

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

Approval of details reserved by condition

Applicant

Union Living Manchester 1 Ltd
C/o Agent

Agent (if used)

Mr Niall Alcock
Deloitte LLP
Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 3a (programme for external materials samples), 4a (programme for hard landscaping materials), 5a (hard landscaping Condition wording), 18 (Acoustics), 20 (wind mitigation), 21 (piling details), 26 (Waste), 27 (Recycling Strategy), 35 (wheel washing) and 37 (Local Labour Agreement) of planning permission ref: 125655/FO/2019

Location: Water Street, Manchester, M3 4JQ

Date of application: 29 July 2021

Application number: CDN/21/0557

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 3a (External Materials)

Condition 3a (programme for external materials samples) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details.

Condition 4a (Hard Landscaping)

Condition 4a (programme for hard landscaping materials) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details.

Condition 5a (Material Schedule)

The following wording of Condition 5 - Samples of Hard Landscaping Materials (as amended) is hereby agreed by the City Council, as local planning authority, and reads:

a. No part of the development, other than enabling works comprising piling and construction of the sub structure shall commence until a programme for issue of soft landscaping treatment scheme has been submitted to and approved in writing by the

City Council as local planning authority. The scheme shall include details of all planters together with full details of all planting arrangements, including trees.

b. Samples and specifications of all hard landscape materials shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

c. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

d. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied. On the 11th June 2021, Renaker produced a programme containing the dates in which the relevant material samples will be presented to Manchester City Council for approval. This information is submitted to discharge the amended part (a) of Condition 5.

d. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied. All materials samples shall be submitted in accordance with the Renaker programme, submitted on 11th June 2021, which contains the dates in which the relevant material samples will be presented to Manchester City Council for approval.

Condition 18 (Noise)

Condition 18 (Noise) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details.

Condition 20 (Wind)

Condition 20 (Wind Mitigation) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details, subject to all wind mitigation measures being included in the layout and implementation of public realm details

Condition 21 (Piling)

Condition 21 (Piling) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details.

Condition 26 (Waste)

Conditions 26 (Waste) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details, and subject to the provisions of the s.106 Planning Obligation.

Condition 27 (Recycling)

Condition 27 (Recycling) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details.

Condition 35 (Wheel washing)

Condition 35 (Wheel washing) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details.

Condition 37 (Local labour)

Condition 37 (Local Labour) is hereby formally discharged by the City Council, as local planning authority, in accordance with the submitted details.

Date: 20 January 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.