

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

Approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 19 (a)(Signage), 20 (Plant), 21 (Travel Plan), 28 (Fumes), 29 (Noise Commercial), 33 (External Music) and 35 (Refuse) associated with planning permission 111027/FO/2016/C1 as amended by 116418, 117610 and 126165

Location: Unit L2 , 15 Symphony Park, Manchester, M1 7FS

Date of application: 25 July 2022

Application number: CDN/22/0491

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 19 (a)(Signage)

Condition 19 (a)(Signage): This is a condition applicable to the ground floor commercial units as a whole and the responsibility of the applicant / developer rather than individual tenants and as such the condition is not discharged.

Condition 20 (Plant)

Condition 20 (Plant): On the basis of compliance with the noise limits within the following:

Braiden Acoustics NOISE IMPACT ASSESSMENT 6 Jul 2022 in relation to plant

the condition is discharged

Condition 21 (Travel Plan)

Condition 21 (Travel Plan)-Discharged for wider development under application ref no CDN/21/0573

Condition 28 (Fumes),

Condition 28 (Fumes): On the basis of ongoing operation and compliance with the following details

Boo, Unit L2 Circle Square, Manchester KITCHEN EXTRACTION AND VENTILATION SYSTEM PROPOSAL (Date: 25th March 2022);
Risk Assessment for Odour (26/03/2022);
Dwg Pack Stamped as received on 20-07-22

the condition is discharged

Condition 29 (Noise Commercial),

Condition 29 (Noise Commercial) : On the basis of the implementation of the recommendations within the following:

NOISE IMPACT ASSESSMENT - RESTAURANT by Braiden Acoustics Date : 24 Dec 2022

the condition is discharged.

Condition 33 (External Music)

Condition 33 (External Music): On the basis that there are no internal or external sound systems proposed (as confirmed in the Braiden Acoustics Noise Impact Assessment 10-10-22) the condition is discharged.

Condition 35 (Refuse)

Condition 35 (Refuse): On the basis of ongoing compliance with the following:

Unit L2 Ground Floor, 15 Symphony Park, Manchester M1 7FS - Boo Burger Refuse Strategy

The condition is discharged

Date: 6 January 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.