MANCHESTER CITY COUNCIL

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

## Approval of details reserved by condition

| Applicant | Agent (if used) |
|---|---|
| Manchester City Council<br>C/O Agent | Mr Don Murphy<br>Paul Butler Associates<br>31 Blackfriars Road<br>Salford<br>M3 7AQ |

## Part 1 – Particulars of the application/development

**Proposal**: Discharge of conditions 5 (highways construction arrangements), 7 (car park entrance fretwork), 8 (materials - partial discharge only) and 9 (ground contamination - partial discharge only) attached to previously approved planning application 114867/VO/2016

**Location**: Heron House , 11-12 Albert Square, Manchester, M2 5HD

**Date of application**: 28 December 2017

**Application number**: CDN/17/0812

## 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 5**
The following information has been submitted for approval in respect of condition 5:

- Heron House Plan
- Highways Images
- Highways Schedule of Dates
- Scaffold & Hoarding Mark Up
- Scaffold Hoarding
- Heron House Lloyd Street Phasing Plan Registrar
- Albert Square Schedule of Events
- Kier Driver Induction & Site Rules
- Appendix D - Traffic Management Plan

all stamped as received by the Local Planning Authority on 21 December 2017

The information is considered to be acceptable and condition 5 will be formally discharged so long as the development is carried out in accordance with the submitted information.

**Condition 7**

The following information has been submitted for approval in respect of condition 7:

Drawing B1_10_4208 Rev E, stamped as received by the Local Planning Authority on 21 December 2017

The information is considered to be acceptable and condition 7 will be formally discharged so long as the development is carried out in accordance with the submitted information.

**Condition 8**
The following material samples have been submitted for approval in respect of condition 8:

1. Techcrete Deep Acid Etched - Colour C155B8000DAE
2. Techcrete Polished - Colour C155B8000 P
3. Brickwork - RGB Cromwell Red
4. Curtain Wall Frame - Kawneer AA600
5. Blackened Steel Tiger Textured PPC
6. Bronze PPC
7. Courtyard Glazing - 6mm Sunguard Clear Laminated

as viewed on site on 7 February 2018 and detailed in an email from the agent dated 8 February 2018

The information is considered to be acceptable and the above elements of condition 8 will be formally discharged so long as the development is carried out in accordance with the submitted information/materials.

**Condition 9**
The following information has been submitted for approval in respect of condition 9:

- The Phase 2 Site Investigation Report by Roc Consulting dated 8 March 2017, ref. MN/AS/p2 2773 R1

The information is considered to be acceptable and condition 9 will be partially discharged so long as the development is carried out in accordance with the submitted information. The condition cannot be fully discharged until the final verification report is received (that includes the watching brief that was maintained on site during excavation works for any unexpected areas of contamination) to validate that no remediation works were required and no contamination was found.

Date: 9 August 2018

Signed: 

Julie Roscoe
Head 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 of 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.