

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

Approval of details reserved by condition

Applicant

Manchester City Council
C/o Agent

Agent (if used)

Mr. John Cooper
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Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 5 (Lighting), 6 (Secure by Design), 18 (Drainage Management) and 23 a-h(Public Realm) attached to application ref no 130034/JO/2021

Location: Factory, 161 Water Street, Manchester, M3 4JQ

Date of application: 25 May 2023

Application number: CDN/23/0336

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 5 (Lighting)

Condition 5 (Lighting)- On the basis that the proposed feature art and light installations within the undercroft of the building no longer proposed no further action is required in relation to this condition.

Condition 6 (Secure by Design),

Condition 6 (Secure by Design) -On the basis of the Secure by Design Certificate dated 10-08-23 the condition is discharged

Condition 18 (Drainage Management)

Condition 18 (Drainage Management) -On the basis of the following:

Design Note :Project The Factory, Manchester: Subject Drainage Management and Maintenance: Project no 034933 Date 16 May 2023

the condition is discharged providing appropriate written agreements are in place with the future asset owners.

Condition 23 a-h(Landscaping 2)

Condition 23 a-h(Landscaping 2)

(a) Details of method to protect from the risk of falling at the interface of the ramp and seating steps;

On the basis of implementation in accordance with the following:

Dwg MF-PLA-XX-GF-DR-L-10-7005-C06

this part of the condition is discharged

(b) Details of bin design within the public realm;

It is noted that no bins are proposed within the Site Edged Red so on this basis no further action is required in relation to this condition.

(c) Details of the River Wall Balustrade;

On the basis of implementation in accordance with the following:

River Wall Balustrade Detail - Ba2 (MF-PLA-XX-GF-DR-L-10-7017-C07) and River Wall Balustrade Detail - Ba1 (MF-PLA-XX-GF-DR-L-10-7018-P03)

this part of the condition is discharged

(d) Details of a signage strategy in relation to way finding within the development and associated public realm;

It is noted that there is no wayfinding signage proposed within the red line boundary so on this basis no further action is required in relation to this condition.

(e) Building and public realm lighting scheme;

On the basis of implementation in accordance with the following:

(a) Dwgs MF-BDP-XX-XX-DR-E-70-8092, 8093, 8094, 8095, 8096 and 8097

(b) MF-BDP-XX-XX-SP-YX-70-8002, 8003, 8807 and 8008; and

(c) MF-CHT-XX-XX-SH-YX-0001

the condition is discharged

(f) Details and location of traffic calming measures and management of crossings within public realm;

On the basis of implementation in accordance with the following: MF-PLA-XX-GF-DR-L-10-4002-C09 the condition is discharged

(g) Details of illuminated with art work projections;

Noted that this is no longer proposed so on this basis no further action is required in relation to this condition.

(h) Seating column rings;

On the basis of implementation in accordance with the following:

Dwg MF-PLA-XX-GF-DR-L-10-7004-C02

this part of the condition is discharged

(i) Implementation programme for items (a) to (h) IMPLEMENTED

Date: 1 July 2024

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

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.