submitted in respect of planning condition 20 (Opening Hours):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Opening Hours, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 20 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Bird and Bat Boxes

The following information has been submitted in respect of planning condition 25 (Bird and Bat Boxes):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Tree Survey or Information, Habitat Enhancement Plan, numbered FS0831-DEP-00-XX-DR-L-0032, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Ecology Report- Extended Phase 1 Habitat Survey Report, stamped and received by the City Council as Local Planning Authority on 14 January 2022.

The above details are considered to be acceptable and condition 25 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Roller Shutters

This condition has been discounted as it applies to internal roller shutters. No further action is required.

Boundary Treatment

The following information has been submitted in respect of planning condition 27 (Boundary Treatment):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information, Fencing to Retaining Wall Details, numbered FS0831-DEP-00-XX-DR-L-0033, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Drawing- Proposed- Surface Finishes and Indicative Levels, numbered FS0831-DEP-00-XX-DR-L-0001revN, stamped and received by the City Council as Local Planning Authority on 25 April 2022.
- Supporting Information- Outline Landscape Specification, numbered FS0831-DEP-00-XX-SP-L-0001 A, stamped and received by the City Council as Local Planning Authority on 25 April 2022.
- Photo (2 metre fence), stamped and received by the City Council as Local Planning Authority on 25 April 2022.
- Email Correspondence, stamped and received by the City Council as Local Planning Authority on 25 April 2022.

-Supporting Information- Fencing Details AS BUILT, numbered FS0831-DEP-00-XX-DR-L-0014 C02, stamped and received by the City Council as Local Planning Authority on 25 April 2022.

The above details are considered to be acceptable and condition 27 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Community Use Strategy

The following information has been submitted in respect of planning condition 29 (Community Use Strategy):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Supporting Information- Community Strategy, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 29 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Date: 28 April 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.