

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

Partial approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 3 (Waste), 4 (Air Quality), 5 (Noise), 6 (Use Class), 7 (Serviced Apartments), 10 (SuDS), 11 (Foul Water), 13 (CMP), 14 (Archaeology) and 15 (Materials) of Planning Permission 131047/FO/2021.

Location: 35 Liverpool Road, Manchester, M3 4NQ

Date of application: 24 June 2025

Application number: CDN/25/0599

Part 2 – Particulars of decision (a)

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.

Discharge of Conditions 3 (Waste)

Discharge of Conditions 3 (Waste): On the basis of implementation in accordance with the following:

Condition 3 - Refuse & Recycling Storage Scheme Planning Ref: 131047/FO/2021 - 35 Liverpool Road, Manchester stamped as received on 24-06-25 and that the refuse store will need to be within the property boundary and not in an alleyway

the condition is discharged

Condition 6 (Use Class)

Condition 6 (Use Class)- The contents of the covering letter dated 24-06-25 are noted however this is a compliance condition and is not required to be discharged

Condition 7 (Serviced Apartments)

Condition 7 (Serviced Apartments)- The contents of the covering letter dated 24-06-25 are noted however this is a compliance condition and is not required to be discharged

Condition 10 (SuDS)

Condition 10 (SuDS)- On the basis of implementation in accordance with the following:

Drainage Strategy for Discharge of Planning Conditions 10 and 11 Project: 35 Liverpool Road, Manchester, M3 4NQ Planning Ref: 131047/FO/2021 Conditions: 10 and 11
Date: 19 June 25 stamped as received on 24-06-25

the condition is discharged

Condition 11 (Foul Water)

Condition 11 (Foul Water) - On the basis of implementation in accordance with the following:

Drainage Strategy for Discharge of Planning Conditions 10 and 11 Project: 35 Liverpool Road, Manchester, M3 4NQ Planning Ref: 131047/FO/2021 Conditions: 10 and 11
Date: 19 June 25 stamped as received on 24-06-25

the condition is discharged

Condition 14 (Archaeology)

Condition 14 (Archaeology): On the basis of the

35 Liverpool Road Castlefield Manchester Historic Building Investigation by Raven Heritage dated 19/09/25 and stamped as received on 24/06/25 the condition is discharged

Part 2 – Particulars of decision (b)

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 4 (Air Quality)

Condition 4 (Air Quality): On the basis of the submitted information:

Air Quality Mitigation For Discharge of Conditions 4a and 4b Planning Application Ref: 131047/FO/2021 Site Address: 35 Liverpool Road, Manchester, M3 4NQ Conditions: 4(a) and 4(b) - Air Quality Mitigation (Pre-Commencement and Operational Phases).
Date: 20 June 2025 stamped as received on 24-06-25

the condition is not discharged

The information submitted confirms a clean air intake filter will be installed which we can accept and some very brief comments regarding maintenance of the filter. However, we still need recommendations from the consultant with regard to the location of the clean air intake on the building taking into account the proximity of any nearby roads and kitchen extraction units from surrounding restaurants and The White Lion public house. With regard to the maintenance, we will need the specification of the filter recommending / confirming and the inspection and replacement intervals will need to be specified. Also, confirmation of how the future occupier of the property will be made aware of this

requirement with regard to ongoing future maintenance and should the property be sold in the future

Condition 5 (Noise)

Condition 5 (Noise): On the basis of the submitted information:

Condition 5 - Acoustic Insulation and Ventilation Strategy Planning Ref: 131047/FO/2021 Site Address: 35 Liverpool Road, Manchester Date: 22 June 2025 stamped as received on 24-06-25

the condition is not discharged

1. The proposed daytime noise levels used at the Northern façade are accepted but the LAmax levels used for the purposes of the night time assessment appear to be significantly lower than those found in the representative assessment undertaken in 2017. LAmax levels of 82dB have been used rather than 87dB as found in the previous assessment which would be considered as more representative. The report and subsequent recommendations will need to be updated accordingly taking into account the LAmax levels used in the 2017 report.
2. Additionally, it would seem that the supplementary representative 2017 noise assessment does not include noise levels for the Southern façade and as such the noise levels measured in April 2021 may not be entirely representative of normal conditions at this elevation of the building. An updated assessment of the Southern façade will be required during more normal post lockdown conditions and the report and recommendations updated if required.
3. An updated report will need to provide comment and assessment regarding nearby entertainment venues such as the White Lion public house and nearby restaurants and the noise assessment should be undertaken when these premises are operating under normal conditions including when any outside area is in use. Consideration and comment should be included in the updated assessment with regard to the condition criteria in the low frequency octave bands.
4. Assessment of any façade penetrations for services such as ventilation louvres and air intakes for example will be required along with acoustic insulation requirements of these areas to ensure that the penetrations to the building do not compromise the acoustic integrity of the building and lead to an exceedance of the internal noise criteria.
5. Once selected, an assessment will need to be undertaken to demonstrate that any alternative means of ventilation will not exceed the internal noise criteria when in full use, including any boost function if applicable.

Condition 13 (CMP)

Condition 13 (CMP): The Condition 13 - Construction Management Plan Planning Ref: 131047/FO/2021 - 35 Liverpool Road, Manchester stamped as received on 24-08-25 is not acceptable and the condition is not discharged

Dust

There is a section within the document submitted to address condition 4 with regard to dust and AQ control measures during the construction process. These measures need including in the CMP. It should also confirm that any skips or wagons etc will have their loads covered and details with regard to monitoring of the wider environment to confirm

fugitive dust emissions have not escaped the site boundary and details to confirm the action taken if dust has escaped the site along with confirmation that monitoring and any action taken will be recorded.

Complaints and consultation

Details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure.

Condition 15 (Materials)

Condition 15 (Materials): The information submitted :

Condition 15 - External Materials Summary Planning Ref: 131047/FO/2021 Address: 35 Liverpool Road, Manchester stamped as received on 24-08-25

the condition cannot be discharged due to insufficient information being provided as detailed in MCC's e-mail dated 12-08-25

Date: 28 August 2025

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.