

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

Partial approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions: 12 (roller shutters), 13 (waste management), 15 (boundary treatment), 17 (surface water drainage) and 18 (EV points) attached to planning permission 127544/FO/2020

Location: 63 Knowsley Street, Manchester, M8 8HX

Date of application: 28 March 2022

Application number: CDN/22/0141

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 12 (Roller Shutters)

The rollers shutters shown on drawing referenced PL03/N, (colour dark grey RAL 7015 with recessed shutter boxes), together with the specification contained within the brochure, received by the City Council as Local Planning Authority on 28 March 2022 and 31 May 2021 respectively, are satisfactory. Subject to implementation of the agreed details, condition 12 can be discharged.

Condition 15 (boundary treatment)

The boundary treatment shown on drawing referenced PL03/N, together with accompanying fence specification, received by the City Council as Local Planning Authority on 28 March 2022 and 31 May 2022 respectively, is satisfactory. Subject to implementation of the agreed details, condition 15 can be discharged.

Condition 18 (EV)

The electric vehicle charging points shown on drawing referenced PL03/N, received by the City Council as Local Planning Authority on 31 May 2022 is satisfactory. Subject to implementation of the agreed details, condition 18 can be 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 13 (waste management)

The waste management details provided in the submitted pro forma is not satisfactory. The capacity of polythene and general waste streams from the previously agreed provision from 360 litres per unit to 120 litre container per unit for both waste stream is unlikely to have the appropriate capacity level unless they are being collected daily. It will be necessary to either increase the capacity size of the containers for general and polythene waste and confirm the collection frequency for these waste streams, or confirm the proposed 120 litre containers will be collected daily.

Until such time that acceptable details are submitted and agreed, condition 13 cannot be discharged.

Condition 17 (drainage)

The submitted drainage details are not satisfactory. In order for this condition to be discharged, the following information is required to be submitted and agreed:

- An updated proposed drainage layout clearly illustrating attenuation and SuDS features (such as tanks, permeable paving and flow controls). The proposed drainage layout references the geocellular tank as soakaway, clarification needed. The drainage layout needs to be presented in a way which can be easily implemented on site, currently some pipe runs and catchpit clash with the attenuation tank outline, there are less than 90 degree angles on some pipe connections (which would be questioned as this promotes siltation and blockage) and the large red online structure points (red triangles) should be removed from the drawing.

- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building. Hydraulic calculation of the proposed drainage system.

Until such time that satisfactory details are agreed, condition 17 cannot be discharged.

Date: 3 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.