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)
Salboy Central Limited C/o Agent	Mr Joe McElhone Deloitte Hanover Building Corporation Street Manchester M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 5e (Drainage Verification), 7b (Ground Conditions Verification), 17 (SuDs Management), 20a and b (Plant), 22 a and b (Noise Residential), 23 (Waste) and 26 (Lighting) attached to Planning Permission 133998/JO/2022

Location: Former Bauer Millett Site , Albion Street, Manchester

Date of application: 4 April 2024

Application number: CDN/24/0255

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 7b Ground Conditions
The following information has been submitted in respect of this planning condition:

- Brownfield Solutions, Remediation Verification Report, Reference: AH/C4460/12908, Dated: March 2024

The above information has been considered and is acceptable.

Condition 7 is now formally discharged.

Condition 20a Plant
The following information has been submitted in respect of this planning condition:

- Hann Tucker Report, Reference: HT:27528/PTM9, Dated: 9 February 2024 Condition 20b

The above information has been considered and is acceptable. The plant shall be carried out in accordance with the above information.

Condition 20a is now formally discharged.

Condituion 22b Residential verification
The following information has been submitted in respect of this planning condition:

- Acoustic testing report received by the City Council, as Local Planning Authority, on the 30 May 2024

The above information has been considered and is acceptable.

Condition 22b is now formally discharged.

Condition 22a Residential noise
The following information has been submitted in respect of this planning condition:

- Hann Tucker Report, Reference: HT:25728/PTM7/R1, Dated: 3 May 2023

The above information has been considered and is acceptable. The development shall be carried out in accordance with the above information.

Condition 22a is now formally discharged.

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 5 Drainage
The following information has been submitted in respect of this planning condition:

- Details received by the City Council, as Local Planning Authority, on the 4 April 2024

The above information has been considered and is not sufficient to discharge this planning condition.

An email was sent to Deloitte on the 10 May 2024 requesting further information. No further details have been submitted.

Condition 5 is not formally discharged.

Condition 17 Drainage Management
The following information has been submitted in respect of this planning condition:

- Details received by the City Council, as Local Planning Authority, on the 4 April 2024

The above information has been considered and is not sufficient to discharge this planning condition.

An email was sent to Deloitte on the 10 May 2024 requesting further information. No further details have been submitted.

Condition 17 is not formally discharged.

Condition 20 b Plant verification
No details have been submitted in respect of this planning condition. Please supply the verification report.

Condition 23 Waste
The following information has been submitted in respect of this planning condition:

-Waste strategy (SLR, Reference: 410.001015.00001, Dated: 13 March 2024)

The above information has been considered.

The proposal would not be in accordance with MCC waste guidance and not revised proposal has been presented.

Condition 23 is not formally discharged.

Condition 26 Lighting
An email was sent on the 30 April 2024 to Deloitte requesting further information. No response has been received.

Date: 24 June 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 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.