

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

Partial approval of details reserved by condition

Applicant

CD9 Properties (Manchester) Ltd
C/o Agent

Agent (if used)

Mr John Cooper
Deloitte
Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 6 (Construction Management Plan), 7 (Local Labour - part a), 9 (Details pre-commencement - part a, b, c and f), (Partial discharge) 15 (Noise Use - part a), 20 (Net Zero Embodied Carbon) (Partial Discharge) and 21 (Operational Carbon Statement) (Partial Discharge) attached to the planning permission 127881/FO/2020 as amended by 136975/NMC/2023

Location: 109-127 Market Street, Manchester, M60 1TA

Date of application: 17 March 2023

Application number: CDN/23/0193

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 6 (Construction Management Pla

Condition 6 (Construction Management Plan)- On the basis of ongoing compliance with the following:

Rylands Building, Manchester. Construction & Methodology Statement Rev F - 27th June 2023 by Russell WBHO; and

Rylands Building , Manchester Scaffold Methodology, Rev: E 27/06/2023 by Russell WBHO

the condition is discharged

7 (Local Labour - part a)

Condition 7 (Local Labour - part a) On the basis of ongoing compliance with the following:

RWBHO LOCAL LABOUR KPI TARGETS stamped as received on 10-11-23

this part of the condition is discharged.

Condition 9 details

Condition 9 (Details pre-commencement)(Partial discharge) -

Part (a) A schedule of any intrusive investigations and mitigation/ repair including details of the need for the works, the number, sizes, locations and method statement for each task including building protection works; The proposed method statement shall be updated to include evidence of appropriate measures to protect the culvert's structural integrity during the proposed intrusive site investigations to inform the structural design. This shall include appropriate trial locations and the avoidance of loading by machinery. This should be supplied by an appropriately qualified structural engineer. This should also include evidence of investigations (as far as feasible) to determine if the culvert is located onsite or under the adjacent Tib Street.

On the basis of the following documents and implementation in accordance with these as applicable in terms of the above:

Contractors Task Method Statement. For Site Investigations Rylands Building, 109 - 127 Market Street, Manchester. M60 1TA By: Peter Cresswell Date: 22/02/2023 Rev: A;

TEMPORARY WORKS GROUND CONDITIONS, RYLANDS BUILDING, MANCHESTER, FIRST ISSUE, APRIL 2023, PROJECT REF: TM/22/1343 by Tier Consult; and

File note Subject: River Tib, Project: Rylands Building - Manchester, Reference: RBM-WHL-XX-XX-FN-S-0052_P01 by Woolgar Hunter engineers

this part of the condition is discharged

Part (b) A schedule of paint sampling including all painted surfaces such as the staircases, windows, walls and ceilings and panelling (which may have originally been a exposed wood finish)as a record and in order to inform the proposed decoration;

On the basis of the following:Principles of Paint Analysis prepared by Stephen Levrant Architecture; and - Proposed Paint and Plaster Analysis Floor Plans produced by Jeffrey Bell Architects.

this part of the condition is discharged

Part (c)Method statement for removal of any fabric as part of any strip out works (including original floor, wall, ceiling finishes) exposed during strip out works for (a) the existing shop fit out; (b) the Bet Fred Unit; and (c) the ground floor frontages (which shall be subject to a watching brief and recording) and for any proposals to repair fabric or structural works / repairs in relation to this. This should inform the Strategy for the re-use / relocation of any original features, fixtures or fittings within the final proposals (condition12(f)) including incorporation of any exposed element of original shopfront;

On the basis of the following:

Planning Method Statement for the Removal of Asbestos Rev: Rev C prepared by Russell WBHO, containing the following appendices:

- *Non-Licensed Asbestos Strip Method Statement prepared by Reddish Vale;
- *Enabling Works Method Statement prepared by Reddish Vale;
- *Escalator Removal Method Statement prepared by Reddish Vale; and
- *Soft Strip Works Method Statement prepared by Reddish Vale.

as supplemented by Deloitte's e-mail of 14-04 23

this part of the condition is discharged

Part (f) On the basis of the following : Planning Method Statement for Heritage Staircase (including Column Encasements and Heritage Lift Doors) produced by Russell WBHO as amended by METHOD STATEMENT APPENDIX D, Rylands - Staircase Reinstatement Feasibility Study and dwgs 1526 SK1240, 1241, 1244 and 1245 this part of the condition is discharged on the basis that a location for the staircase within the new development will be identified and details of its reinstatement provided within 18 months of the discharge of this condition

Condition 20 (Net Zero Embodied Carbon)

Condition 20 (Net Zero Embodied Carbon) (partial discharge) - On the basis of the implementation of the measures and recommendations within the THE RYLANDS BUILDING STAGE 3+ NET ZERO CARBON AND CIRCULAR ECONOMY STRATEGY REPORT 02 March 2023 by Max Fordham the pre-commencement requirements of the condition are discharged.

Condition 21 (Lighting)

Condition 21 (Operational Carbon) (partial discharge) - On the basis of the implementation of the measures and recommendations within the THE RYLANDS BUILDING STAGE 3+ NET ZERO CARBON AND CIRCULAR ECONOMY STRATEGY REPORT 02 March 2023 by Max Fordham the pre-commencement requirements of the condition

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 15 (Noise Use - part a)

Condition 15 (Noise Use - part a)- Notwithstanding the RIBA Stage 3, Acoustic Design Report by BWB the condition cannot be discharged

The above does not address noise breakout from the retail premises which will be required.

The report needs to include internal limits for the ground floor and basement uses and details of how the limits will be controlled such as lobbied door access and sound limiter for example. The internal noise level for the basement and ground floor uses will also be required with regard to break in to the adjoining uses based on the construction and glazing recommendations provided in the above report.

Date: 22 February 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.