

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Nike Retail UK
C/o Agent

Agent (if used)

Miss Rabeka Begum
Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Part 1 – Particulars of the application/development

Proposal: Retention of mechanical plant at roof level and associated works

Location: Unit Msu3 And L9 , Manchester Arndale, Manchester , M4 2HU

Date of application: 22 September 2023

Application number: 137308/FO/2023

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) attached to this decision

1) The development hereby approved shall be carried out in accordance with the following drawings and documents
Drawings

Mechanical Services Ventilation & Air Conditioning Plant Deck 2479-M-08 Rev: AS received via the email from Andy Rudlin of Iceni Projects on 16th January 2023
Location Plan A-1101 Revision A received by the Planning Service as Local Planning Authority on 15th June 2023.

The 3 drawings below received by the Planning Service as Local Planning Authority on 20th July 2023.

Unit MSU3 New Cannon Street Demise Plan at Level 55.

Unit MSU3 New Cannon Street Location Plan 235-MSU3-201 Rev -

The Roof Plant Section Annotated

Drawing List Drawing - Roof Plant A-1061 Revision A received by the Planning Service as Local Planning Authority on 4th December 2023

Documents

The Covering Letter

Quotation for the supply of Daikin X

Quotation no, Nike, Manchester Description: Geniox 18 - Roof (Polyvinyl chloride roof)

Letter from WSP dated 1/03/2023 Schedule Reference NRM-WSP-XX-XX-SH-M-500101

Letter from WSP dated 1/03/2023 Schedule Reference NRM-WSP-XX-XX-SH-M-500103

Letter from WSP dated 1/03/2023 Schedule Reference NRM-WSP-XX-XX-SH-M-500104

Letter from WSP dated 1/03/2023 Schedule Reference NRM-WSP-XX-XX-SH-M-500105

The Material List spreadsheet

VRV Selection Project Report

All of the above documents received by the Planning Service as Local Planning Authority on 15th June 2023

Email from Andy Rudlin of Icen Projects and photo of Arndale Centre roof received by the Planning Service as Local Planning Authority on 20th July 2023

Email from Andy Rudlin of Icen Projects and photo of the Arndale Centre Northern Elevation facing Shude Hill received by the Planning Service as Local Planning Authority on 22nd September 2023

Nike, Arndale Centre. Manchester Woods Bagot Acoustics Planning Noise Assessment Report Revision 02 - 05 December 2023 by Hoare Lea received by the Planning Service as Local Planning Authority on 5th December 2023

The photos of the installed roof plant attached (pictures taken 13.12.2023) attached to the email from Andy Rudlin of Icen Projects received by the Planning Service as Local Planning Authority on 14th December 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

2) a) The development shall be carried out in accordance with the Nike, Arndale Centre. Manchester Woods Bagot Acoustics Planning Noise Assessment Report Revision 02 - 05 December 2023 by Hoare Lea received by the Planning Service as Local Planning Authority on 5th December 2023.

b) Within one month of the date of this planning permission, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria. Any mitigation measures shall be implemented within one month of approval.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 24 January 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 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 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-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024