

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

Partial approval of details reserved by condition

Applicant

Mr David Brown
Science and Industry Museum
Liverpool Road
Manchester
M3 4JP

Agent (if used)

Mr Alex Scrimshaw
Buttress Architects Ltd
41 Bengal Street
Manchester
M4 6AF

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 6 (Imported Soils), 8 (Tree Species), 14 (Cobble setts), 15 (Concrete Slabs) and 16 (Planters) attached to Planning Permission 140203/FO/2024.

Location: Museum Of Science And Industry, Liverpool Road, Manchester, M3 4JP

Date of application: 27 February 2025

Application number: CDN/25/0172

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 8 (Tree Species)

The following information has been submitted for consideration in respect of this planning condition, received by the City Council as the Local Planning Authority on 27 February 2025:

- GA Softworks 2913-PLA-XX-XX-DR-L-2004 P05

The above information submitted has been considered and is acceptable.

Condition 8 now discharged.

Condition 14 (Cobbles/Setts)

The following information has been submitted for consideration in respect of this planning condition, received by the City Council as the Local Planning Authority on 27 February 2025:

- Photo - hard surfaces sample panel 1

- Photo - hard surfaces sample panel 2
- Upper Yard Hardworks Details - Old/New Cobble/Sett Interface - 2913-PLA-XX-XX-DR-L-5012
- Station Approach - Interface Details - New/Old/ Cobble/Sett Interface 2913-PLA-XX-XX-DR-L-5112

The above information submitted has been considered and is acceptable.

The re-used loafed cobbles/setts and new cobbles/setts inclusive of coursing and mortar mix was inspected insitu by the case officer and conservation officer onsite during a visit held on the 14.01.2025.

The following element still needs to be submitted in order to fully discharge condition 14 in relation to Phase One and Phase Two of the development:

- the details of polysulphide sealant where cobbles/setts will meet the existing building

Condition 14 now partially discharged in relation to Phase One and Phase Two of the development.

Condition 15 (Concrete slabs)

The following information has been submitted for consideration in respect of this planning condition, received by the City Council as the Local Planning Authority on 27 February 2025:

- General Arrangement Proposed Hardworks - 2913-PLA-XX-XX-DR-L-1003 P08
- Photo - hard surfaces sample panel 1
- Photo - hard surfaces sample panel 2

The above information submitted has been considered and is acceptable.

The concrete slabs were inspected insitu by the case officer and conservation officer onsite during a visit held on the 14.01.2025

Condition 15 is now fully discharged.

Condition 16 (Planters)

The following information has been submitted for consideration in respect of this planning condition, received by the City Council as the Local Planning Authority on 27 February 2025:

- General Arrangement Proposed Furniture - 2913-PLA-XX-XX-DR-L-4004 P05
- Photo - corten sample

The above information submitted has been considered and is acceptable.

The corten sample was inspected by the case officer and conservation officer onsite during a visit held on 14.01.2025.

Fabrication drawings of the proposed planter will need to be provided in order to fully discharge the condition.

Condition 16 is now partially 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 6 (Imported Soils)

The following information has been submitted for consideration in respect of this planning condition, received by the City Council as the Local Planning Authority on 27 February 2025:

- Topsoil Analysis Report
- Certificate of Analysis produced by NRM Laboratories

The above informed has been considered and is not sufficient enough in order to discharge the condition.

In order to discharge, the Local Planning Authority will still need evidence that a minimum of 300mm subsoil and topsoil over a no dig marker layer has been installed in soft landscape areas.

Also required will be a validation report to confirm the details of the watching brief and confirmation of whether any contamination was found or not and details of remediation required / undertaken where found.

Condition 6 is therefore NOT discharged.

Date: 12 May 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.