

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

Approval of details reserved by condition

Applicant

Martin Power
3 Imperial Way
Manchester
M9 8FE

Agent (if used)

Miss Mackenzie Petcher
Extension Plans UK
85 Uxbridge Road
Ealing Cross
London
W5 5BW

Part 1 – Particulars of the application/development

Proposal: Application to discharge condition no. 5 (gas membrane) attached to planning permission 139268/FH/2024

Location: 3 Imperial Way, Manchester, M9 8FE

Date of application: 19 August 2024

Application number: CDN/24/0783

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.

Gas membrane

The following information has been submitted in respect of planning condition 5 (gas membrane):

-Application Form, stamped and received by the City Council as Local Planning Authority on 19 August 2024.

-Drawing- Proposed- Typical Ground Bearing Slab Edge Detail, numbered ENG/GP/MEM/PUR/06 REV C, stamped and received by the City Council as Local Planning Authority on 19 August 2024.

-Drawing- Proposed- Typical Edge Detail- Beam & Block Floor Detail, numbered ENG/GP/MEM/PUR/08 REV C, stamped and received by the City Council as Local Planning Authority on 19 August 2024.

-Drawing- Proposed- Typical Level Threshold Detail, numbered ENG/GP/MEM/PUR/09 REV B, stamped and received by the City Council as Local Planning Authority on 19 August 2024.

-Drawing- Proposed- Typical Internal Cavity Wall Detail, numbered ENG/GP/MEM/PUR/11 REV B, stamped and received by the City Council as Local Planning Authority on 19 August 2024.

-Drawing- Proposed- Typical Pipe Penetration Details, numbered ENG/GP/MEM/PUR/16 REV C, stamped and received by the City Council as Local Planning Authority on 19 August 2024.

- Drawing- Proposed- Ground Floor Services, numbered IW-R00-BR-201.1, stamped and received by the City Council as Local Planning Authority on 19 August 2024.
- Drawing- Proposed- Foundation Details, numbered IW-R00-BR-203.1, stamped and received by the City Council as Local Planning Authority on 19 August 2024.
- Supporting Information- Installer Profiles, stamped and received by the City Council as Local Planning Authority on 19 August 2024.
- Supporting Information- Membrane Data Sheet, stamped and received by the City Council as Local Planning Authority on 19 August 2024.
- Supporting Information- Membrane Installation Guide, stamped and received by the City Council as Local Planning Authority on 19 August 2024.

The above details are considered to be acceptable to discharge the first part of condition 5 attached to planning permission referenced 139268/FH/2024 on the basis the development is fully implemented in accordance with the approved details.

Any further development shall not compromise any existing remedial measures previously installed at the site as part of Planning Permission 091147/MO/2009/N1. Upon completion of the works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to ensure that the existing remedial measures have not been compromised.

Date: 10 October 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.