

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

Approval of details reserved by condition

Applicant

Mr Paul Hawkins
Domis Construction Limited
840 Birchwood Boulevard
Birchwood
Warrington
WA3 7QZ

Agent (if used)

Miss Ellie Philcox
Euan Kellie Property Solutions
Landmark House
Station Road
Cheadle Hulme
Cheadle
SK8 7BS

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 5 (Final Discharge Landscaping and hours parts a-e) attached to application ref no 126638/FO/2020 (as amended by 128851/NMC/2020 and 132263/NMC/2021)

Location: Land Bound By Back Turner Street, Shudehill, Soap Street And High Street, Manchester, M4 1FR

Date of application: 23 November 2022

Application number: CDN/22/0824

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.

condition 5 (Final Discharge Landscaping

On the basis of the following:

(a) Details of the materials, including natural stone or other high quality materials to be used for the public realm and for the areas between the front of pavement and the line of the proposed building on Back Turner Street, Shudehill, High Street and Soap Street;

Implementation in accordance with the following: 1143-WRI-XX-XX-DR-L-1000 S5 Rev P03 the condition is discharged

(b) Final details of measures to create potential opportunities to enhance and create new biodiversity within the development to include consideration of Bat bricks and/or tubes, green/brown roof, green walls, bird boxes and appropriate planting;

(c) A final strategy for the planting of street trees within the pavements and public realm on High Street, Back Turner Street and Shudehill including details of overall numbers,

size, species and planting specification, constraints to further planting and details of on going maintenance;

Dwgs 1143-WRI-XX-XX-DR-L-1000 S5 Rev P03, 1143-WRI-XX-XX-DR-L-2001- S5 P04 and 1146-WRI-XX-XX-DR-L-5003 S5 P02 and Utility Survey, Back Turner Street, Manchester, M4 1FR (stamped as received on 23-11-23) the condition is discharged

(d) Dwg 1146-WRI-XX-XX-DR-L-5002 S4 P01 stamped as received on 24-11-23, Euan Kellie Associates e-mail dated 16-05-23 and ABG BLUEROOF SYSTEMS information stamped as received on 16-05-23 the condition is discharge ;

and

(e) Opening hours for the communal roof terraces: On the basis that the terrace is only open between 7am-11pm the condition is discharged

Date: 7 July 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.