

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

Partial approval of details reserved by condition

Applicant

Salboy Ltd
Unit 3 Birchwood One Business Park
Dewhurst Road
Warrington
WA3 7GB

Agent (if used)

Mr Joshua Wyatt-Smith
Deloitte
100 Embankment
Cathedral Approach
Manchester
M3 7FB

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 6b (Drainage), 15 (landscaping), 17 (plant), 18 (commercial noise), 19a (residential noise), 19b (residential noise verification), 23 (lighting) and 38 (TV) attached to Planning Permission ref. 138031/JO/2023.

Location: Former Boddingtons Brewery Site , Dutton Street, Manchester, M3 1LE

Date of application: 25 March 2025

Application number: CDN/25/0287

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.

Condition 6b Drainage

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

- Drainage Verification Report has been prepared by Mayo Civils and United Utilities received by the City Council, as Local Planning Authority, on the 25 March 2025

The above information has been considered and is acceptable.

Condition 6 is now formally discharged.

Condition 19a Noise residential

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

- Acoustic Verification Report has been prepared by Jameson Acoustics received by the City Council, as Local Planning Authority, on the 25 March 2025

- Technical note received by the City Council, as Local Planning Authority, on the 16 June 2025

The above information has been considered and is acceptable in respect of part (a) of this planning condition only.

Validation testing is required as per part (b) of the condition.

Conditions 19a is now formally discharged.

Condition 38 TV

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

- TV survey received by the City Council, as Local Planning Authority, on the 25 March 2025

The above information has been considered and is acceptable.

Condition 38 is now formally 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 15 Landscaping

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

- 1174-WRI-XX-XX-DR-L-0004 P05, 1174-WRI-XX-XX-DR-L-0006 P02, 1174-WRI-XX-XX-DR-L-0007 P07, 1174-WRI-XX-XX-DR-L-0008 P03, 1174-WRI-XX-XX-DR-L-0010 P03, 1174-WRI-XX-XX-DR-L-0012 P05, 1174-WRI-XX-XX-DR-L-0029 P06, 1174-WRI-XX-XX-DR-L-0031 P06, 1174-WRI-XX-XX-DR-L-0032 P08 and 1174-WRI-XX-XX-DR-L-0034 P03 received by the City Council, as Local Planning Authority, on the 25 March 2025

The above information has been considered. No details have been provided in respect of the size or specification of the soft landscaping. No details have been provided in respect of hard landscaping samples.

Condition 15 is not formally discharged.

Condition 17 Plant

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

- schedule of externally mounted plant equipment alongside a plan demonstrating its location has been prepared by DOMIS received by the City Council, as Local Planning Authority, on the 25 March 2025

- Email from Deloitte dated 6 May 2025

The above information has been considered. An email was sent to Deloitte on the 16 May 2025 requesting the following information:

The response advises that there is no commercial floorspace within blocks C and D. Can the agent confirm that there is no kitchen associated with the private dining space? If this space does include a kitchen then the kitchen extraction will need to be assessed under this condition.

The response suggests that they only need to provide the details of the plant. I am not sure what they mean as a full assessment of plant is required. The response includes details of the breakout from the MVHR so this information will need to be provided to the consultant for review and assessment provided to demonstrate compliance with the criteria. Is there central plant room associated with the residential in blocks C and D which required louvred extract or is the only plant serving the residential just the individual louvres for each apartment ?

No further details have been received.

Conditions 17 is not discharged.

Condition 18 Noise commercial

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

- Acoustic Verification Report has been prepared by Jameson Acoustics received by the City Council, as Local Planning Authority, on the 25 March 2025

The above information has been considered. An email was sent to Deloitte on the 16 May 2025 requesting the following information:

Points 1 to 3

The response advises that the only limiter to be provided is in the cinema room as the gym and dining space will only include small low level speakers which are not capable of exceeding the criteria in the report to address points 1 to 3. We can accept this but we will require this validating once the speakers have been selected and installed. If the speakers are capable of exceeding the criteria in table 12 then a limiter will need installing. This can be addressed at validation stage.

The response also includes a revised memo to include assessment of the now completed cinema room dated 5th May 2025 reference 22015-TN-03-RO. Based on actual noise measurements with the cinema completed noise limits have been provided on page 5 and levels have subsequently be set and controlled. We can accept the cinema element has now been addressed.

Point 4 - A response has been provided to address point 4 with regard to the gym. The response advises that the activities listed in the restrictions 1 to 3 in the report (free weights area, leg press machine and fixed weight machine) will not be included within the gym which we can accept and will need to form part of the approval. A free Olympic bar is to be included and details of the proposed floor have been included in the response. The details of the proposed floor will need to be provided to the acoustic consultant and an updated memo submitting with assessment to confirm the proposed acoustic resilient floor system will be suitable along with maximum weights to be used for the free Olympic bar weights area.

Point 5 - we will need the gym management policy submitting for review to address this point

Point 6 - the management policy for the dining space has apparently been developed so this should be submitted for review.

No further details have been received.

Conditions 18 is not discharged.

Condition 23 Lighting

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

- 1174-WRI-XX-XX-DR-L-0007 P07 and 1174-WRI-XX-XX-DR-L-0012 P05 received by the City Council, as Local Planning Authority, on the 25 March 2025

The above information has been considered and further details are required on the appearance, height and specification of the lighting columns and bollards.

Condition 23 is not formally discharged.

Date: 13 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.