

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

Approval of details reserved by condition

Applicant

CubicWorks Ltd
Spinnaker Court
31 Broadway
Salford
M50 2YR

Agent (if used)

Don Murphy
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 4 (Lighting verification), 6 (Plant Acoustics verification) and 8 (Air Quality Verification) attached to planning permission 135200/JO/2022

Location: 40 Princess Street, Manchester, M1 6DE

Date of application: 13 December 2023

Application number: CDN/23/0844

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 4 - Lighting Verification

Condition 4 can hereby be discharged provided that external lighting complies with the following information:

- The drawings referenced C081278-00/-01KEY REV R1 and 0247 AL(04) 032 REV P06 received by the City Council as local planning authority on 12 February 2024
- The Lighting Motions Forge Mini and Owl product specification sheets received by the City Council as local planning authority on 12 February 2024
- The External Lighting Report (Ref: C1150 GOW) has been prepared by KEY IS received by the City Council as local planning authority on 12 February 2024
- The email from Paul Butler Associates dated 12 February 2024

Condition 6 (Plant Noise Verification)

Condition 6 is hereby considered to be part discharged in relation to the existing plant provided that this equipment complies with the following:

- The email from Paul Butler Associates dated 12 February 2024
- The letter from Paul Butler Associates dated 11 December 2023
- The Plant noise egress testing report prepared by Sandy Brown received by the City Council as local planning authority on 13 December 2023

Condition 6 cannot be fully discharged unless and until all equipment has been installed and tested.

Condition 9 (Air Quality)

Condition 9 can hereby be considered to be discharged provided that the use and operation of the development complies with the following for the duration of the use of the development:

- The STREBEL S-CBX Boiler specification document received by the City Council as local planning authority on 12 February 2024
- The STEBEL Ultra Low NOx Condensing Boiler document received by the City Council as local planning authority on 12 February 2024
- The email from Paul Butler Associates dated 12 February 2024
- The letter from Paul Butler Associates dated 11 December 2023
- The Air Quality Report prepared by Cubic Works received by the City Council as local planning authority on 13 December 2023

Date: 5 March 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 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.