

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

Partial approval of details reserved by condition

Applicant

Pitch
C/o Agent

Agent (if used)

Mr Brad Wiseman
Savills (UK) Limited
Belvedere
12 Booth Street
Manchester
M2 4AW

Part 1 – Particulars of the application/development

Proposal: Partial discharge of conditions 6 (external seating), 9 (Disabled toilets), 12 (opening hours), 13 (external areas hours), 20 (noise) and 21 (external plant) pursuant to planning permission 131318/JO/2021.

Location: Manchester Goods Yard , Water Street, Manchester, M3 3BE

Date of application: 31 March 2025

Application number: CDN/25/0317

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.

6 (External Seating)

The following information has been submitted for consideration in respect of this planning condition:

- Mezzanine Floor General Arrangement Plan PL-02
- Covering letter

The above information submitted has been considered and is acceptable on the basis that there is no requirement for external seating associated with this commercial unit.

Condition 6 is now partially discharged in relation to Commercial Unit at Mezzanine level. This commercial unit shall now be carried out in accordance with the above.

9 (Disabled toilets)

The following information has been submitted for consideration in respect of this planning condition:

- Mezzanine Floor General Arrangement Plan PL-02

The above information submitted has been considered and is acceptable.

The submitted plan shows the provision of seven unisex toilets, with an additional DDA toilet, adjacent to the kitchen. There is also one additional DDA toilet located adjacent to the lifts/stair core.

Condition 9 is now partially discharged in relation to Commercial Unit at Mezzanine level. This commercial unit shall now be carried out in accordance with the above.

12 (opening hours)

The following information has been submitted for consideration in respect of this planning condition:

- Confirmation of the opening 10:00 to 01:00

The above information submitted has been considered and is acceptable.

Condition 12 is now partially discharged in relation to Commercial Unit at Mezzanine level. This commercial unit shall now be carried out in accordance with the above.

13 (external areas hours)

The following information has been submitted for consideration in respect of this planning condition:

- Mezzanine Floor General Arrangement Plan PL-02
- Covering letter

The above information submitted has been considered and is acceptable on the basis that there is no requirement for external seating associated with this commercial unit.

Condition 13 is now partially discharged in relation to Commercial Unit at Mezzanine level. This commercial unit shall now be carried out in accordance with the above.

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.

20 (noise)

The following information has been submitted for consideration in respect of this planning condition:

- Reference to a noise study prepared by Sandy Brown for a neighbouring unit

In order to discharge, a acoustic assessment for this particular unit will be required, which shall include an assessment of noise from internal activities, music/entertainment noise, and an assessment of noise breakout to the surrounding receptors and noise transfer to adjoining space adjacent to and above the uses.

This will also require confirmation of internal noise limit to ensure the condition criteria is not exceeded, details of any insulation requirements such as separating walls/ceiling upgrades where required, and details of how the internal noise level once agreed will be set and controlled.

Condition 20 is therefore NOT discharged.

21 (external plant)

The following information has been submitted for consideration in respect of this planning condition:

- Covering letter stating that there is no plant associated with the unit.

To confirm, plant associated with ventilation systems, chillers and the kitchen extraction system are all required to be assessed under this condition. This would include any internally located plant associated with any louvred extract or located behind any louvred extract.

An acoustic assessment of any plant associated with the use of the unit will need to be submitted to demonstrate compliance with the condition in order to address part a) of the condition. Details of any attenuation measures will need to be recommended where required.

Condition 21 is therefore NOT discharged.

Date: 17 June 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.