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)
Hanover Square Hospitality Group Ltd C/o Agent	Lynsay Ewart Paul Butler Associates 31 Blackfriars Road Salford M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 3 (Samples), 4 (Lighting), 5 (SbD), 11 (Hours of Operation), 13a (Noise) attached to Permission 137851/JO/2023.

Location: 40 Chorlton Street, Manchester, M1 3HW

Date of application: 19 January 2024

Application number: CDN/24/0034

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.

Samples
The following information has been submitted in respect of condition 03 (Samples):

-Northcot Brick (Supporting Information NORTHCOT BRICK TECHNICAL DATA SHEET PRODUCT SPECIFICATION - BRICK received by the City Council, as Local Planning Authority, on 29/01/2024)
-Flemish bond mortar
-Wormsley's brick and stone imitation mortar (Supporting Information WOMERSLEYS STONE & BRICK REPAIR MIX received by the City Council, as Local Planning Authority, on 29/01/2024)
-Window (Drawing - Proposed 2725-001 REV B MAYA 3-SOUTH EAST WINDOWS received by the City Council, as Local Planning Authority, on 29/01/2024)
-Door (Drawing - Proposed 2725-047 MAIN ENTRANCE DOOR AND FRAME received by the City Council, as Local Planning Authority, on 27/02/2024) For the avoidance of doubt, this element is discharged on the basis it is a fire door and should otherwise remain secured shut.
-Supporting Information MATERIAL SPECIFICATION FOR EXTERNAL FINISHES received by the City Council, as Local Planning Authority, on 27/02/2024

The submitted information is considered acceptable and condition 03 attached to Application ref: 137851/JO/2023 is hereby discharged provided the development is carried out in accordance with the above information.

Lighting
The following information has been submitted in respect of condition 04 (Lighting):

-Supporting Information DARTMOUTH TWIN GU10 PRODUCT SPECIFICATION - LIGHTING
-Supporting Information PROJECT NUMBER : 36846 LIGHTING ASSESSMENT
Both received by the City Council, as Local Planning Authority, on 07/02/2024

The submitted information is considered acceptable and condition 04 attached to Application ref: 137851/JO/2023 is hereby discharged provided the development is carried out in accordance with the above information.

Noise
The following information has been submitted in respect of condition 13a (Noise):
-Noise assessment or information ACOUSTIC ASSESSMENT received by the City Council, as Local Planning Authority, on 19/01/2024

The submitted information is considered acceptable and part (a) only of condition 13 attached to Application ref: 137851/JO/2023 is hereby discharged provided the development is carried out in accordance with the above information.

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.

SbD
Condition 05 (SbD) cannot yet be discharged as insufficient information has been provided. The following has not been submitted:

-Evidence of secure by design accreditation

Hours
Condition 11 (Hours) cannot yet be discharged as insufficient information has been provided. The following has not been submitted:

-Part (b) of condition 13 (Noise) attached to planning permission 137851/JO/2023 must be agreed before the hours can be agreed

Date: 10 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.