MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant

The Oasis Centre
C/o Agent

Agent (if used)

Mr Matthew Gray
Grays Architecture Ltd
Northwood House (N1)
Greenwood Business Centre
Goodiers Drive
Manchester
M5 4QH

Part 1 – Particulars of the application/development

Proposal: Application to discharge Conditions 2 (Drainage), 3 (Suds), 4 (bin/cycle store) and 5 (boundary treatment) attached to reserved matters approval 118495/MO/2017

Location: Former Bank , Hyde Road, Manchester, M18 7FB

Date of application: 10 December 2018

Application number: CDN/18/0807

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 2 - drainage
The following information has been submitted for approval in respect of this planning condition:

Concept Drainage Strategy (ref:DS/18/01) dated September 2018
HBL Drainage Calculations (5951.50 PROPOSED DRAINAGE PLAN REV.P0)
Drawing2 numbered 08/5951 rev P1 and 50/5951 rev P0
All stamped as received by the City Council, as Local Planning Authority, on 31 October 2018.

Email from Edyta Savage, adted 21 December 2019, which outlines evidence of management exceedance events and drawing number 70/5951 rev P0, stamped as received by the City Council, as Local Planning Authority, on 21 December 2018.

The information is considered to be acceptable and condition 2 is now formally discharged, subject to the development only being completed in accordance with these approved details.

Condition 4 - bin/cycle store
The following information has been submitted for approval in respect of this planning condition:

The email, from Andrew Gent, dated 10 December 2018, which indicates that 'Sheffield' hoops would be installed on site, rather than a covered store, and drawing number 4105/103 rev D, stamped as received by the City Council, as Local Planning Authority, on 10 December 2018.

The email from Andrew Gent, dated 25 January 2019, and accompanying photograph indicating the bin store elevations, stamped as received by the City Council, as Local Planning Authority, on 25 January 2019.

The email, from Andrew Gent, dated 7 February 2019, which confirms that the cycle storage is only intended for short periods with no overnight/long term use.

The information is considered to be acceptable and condition 4 is now formally discharged, subject to the bin and cycle storage arrangements being implemented, in accordance with these approved details, as part of the development and remaining in situ whilst the use or development is in operation.

Condition 5 - boundary treatment
The following information has been submitted for approval in respect of this planning condition:

Drawing number 4105/103 rev D, stamped as received by the City Council, as Local Planning Authority, on 10 December 2018.

The information is considered to be acceptable and condition 5 is now formally discharged, subject to the approved boundary treatment being completed before the approved building is occupied and thereafter being retained.

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 3 - Suds
The following information has been submitted for approval in respect of this planning condition:

Concept Drainage Strategy (ref:DS/18/01) dated September 2018
HBL Drainage Calculations (5951.50 PROPOSED DRAINAGE PLAN REV.P0)
Drawing2 numbered 08/5951 rev P1 and 50/5951 rev P0
All stamped as received by the City Council, as Local Planning Authority, on 31 October 2018.

HBL Drainage Maintenance Statement (ref:5951/HBL/DMS/10/18 rev P0)d and drawing number 70/5951 rev P0, stamped as received by the City Council, as Local Planning Authority, on 21 December 2018.

Email, from Andrew Gent, dated 7 February 2019, which details that the drainage is proposed to be adopted and that a Verification report will be provided at the appropriate time, when the works are completed.

This information is considered to be acceptable and all pre-commencement requirements, of this condition, have been addressed satisfactorily. However, condition 3 cannot be formally discharged until a verification report providing photographic evidence of construction, as per design drawings, is submitted when the works are completed.

Date: 28 June 2019

Signed: 

Julie Roscoe
Head 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.