

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

Partial approval of details reserved by condition

Applicant

Urban & Civic (Princess Street) Ltd
C/o Agent

Agent (if used)

Mr Ed Britton
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 5 (Contaminated Land remediation), 8 (Secure by Design), 17(b) (Acoustic insulation - ground floor commercial), 23 (Suds Building 2 verification) attached to planning permission 114585/FO/2016

Location: Land Bounded By Whitworth Street, Venice Street, Rochdale Canal And Princess Street, Manchester

Date of application: 21 April 2022

Application number: CDN/22/0264

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.

conditions 5 (Contaminated Land remediat

conditions 5 (Contaminated Land remediation) - On the basis of the following:

Roc Letter dated 04-03-22, Waste Transfer Notes 14-06-22, 16-06-22 and 27-07-22 and CONTAMINATED LAND INFORMATION 09.08.22 (Deloitte's e-mail 09-08-22)

the condition is discharged

Condition 8 (Secure by Design)

Condition 8 (Secure by Design)- On the basis of the Manchester New Square Secure by Design Certificate dated 21-04-21
the condition is discharged

Condition 23 (Suds Building 2 verificati

Condition 23 (Suds Building 2 verification)- On the basis of the photos stamped as received on 21-04-22 and Deloitte's e-mail 23-05-22

the condition is discharged

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 17(b) (Acoustic insulation

Condition 17(b) (Acoustic insulation - ground floor) On the basis of the information submitted the condition cannot be discharged

Internal limits for the units and that lobbied doors have been provided but additional mitigation may be required depending on the tenants. No details of the measures that have been installed in the base unit i.e. window specs, wall/ceiling construction, alternative ventilation have been provided nor has information that the base build will be suitable for without any additional mitigation. The information provided is not really an acoustic scheme and more information is required.

Until a tenant is known for the units this condition cannot be discharged as the base unit build may not be sufficient for their needs and we would need to agree a specific mitigation scheme for the proposed use

Date: 18 August 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.