

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

Approval of details reserved by condition

Applicant

Mr Waqar Ahmed
Former Rileys
Kirkmanshulme Lane
Manchester
M18 7BA

Agent (if used)

Mr Umar Faruque
Lumitekton Ltd
275A Upper Brook St
Manchester
M13 0HR

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 4 (waste management), 5 (CMP), 6 (EV charging), 9 (boundary treatment), 10 (Travel Plan), 11 (Event Management Plan), 14 (noise), 17 (drainage), 18 (off site highway works) attached to planning permission referenced 129773/FO/2021

Location: Former Rileys , Kirkmanshulme Lane, Manchester, M18 7BA

Date of application: 24 March 2022

Application number: CDN/22/0186

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 4 (waste management)

The waste management strategy detailed on drawing referenced LU106 P105A, received by the City Council as Local Planning Authority on 24 March 2022, is satisfactory. Subject to implementation of the agreed details, condition 4 can be discharged.

Condition 5 (CMP)

The details contained within the submitted Construction Management Plan (Ref: December 2021 REVA (24.04.22) and Construction Method Layout drawing referenced LU106-P107, received by the City Council as Local Planning Authority on 5 May 2022 and 24 March 2022 respectively, are satisfactory. Subject to implementation of the agreed details, condition 5 can be discharged

Condition 6 (EV)

The electric vehicle charging specification and arrangement shown on drawing referenced LU106-P101, received by the City Council as Local Planning Authority on 24 March 2022 and 5 May 2022 respectively is satisfactory. Subject to implementation of the agreed details, to include all 12 charging points (6 now and 6 within 2 years of date of first implementation of the permission) condition 6 can be discharged.

Condition 9 (boundary treatment)

The boundary treatment shown on drawing referenced LU106 P101 REVJ, received by the City Council as Local Planning Authority on 5 May 2022, is satisfactory. Subject to implementation of the agreed details, condition 9 can be discharged.

Condition 10 (Travel Plan)

The Travel and Events Management Plan (Ref: J916 /TP) dated March 2022 and received by the City Council as Local Planning Authority on 25 March 2022, is acceptable. Subject to the ongoing implementation of the agreed details, condition 10 can be discharged.

Condition 11 (Event Management Plan)

The Travel and Events Management Plan (Ref: J916 /TP) dated March 2022 and received by the City Council as Local Planning Authority on 25 March 2022, is acceptable. Subject to the ongoing implementation of the agreed details, condition 11 can be discharged.

Condition 14 (Noise)

The details contained within the Noise Impact Assessment produced by Peak Associates (Ref: PA440), received by the City Council as Local Planning Authority on 24 March 2022, are satisfactory. Subject to the recommendation of the report being implemented, including installation of a noise limiter and its subsequent maintenance, condition 14 can be discharged.

Condition 17 (drainage)

The following information is satisfactory:

-Surface Water Drainage Design produced by Reford (Rev A) dated July 2022 and received by the City Council as Local Planning Authority on 25 July 2022;

-Filter Drain Detail drawing received by the City Council as Local Planning Authority on 13 July 2022;

-E-mail correspondence from Lumitekton dated 25 July 2022 and 2 August 2022;

-Drainage connection letter dated 3 August 2022;

Subject to implementation of the agreed details, condition 17 can be discharged.

Condition 18 (off site highway works)

The off-site highway works detailed on drawing referenced J916 mitigation fig 1 and associated details, received by the City Council as Local Planning Authority on 24 March 2022 and 5 May 2022, are satisfactory. Subject to implementation of the agreed details in accordance with a S.278 agreement, condition 18 can be discharged

Date: 23 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 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.