

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

Partial approval of details reserved by condition

Applicant

Harrison
Virtu Homes
5300 Lakeside
Cheadle Royal Business Park
SK8 3GP

Agent (if used)

Anna Taylor
MacMarshalls Ltd
Hamill House
112-116 Chorley New Road
Bolton
BL1 4DH

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 5 (EV provision), 6 (cycles), 7 (ES), 8 (waste management), 9 (ecological enhancements), 10 (security), 11 (noise) and 12 (CMP) attached to planning permission referenced 138806/FO/2023

Location: Victoria Mill, 10 Lower Vickers Street, Manchester, M40 7LH

Date of application: 3 January 2025

Application number: CDN/25/0003

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 5 (EV)

The electric vehicle charging provision shown on drawing referenced SK117 and detailed within the Supporting Statement prepared by MacMarshalls, received by the City Council as Local Planning Authority on 3 January 2025, is satisfactory. Subject to implementation of the agreed details, condition 5 can be discharged.

Condition 7 (ES)

The environmental standards detailed within the submitted Regulations Compliance Report (Ref: 1.0.5.600), prepared by E2 Consultants, received by the City Council as Local Planning Authority on 3 January 2025, is satisfactory. Subject to implementation of the agreed details, condition 7 can be discharged.

Condition 9 (ecological enhancements)

The ecological enhancements shown on drawing referenced TR-01/V1 received by the City Council as Local Planning Authority on 3 January 2025, are satisfactory. Subject to implementation of the agreed details, condition 9 can be discharged.

Condition 10 (security measures)

The security measures shown on drawing referenced SK119, received by the City Council as Local Planning Authority on 3 January 2025, are satisfactory. Subject to implementation of the agreed details, condition 10 can be 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 (cycles)

The proposed cycle store accommodates 18no. cycle parking spaces in the form of 1no x 3 space cycle rack and 3no. x 5 space cycle racks.

Clarification is required regarding the number of existing cycle parking spaces that is provided for residents to ensure the uplift in apartments at the site can be catered for in terms of cycle storage provision.

Until such time that satisfactory details are received and agreed in writing by the City Council as Local Planning Authority, condition 6 cannot be discharged.

Condition 8 (waste management)

The submitted diagram does not make it clear which bins are for the proposed new apartments. It needs to be demonstrated that there is sufficient space to cater for the required number of receptacles associated with the uplift in waste generation.

Until such time that satisfactory details are received and agreed in writing by the City Council as Local Planning Authority, condition 8 cannot be discharged.

Condition 11 (noise)

Environmental Health have reviewed the submitted Acoustic Survey by Martin Environmental Solutions Ltd dated November 2023.

Whilst the suggested glazing is acceptable, City Council criteria cannot be achieved with open windows. Mechanical ventilation would be required. Trickle vents are not sufficient.

Until such time that satisfactory details are received and agreed in writing by the City Council as Local Planning Authority, condition 11 cannot be discharged.

Condition 12 (CMP)

The details contained within the submitted Construction Management Plan are not sufficient. Further details are required in relation to:

- Hours of work,
- Noise, vibration and dust mitigation.
- The provision of a Traffic Management Plan detailing vehicular and pedestrian access points to the site; site compound location including site office and welfare facilities; any turning areas, contractor/staff car parking, vehicle swept path details to show the largest anticipated construction and delivery vehicle can enter and exit the site in a forward gear, the location of waste storage areas including skips, loading and unloading areas for plant and materials, a dilapidation survey of nearby access points to the highway.

Until such time that satisfactory details are received and agreed in writing by the City Council as Local Planning Authority, condition 12 cannot be discharged.

Date: 14 February 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.