

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

Approval of details reserved by condition

Applicant

Mr James Sidlow
Renaker Build Ltd
NQ Building
47 Bengal Street
Mobberley
Manchester
M4 6BB

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 20 (Ventilation Strategy for retail units 2b, 3a, 3b and 8), 21 (Opening Hours for retail unit 8), 24 (A3 Acoustics for retail units 2b and 8), 27 (External Equipment Acoustics for retail unit 8) and 45b (External Seating for unit 2b) attached to planning permission 111719/FO/2016/C1

Location: Owen Street, Manchester, M15 4TN

Date of application: 2 March 2022

Application number: CDN/22/0057

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 20 - Fumes 2b, 3a, 3b & 8

Condition 20 is discharged only in relation to the following units on the basis of the information referred to:

Unit 2b - The Ventilation Strategy Statement for Salvis Restaurant, Deansgate Square by MEP Design Reference 20_027-Z1-MEP-G525-RP-XX-001 Revision P03 received by the City Council as local planning authority on 2 February 2022 shall be implemented before the use of Unit 2b commences and shall be retained thereafter.

Unit 3a - The ventilation strategy set out in the document titled 'Planning- Condition 20 - Retail Unit 3a, Deansgate Square, Manchester - Rev 02' received by the City Council as local planning authority on 10 May 2022 and in the photograph of the extraction louvre and box received by the City Council as local planning authority on 25 May 2022 shall be implemented before the use of Unit 3a commences and shall be retained thereafter.

Unit 3b - The ventilation strategy set out in the document titled 'Planning- Condition 20 - Retail Unit 3b, Deansgate Square, Manchester - Rev 02' received by the City Council as

local planning authority on 2 March 2022 shall be implemented before the use of Unit 3b commences and shall be retained thereafter.

Unit 8 - The ventilation strategy set out in the document titled 'Planning- Condition 20 - Retail Unit 8, Deansgate Square, Manchester' received by the City Council as local planning authority on 2 March 2022 shall be implemented before the use of Unit 8 commences and shall be retained thereafter.

Condition 21 - Opening Hours Unit 8

Further to the submitted information, 'Unit 8 Opening Hours', received by the City Council as local planning authority on 7 February 2022, condition 21 is discharged in relation to Unit 8 only, on the basis that Unit 8 shall not open outside the following hours:

Monday to Saturday - 09:30 to 18:00; and
Sunday - 10:30 to 16:30.

Condition 24 - A3 Acoustics Units 2b & 8

The following information has been submitted to discharge condition 24 in relation to units 2b and 8:

Unit 2b - The Fisher Acoustics letter reference: MPF/PR0534/L16 dated 7 January 2022;

Unit 8 - The Fisher Acoustics letter reference: MPF/PR0534/L17 dated 7 January 2022.

Condition 24 is discharged in relation to units 2b and 8 only, on the basis that those units operate in accordance with the above submitted information.

Condition 27 - Ext Equipmt Acoustics 8

Condition 27 is discharged in relation to Unit 8 only, on the basis that this unit does not have any external plant or equipment.

Condition 45b - External Seating Unit 2b

Part b) of condition 45 is discharged in relation to Unit 2b only, on the basis that the external seating area for Unit 2b operates in accordance with the letter from AXI reference: AXI/20-39/Salvis/Deansgate Square/Planning/FE/Le001 Rev01 dated 1 March 2022 and on the basis that all furniture, posts and barriers are stored internally within the building overnight.

Date: 10 December 2024

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.