

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

Partial approval of details reserved by condition

Applicant

Manchester City Council
Town Hall
Albert Square
Manchester
M2 5DB

Agent (if used)

Ms Louise Darlington
Project Office: OTH Project
Town Hall
Albert Square
Manchester
M2 5DB

Part 1 – Particulars of the application/development

Proposal: Application to partially discharge conditions 3 (Birds), 4 (Archaeology), 5a (Full and Final Details) and 6a (Materials to be Approved) as attached to development approved under planning application 128777/VO/2020

Location: Albert Memorial, Albert Square, Manchester, M2 5DB,

Date of application: 25 October 2021

Application number: CDN/21/0791

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 4 - Archaeology

Condition 4 is hereby discharged on the basis of the Archaeological Watching Brief Report prepared by Salford Archaeology and dated October 2021, which GMAAS have confirmed has been uploaded onto the Greater Manchester Historic Environment Record.

Condition 5 Part a - Scaffold

Condition 5 Part a) is hereby discharged provided that the scaffold design and installation installed complies with the following information which was received by the City Council as local planning authority on 25 October 2021:

OTH-BEI-EE-ES-DWG-X-0207 Rev C01
OTH-BEI-EE-ES-DWG-X-0208 Rev C01
OTH-BEI-EE-ES-DWG-X-0209 Rev C01
OTH-BEI-EE-ES-DWG-X-0210 Rev C01
OTH-BEI-EE-ES-DWG-X-0211 Rev C01

OTH-BEI-EE-ES-DWG-X-0212 Rev C01
OTH-BEI-EE-ES-DWG-X-0213 Rev C01
OTH-BEI-EE-ES-DWG-X-0214 Rev C01
OTH-BEI-EE-ES-DWG-X-0215 Rev C01
OTH-BEI-EE-ES-DWG-X-0216 Rev C01
OTH-BEI-EE-ES-DWG-X-0217 Rev C01

The Technical Submission Form prepared by Lyndon SGB dated 4 August 2021

Condition 5 cannot be fully discharged unless and until parts b) to i) have also be discharged.

6 - Materials to be Approved

Part a) of Condition 6 is hereby discharged based on the programme prepared by Bullen Construction referenced J1918 - Samples - O1 received by the City Council as local planning authority on 25 October 2021.

Condition 6 will not be fully discharged unless and until part b has also been 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 3 - Birds

Condition 3 is not discharged as the application included no information relevant to birds.

Date: 27 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.