

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 Amir Khan
Andersen Textiles
63 Knowsley Street
Manchester
M8 8HX

Agent (if used)

Mr Ian Malyan
FOB Design UK Limited
72A Water Lane
Wilmslow
SK9 5BB

Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 7 (Water Supply Pipe Line), 12 (Roller shutters), 13 (waste management), 15 (Boundary Treatment), 17 (Drainage) and 18 (Electric Vehicle Charging Points) relating to planning permission 127544/FO/2020

Location: 63 Knowsley Street, Manchester, M8 8HX

Date of application: 9 December 2021

Application number: CDN/21/0929

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.

Condition 7 (water supply)

The details contained within the submitted United Utilities supply pipe risk assessment received by the City Council as Local Planning Authority on 9 December 2021, is satisfactory. On this basis, condition 7 can be discharged.

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.

Condition 12 (roller shutters)

Insufficient detail has been received in relation to the roller shutter specification. Details are required in relation to the proposed colour, level of perforation and security specification.

Until such time that acceptable details are submitted and agreed, condition 12 cannot be discharged.

Condition 13 (waste management)

The information submitted is not sufficient. Each unit should be provided with their own containers and sufficient space. Pulpable waste provision will be required for each unit, as it is expected the use of these units will produce a large amount of cardboard. Carboard waste will require a container provision for each unit rather than be stored inside.

Until such time that an updated waste management strategy is submitted and agreed by the City Council as Local Planning Authority, condition 13 cannot be discharged.

Condition 15 (boundary treatment)

The proposed boundary treatment referenced on drawing PL03/E, which involves the retention of Palisade fencing is not satisfactory. New development is expected to achieve a higher level of design. Until satisfactory details are submitted and agreed by the City Council as Local Planning Authority, condition 15 cannot be discharged.

Condition 17 (drainage)

The following information is still outstanding:

- A drainage layout illustrating the described proposed drainage network within the drainage strategy report dated 17/11/2021;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity, including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice;
- Construction details of flow control and SuDS structures.

Until such time that the above details are submitted and agreed by the City Council as Local Planning Authority, condition 17 cannot be discharged.

Condition 18 (EV Charging)

The submitted information in relation to the proposed electric vehicle charging point does not confirm the charging capacity. It needs to be a minimum 7kW charger. Until such time that details are submitted and agreed by the City Council as Local Planning Authority, condition 18 cannot be discharged.

Date: 24 January 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.