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)
Prestbury Estates Limited C/o Agent	Mr Tom Flanagan Paul Butler Associates 31 Blackfriars Road Salford M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 5 (Programme of Archaeological Works), 14 (Externally Mounted Ancillary Equipment), 18 (Door Details), 19 (Travel Plan) and 22 (Secured by Design) attached to Planning Permission 113617/FO/2016.

Location: Plot G Slate Wharf, Blantyre Street, Manchester, M15 4JT

Date of application: 15 September 2023

Application number: CDN/23/0620

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.

Archaeology
Condition 5 - Archaeology

Condition 5 is discharged on the basis of the Archaeological Evaluation (ARS Report No: 2021/174) by Archaeological Research Services Ltd received by the City Council as local planning authority on 15 September 2023.

Travel Plan
Condition 19 - Travel Plan

The pre-occupation part of Condition 19 is discharged on the basis that the Travel Plan Ref: 083656-CUR-XX-XX-T-TP-00001 Revision P02 by Curtins is fully implemented prior to first occupation of the building and kept in operation at all times thereafter.

SBD
Condition 22 - Secured by Design

Condition 22 is discharged on the basis of the submitted Secured By Design certificate dated 7 September 2023.

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.

Externally Mounted Ancillary Equipment
Condition 14 - Externally Mounted Ancillary Equipment

The submitted information (covering letter from Paul Butler Associates dated 15 September 2023) suggests that the plant noise condition is not relevant as only AOV equipment, which operates in an emergency, is installed on the roof. Further information is required to detail what the AOV equipment is. Even if it is emergency plant, a full assessment is still required. It is assumed that emergency plant will operate for testing purposes so a testing schedule should be provided to confirm the frequency of testing and hours. For example, monthly testing for 1 hour between 10am and 4pm Monday to Friday / 6 monthly testing for 3 hours between 10am to 4pm Monday to Friday.

Furthermore, alternative ventilation is required at these apartments so full details, including an acoustic assessment of any extract / intake equipment or AHUs associated with this, is required.

The above information was requested on 10 October 2023 but no further information has been submitted.

On this basis, Condition 14 cannot be discharged at this time.

Door Details
Condition 18 - Door Details

Condition 18 cannot be discharged at this time as details of the appearance of the external doors, including scaled annotated elevation drawings, have not been submitted. This information was requested on 8 November 2023.

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.