MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant	Agent (if used)
Iduna Evci Asset Co 1 Limited C/o Agent	Mrs Larna Smith Avison Young 11 York Street Manchester M2 2AW

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 10a (external lighting, 16 (green roof management) and 20 (opening hours) attached to planning permission referenced 139860/JO/2024

Location: Corner Of Reliance Street And Oldham Road, Manchester, M40 1EZ

Date of application: 18 December 2024

Application number: CDN/24/1179

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 10a (External Lighting Scheme)
The submitted external lighting scheme is acceptable.

The agreed details shall be installed and a verification report prepared and submitted in order to discharge part b) of Condition 10. For the avoidance of doubt part b) states:
" Prior to the first use of the approved lighitng scheme development a verification report shall be prepared and submitted to and agreed in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light scheme. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria."

Condition 20 - Opening Hours
The following opening hours for the retail unit are acceptable, the unit should be operated in accordance with these details:
-Monday to Sunday, including UK Bank Holidays (except Christmas Day) 0700 to 1900

-Christmas Day (25th December) Closed

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 16- Maintenance and Management
Whilst the general maintenance and management of landscaping is acceptable condition 16 requires the following information to be provided which is absent from this submission:
- Details of the 'green roof' as identified on the approved plans together with a long term maintenance and management plan and timescale's for its implementation prepared by a suitably qualified specialist

Date: 2 January 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.