

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 Tom Chambers
One Heritage Group plc
80 Mosley Street
Manchester
M2 3FX

Agent (if used)

Mr Luke Kenney
DAY Architectural
77 Deansgate
Manchester
M3 2BW

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 6 (Glare), 9 (Parking Management), 14 (Roof Terrace Hours), 21a (Noise Plant), 25 a (Travel Plan), 31 (Residents Management Strategy), 33 (Gates) and 36 (Disabled Parking -Travel Plan) attached to planning permission 122280/FO/2019 as amended by 136185/NMC/2023.

Location: Land Bounded By Great Ducie Street And Mirabel Street , Manchester

Date of application: 23 December 2024

Application number: CDN/24/1202

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 9 (Parking Management)

Condition 9 (Parking Management): On the basis of ongoing compliance with the Planning Condition 9: One Victoria Report by Zenith Property Management the condition is discharged

Condition 14 (Roof Terrace Hours)

Condition 14 (Roof Terrace Hours): On the basis of ongoing operation in accordance with the hours and access measures set out within the Planning Condition 14: One Victoria Report by Zenith Property Management the condition is discharged

Condition 25 (Travel Plan)

Condition 25 (a) (Travel Plan): On the basis of ongoing compliance with the following:

One Victoria, Great Ducie Street, Full Travel Plan, Curtins Ref: 87303-CUR-XX-XX-T-TP-00001, Revision: P02 Issue Date: 13 February 2025 by Curtins

this part of the condition is discharged

To discharge part b the above Travel Plan will need to be reviewed within 6-months of occupation and upon completion of a revised Travel Plan which takes into account the baseline travel survey submitted to the City Council as Local Planning Authority for approval

Condition 31 (Residents Management Strat

Condition 31 (Residents Management Strategy): On the basis of ongoing compliance with the following:

Residents Management Strategy Report by Zenith Property Management the condition is discharged

Condition 33 (Gates)

Condition 33 (Gates): On the basis of implementation in accordance with Dwg 204-TPM-10-10-DR-L-101 Rev H and on the basis of Network Rail's e-mail dated 16-01-25

the condition is discharged

Condition 36 (Disabled Parking -Travel P

Condition 36 (Disabled Parking -Travel Plan): On the basis of ongoing compliance with the measures set out within Day Architecture's e-mail dated 10-02-25 in relation this condition

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 21a (Noise Plant)

Condition 21a (Noise Plant): On the basis of the submitted information the condition is not discharged

The information submitted is just the technical data for what is possibly the emergency generator but not been supported by any interpretation or a noise impact assessment which will be required. All plant will need to be assessed under this condition not just the generator.

Date: 12 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 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.