

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

Partial approval of details reserved by condition

Applicant

Mr Rick Hilton
One Silk Street Limited
Jactin House
24 Hood Street
Manchester
M4 6WX

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 14 (Waste), 19 (Opening Hours), 20 (Roof Terrace Opening Hours), 21 (Management Strategy), 23 (Travel Plan), 24 (Cycle Provision), 25 (Car Parking), 29 (Car Hire), 30 (Electric Charging Points), 31 (Servicing Strategy) and 34 (Signage Strategy) associated with planning permission 120893/FO/2018

Location: 1 Silk Street, Manchester, M4 6LZ

Date of application: 12 April 2022

Application number: CDN/22/0234

Part 2 – Particulars of decision (1)

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.

Condition 14 Waste

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

- Waste management plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above information has been considered and is acceptable. The details shall be implemented prior to the first occupation of both the residential and commercial elements of the development and thereafter retained and maintained in situ.

Condition 14 is now formally discharged on this basis.

Condition 19 Opening Hours

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

- Management Plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above information has been considered and is acceptable. The opening hours of the commercial space would be as follows:

09:00 to 17:00 Monday to Friday. There may be some exceptions to this which are outlined in the above document.

The development shall be carried out in accordance with these hours and the management plan.

Condition 19 is now formally discharged on this basis.

Condition 20 Roof Terrace Opening Hours

The opening hours for the roof terrace are as follows:

- o Monday to Friday 07:00 to 22:30
- o Saturday 08:00 to 22:30
- o Sunday/Bank Holiday 09:00 to 22:30

The roof terrace shall be carried out in accordance with the above hours.

Condition 20 is formally discharged on this basis.

Condition 21 Management Strategy

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

- Residents tenancy and Management Plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above information has been considered and is acceptable.

The development shall be carried out in accordance with the management plan.

Condition 21 is now formally discharged on this basis.

Condition 23 Travel Plan

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

-Travel Plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above document has been considered and is acceptable.

Within six months of the first occupation of the building, a Travel Plan which takes into account the information about travel patterns shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

No further action at this stage.

Condition 24 Cycle Provision

This planning condition requires the development to be carried out in accordance with the details specified in the condition.

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

- Management Plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above information has been considered and is acceptable.

The development shall be carried out in accordance with the management plan.

Condition 24 is now formally discharged on this basis.

Condition 25 Car Parking

This planning condition requires the development to be carried out in accordance with the details specified in the condition.

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

- Management Plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above information has been considered and is acceptable.

The development shall be carried out in accordance with the management plan.

Condition 25 is now formally discharged on this basis.

Condition 29 Car Hire

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

- Management Plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above information has been considered and is acceptable.

The development shall be carried out in accordance with the management plan.

Condition 29 is now formally discharged on this basis.

Condition 30 EV charging

This is a compliance condition and requires the installation of 5 EV charging points as outlined in the Transport Statement.

Condition 31 Servicing Strategy

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

- Management Plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above information has been considered and is acceptable.

The servicing shall be carried out in accordance with the management plan.

Condition 31 is now formally discharged on this basis.

Part 2 – Particulars of decision (2)

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.

Condition 34 Signage Strategy

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

- Management Plan stamped as received by the City Council, as Local Planning Authority, on the 12 April 2022

The above information has been considered. A number of signs have been installed at the building which would have required advertisement consent. No such application has been submitted. There are some concerns about the nature and position of the signage that requires further consideration.

Condition 34 is not formally discharged and it is recommended that contact is made with the Planning Service to discuss this further.

Date: 19 July 2022

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.