

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

Approval of details reserved by condition

Applicant

Strathclyde Pension Fund C/o DTZ
Investors
C/o Agent

Agent (if used)

Miss Katie Parfett
Savills (UK) Limited
Belvedere
12 Booth Street
Manchester
M2 4AW

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (Acoustics), 4 (CMP), 5 (Car Parking), 6 (Cycle Parking), 7 (Travel Plan) and 8 (Servicing) attached to application ref no 122836/P3OPA/2019

Location: 64-66 King Street, Manchester, M2 4ND

Date of application: 8 July 2022

Application number: CDN/22/0464

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 (Acoustics)

Condition 3 is hereby part discharged to allow commencement of development provided that the works are carried out and completed in compliance with the Noise and Vibration Planning Report dated 8 October 2021 and referenced 20270-R02-F received by the City Council as local planning authority on 14 October 2022 and the Planning Condition 3 Discharge Report dated 19 August 2022 and referenced reference 20270-R04-B received by the City Council as local planning authority on 22 August 2022

Upon completion of the development and before the residential use becomes operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that above criteria is met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. This shall include monitoring in the completed flats to confirm the internal levels are being achieved (including the 63 and 125 Hz octave bands). This report shall be submitted to and approved in writing by the City Council as local planning authority before the use becomes operational along with a timescale that confirms when any necessary changes will be implemented.

The verification report along with details of any additional measures required to ensure conformity with the recommendations of the approved report is required to be submitted to and agreed in writing by the City Council as local planning authority in accordance with the above before this condition can be fully discharged.

Condition 4 (CMP)

Condition 8 is hereby discharged provided that the construction works are carried out fully and only in accordance with the Construction Management Plan prepared by Caneparo Associates dated September 2022 received by the City Council as local planning authority on 7 September 2022.

Condition 5 (Car Parking)

Condition 5 is hereby discharged provided that the Transport Statement prepared by Caneparo Associates dated February 2021 and the Resident's Travel Information Pack prepared by CA both received by the City Council as local planning authority on 8 July 2022 are fully implemented and complied with for the duration of the approved use.

Condition 6 (Cycle Parking)

This condition is hereby discharged provided that the cycle parking measures shown on the drawing referenced: 11702-AEW-XX-B1-DR-A-0527 Rev P02 received by the City Council as local planning authority on 8 July 2022 are implemented and maintained for the duration of the approved use.

Condition 7 (Travel Plan)

Condition 7 is hereby discharged provided that the information within the Resident's Travel Information Pack prepared by CA received by the City Council as local planning authority on 8 July 2022 is fully implemented and complied with for the duration of the approved use.

Condition 8 (Servicing)

Condition 8 is hereby discharged provided that the measures within the Delivery and Servicing Management Plan prepared by Caneparo Associates dated June 2022 received by the City Council as local planning authority on 8 July 2022 are fully implemented and complied with for the duration of the approved use.

Date: 21 October 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 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.