

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

Approval of details reserved by condition

Applicant

C/o Agent
E&E Barton Estates Limited
C/o Agent

Agent (if used)

Steven Shaw
C4 Projects
340 Firecrest Court
Centre Park
Warrington
WA1 1RG

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 12C (electric vehicle charging), 19 (HGV routing strategy), 27a (biodiversity) attached to planning permission 140488/JO/2024

Location: Land To North Of Lawton Street , New Smithfield Market, Openshaw, Manchester, M11 2WJ,

Date of application: 30 January 2025

Application number: CDN/25/0083

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 12C (EVC ducting)

The details on the Site plan as proposed plan ref: 23131-C4P-80-S01XX- D-A- 8003 rev.P09 and Site Plan - Ducting as proposed plan ref: 23131-C4P-80-80-S01XX-D-A-8004 rev.P02 received 6th March 2025 have been examined and are considered to be acceptable in regard to ducting.

On the basis that the ducting is implemented in accordance with the details on the plans referenced above, prior to the building in phase 1 being occupied, condition no.12 c is discharged in respect of Phase 1 of the development.

Condition no.19 (HGV routing strategy)

The HGV routing strategy referenced in the Transport Note 01 dated September 2024 has been reviewed in relation to Phase 1 of the development. On the basis that Phase 1 of the development is operated in strict accordance with the approved strategy for that phase for as long as the development is operational, condition no.19 is discharged in relation to Phase 1 of the development.

Condition no.27a (biodiversity)

The details on the Landscape Masterplan - Hard and soft landscape finishes ref: 23131-C4P- 15-S01XX-D-A - 1502 rev. P06 received 24th February 2025 have been examined and are considered to be acceptable. On the basis that the biodiversity enhancement measures for phase 1 of the development are implemented in accordance with the Landscape Masterplan - Hard and soft landscape finishes ref: 23131-C4P- 15-S01XX-D-A - 1502 rev.P06 received 24th February 2025, prior to the occupation of the building within phase 1 of the development, condition 27a is discharged.

Date: 26 March 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 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 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 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.