

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

Partial approval of details reserved by condition

Applicant

Stalker
Aytoun Street Developments Limited
Isaacs Building
4 Charles Street
Sheffield
S1 2HS

Agent (if used)

Sabine Dunstan
64 Chapeltown Street
Manchester
M1 2WQ

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 15 (Refuse Commercial), 26 (Hours Commercial) and 28b (Furniture Strategy) attached to Planning Permission 115570/FO/2017 as amended by 130262/NMC/2021 Units G4.1.A, G4.1.B, G3 and G4.2

Location: Aytoun Building, Aytoun Street, Manchester, M1 3GH

Date of application: 12 February 2024

Application number: CDN/24/0094

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 15 (Refuse Commercial)

Condition 15 (Refuse Commercial) On the basis of ongoing compliance with the following:

Waste Management Strategy - Kampus by Native stamped as received on 12-02-24;
and

Refuse Store Plan A 02 stamped as received on 12-02-24

the condition is discharged for units G4.1.A, G4.1.B, G3 and G4.2

Condition 28 (Signage and Furniture Stra

Condition 28b (Furniture Strategy)- On the basis of compliance with the Outside Furniture- Kampus Strategy by Native stamped as received on 12-02-24 this part of the condition is discharged for units G4.1.A, G4.1.B, G3 and G4.2

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 26 (Hours Commercial)

Condition 26 (Hours Commercial): On the basis that condition 14 on the consent relating to acoustic insulation has not been approved (see decision on CDN/20/0310) and that specific hours have not been provided for Unit G4.1A this condition is not discharged for units G4.1.A, G4.1.B, G3 and G4.2

Date: 5 April 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.