

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

Approval of details reserved by condition

Applicant

Jedi Deansgate Ltd
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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 3 (demolition bats), 4a (Local Labour), 5 (Archaeology), 8 (CMP), 9 (CMP trams), 11 (vegetation clearance) and 12 (structural surveys metro link) attached to planning permission 125804/FO/2019

Location: 325 - 327 Deansgate, Manchester, M3 4LQ

Date of application: 21 February 2023

Application number: CDN/23/0123

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 3 Demolition Bats

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

- Preliminary roost assessment for bats and nesting birds prepared by Penny Anderson received by the City Council, as Local Planning Authority, on the 21 February 2023

The above information has been considered and is acceptable.

Condition 3 is now formally discharged.

Condition 4a Local Benefit

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

- Local Labour Agreement prepared by Assured CMS Ltd received by the City Council, as Local Planning Authority, on the 21 February 2023

- KPI table received by the City Council, as Local Planning Authority, on the 14 April 2023

The above information has been considered and is acceptable in respect of part (a) of this planning condition. The development shall be carried out in accordance with the above.

In order to discharge this condition in full, part (b) of the condition needs to be complied with.

Condition 5 Archaeology

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

- Written Scheme of Investigation (WSI) produced by Salford Archaeology received by the City Council, as Local Planning Authority, on the 21 February 2023

The above information has been considered and is acceptable in respect of part (a) of this planning condition. The development shall be carried out in accordance with the above details.

Condition 8 CMP

The following details have been submitted in respect of this planning condition:

- Site Waste Management Plan, Dust and Noise Management Plan and CEMP received by the City Council, as Local Planning Authority, on the 14 April 2023

- Email from Joe McElhone dated 20 April 2023

- Traffic Management Plans received by the City Council, as Local Planning Authority, on the 21 April 2023

The above information has been considered and is acceptable. Condition 8 is now formally discharged on this basis.

Condition 9 CMP Trams

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

Framework Construction Environmental Management Plan and condition 12 discharge request 'Structural engineering strategy' prepared by Eckersley O'Callaghan received by the City Council, as Local Planning Authority, on the 21 February 2023

The above information has been considered and is acceptable in respect of the demolition works only.

The second stage will be the piling works and the main build which have greater potential to adversely impact Metrolink infrastructure and/or operations and we are working with the developer to finalise the documents that are required to support the asset protection agreement for this stage. Additional vibration monitoring, settlement monitoring and track monitoring will need to be introduced post demolition and whilst the principles have been agreed, the documentation for this and the CMP are yet to be finalised.

Condition 9 is therefore discharged in respect of demolition works only.

Condition 11 Vegetation clearance

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

- Preliminary Roost Assessment for Bats and Nesting Birds received by the City Council, as Local Planning Authority, on the 21 February 2023

The above information has been considered and is acceptable.

Condition 11 is now formally discharged.

Condition 12 structural survey Metrolink

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

- Condition 12 discharge request 'Structural engineering strategy' prepared by Eckersley O'Callaghan received by the City Council, as Local Planning Authority, on the 21 February 2023

The above information has been considered and is acceptable in respect of the demolition works only.

The second stage will be the piling works and the main build which have greater potential to adversely impact Metrolink infrastructure and/or operations and we are working with the developer to finalise the documents that are required to support the asset protection agreement for this stage. Additional vibration monitoring, settlement monitoring and track monitoring will need to be introduced post demolition and whilst the principles have been agreed, the documentation for this and the CMP are yet to be finalised.

Condition 12 is therefore discharged in respect of demolition works only.

Date: 11 May 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.