MANCHESTER CITY COUNCIL

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

## Approval of details reserved by condition

**Applicant**

35 Fountain Street Limited
A&L Suite 1-3
The Hop Exchange
24 Southwark Street
London
SE1 1TY

**Agent (if used)**

Miss Laura Pennington
CBRE Limited
10th Floor
One St Peters Square
Manchester
M2 3DE

## Part 1 – Particulars of the application/development

**Proposal**: Discharge of Conditions 3 (Highways Dilap) and 4 (Swept Path) attached to Planning Permission 136013/FO/2023.

**Location**: 35 Fountain Street, Manchester, M2 2AN

**Date of application**: 5 June 2024

**Application number**: CDN/24/0483

## 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.

**(Highways Dilap)**
Condition 3 can hereby be considered to be discharged on the basis of the Highways Dilapidation Survey prepared by SLR and dated 20 May 2024.

**Condition 4 (Swept Path)**
Condition 4 can be considered to be discharged provided that the swept path drawings within the Construction Swept Path Analysis prepared by SLR dated 23 May 2024 received by the City Council as local planning authority on 5 June 2024, the Demolition Construction Management Plan prepared by Total Reclaims Demolition received by the City Council as local planning authority on 19 July 2024 and the emails from CBRE Limited dated 23/07/204 and 25/07/24 are complied with for the duration of the works and that the Applicant continues having discussions with the council's Highway Network Management teams to discuss any requirements for licensing, hoarding / scaffolding and any associated temporary pedestrian/traffic management arrangements, including section 50.

Date: 5 August 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 of 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.