

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 Metropolitan University
Estates Directorate
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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 8 (Local Benefit Proposal), 10 (Landscaping), 22 (External Seating), 26 (Public Realm Management), 29 (Servicing Hours) and 30 (Event Management Strategy) attached to planning permission 125799/FO/2019

Location: John Dalton Building, Chester Street, Manchester, M1 5GD

Date of application: 7 June 2023

Application number: CDN/23/0351

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.

Local Benefit Proposal

The following information has been submitted in respect of this planning condition:

- o Covering Letter (Prepared by Turley, Dated & Received 31/05/2023)
- o Condition 8(b) - Education Engagement Activity.xlsx (Received 31/05/2023)
- o Condition 8(b) - Local Labour Summary.xlsx (Received 31/05/2023)

The above information has been considered and is acceptable in respect of part b of the condition. Part a of condition 8 was discharged under application CDN/20/0798.

Condition 8 is now fully discharged on this basis.

External Seating

The following information has been submitted in respect of this planning condition:

- o Covering Letter (Prepared by Turley, Dated & Received 31/05/2023)
- o 1338B-RFM-NB-00-DR-L-0011 Revision P02: Overall Site Plan (Received 31/05/2023)
- o 1338B-RFM-B-00-DR-L-8008 Revision P01: Street Furniture Details (Received 31/05/2023)

The above information has been considered and is acceptable in respect of condition 22. In order to fully comply with the condition, the external seating shall be installed and operated only in accordance with the approved details.

Condition 22 is now discharged on this basis.

Public Realm Management

The following information has been submitted in respect of this planning condition:

- o Covering Letter (Prepared by Turley, Dated & Received 31/05/2023)
- o Condition 26 - Hard and Soft Grounds Maintenance Scheme.xlsx (Received 31/05/2023)

The above information has been considered and is acceptable in respect of condition 26. In order to fully comply with the condition, the approved strategy shall remain in operation in perpetuity.

Condition 26 is now discharged on this basis.

Servicing Hours

The following information has been submitted in respect of this planning condition:

- o Covering Letter (Prepared by Turley, Dated & Received 31/05/2023)
- o Email correspondence RE EHO Consultation Response - John Dalton Building (CDN/23/0351) (Prepared by Turley; Dated and Received 27/10/2023)

The above information has been considered and is acceptable in respect of condition 29. In order to fully comply with the condition, Deliveries, servicing and collections associated with the development shall be operated in accordance with the agreed hours throughout the life of the development.

Condition 29 is now discharged on this basis.

Event Management

The following information has been submitted in respect of this planning condition:

- o Covering Letter (Prepared by Turley, Dated & Received 31/05/2023)
- o Science and Engineering Building Events Management Strategy (Prepared by Manchester Metropolitan University; Dated 02/05/2023; Received 31/05/2023)

The above information has been considered and is acceptable in respect of condition 30. In order to fully comply with the condition, the approved strategy shall be adopted for the first event, and shall be so maintained and reviewed whilst the use is in operation.

Condition 30 is now discharged on this basis.

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.

Landscaping

The following information has been submitted in respect of this planning condition:

- o Covering Letter (Prepared by Turley, Dated & Received 31/05/2023)
- o 1338B-HOL-XX-XX-DR-E-900001 Revision P03: External Lighting & CCTV Layout Sheet 1 of 2.

Condition 10 cannot be discharged as the submitted lighting plan does not correspond to drawing no.1338B-PLA-Z21-GF-DR-L-400002 (Revision P03), which was secured by condition 21 and requires a verification report to be submitted in order to validate that the work undertaken on site corresponds to the approved details. In order to discharge condition 10, any submitted lighting details must correspond to drawing no.1338B-PLA-Z21-GF-DR-L-400002 (Revision P03).

Date: 1 November 2023

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.