

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

Approval of details reserved by condition

Applicant

Manchester Quays Developments Limited
(MGY)
C/o Agent

Agent (if used)

Mr Michael Percival
Deloitte LLP
We Work The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 6 (Details of External Seating Areas), 9 (Details of Toilet Provision in A3/A4 uses), 10 (Secure by Design), 12 (Opening Hours), 13 (Hours of Operation of External Areas), 17 (Fume and Odour Statement), 20 (Scheme for Acoustic Insulation) relating to application 131318/JO/2021.

Location: Manchester Goods Yard , Manchester, M3 3BE

Date of application: 21 February 2023

Application number: CDN/23/0124

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.

Details of External Seating Areas

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

- Fenix - Exterior Design and Signage Proposal V2 prepared by Fable Studio

The above information submitted has been considered and is acceptable. Condition 6 is now partially discharged in relation to Commercial Unit 4 and Commercial Unit 4 shall now be carried out in accordance with the above.

For the avoidance of doubt, this Discharge of Condition 6 does not give consent for any proposed advertisements.

Details of Toilet Provision in A3/A4 use

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

- Fenix - Ground Floor General Arrangement Plan prepared by Fabled Studio

- Fenix - First Floor General Arrangement Plan prepared by Fabled Studio
- Fenix - WC Provision / Calculation prepared by Fabled Studio

The above information submitted has been considered and is acceptable. Condition 9 is now partially discharged in relation to Commercial Unit 4 and Commercial Unit 4 shall now be carried out in accordance with the above.

Secure By Design

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

- Secured By Design certificate

The above information submitted has been considered and is acceptable. The development shall now be carried out in accordance with the above.

Condition 10 is now formally discharged.

Opening Hours

The covering letter submitted with the application confirms the opening hours for Commercial Unit 4 as follows:

- 11am - 2am (Friday - Saturday)
- 11am - 2am (Sunday - Wednesday) with a last entry time of 00:00
- 11am - 2am (Thursday) with a last entry time of 01:00

The above information submitted has been considered and is acceptable. Condition 12 is now partially discharged in relation to Commercial Unit 4 and Commercial Unit 4 shall now be carried out in accordance with the above.

Hours of Operation of External Areas

The covering letter submitted with the application confirms the hours of operation of external areas for Commercial Unit 4 as follows:

- 11am - 10pm (Mon - Sun)

The above information submitted has been considered and is acceptable. Condition 13 is now partially discharged in relation to Commercial Unit 4 and Commercial Unit 4 shall now be carried out in accordance with the above.

Fume and Odour Statement

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

- Fenix - Kitchen Extract Statement prepared by Hensall
- Control of Odour & Noise from Commercial Kitchen Exhaust Systems Strategy
- Fenix - Acoustic Design Review 22195-R01-E prepared by Sandy Brown

The above information submitted has been considered and is acceptable. Condition 17 is now partially discharged in relation to Commercial Unit 4 and Commercial Unit 4 shall now be carried out in accordance with the above.

Scheme for Acoustic Insulation

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

- Fenix - Acoustic Design Review 22195-R01-E prepared by Sandy Brown, received on 2nd May 2023

The above information submitted has been considered and is acceptable. Condition 20 is now partially discharged in relation to Commerical Unit 4 and Commerical Unit 4 shall now be carried out in accordance with the above.

Date: 5 October 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 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.