

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

**Partial approval of details reserved by condition**

**Applicant**

Salboy Central Ltd  
C/o Agent

**Agent (if used)**

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

**Part 1 – Particulars of the application/development**

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**Proposal:** Discharge of planning conditions 4 (Piling), 8 (Construction Management Plan), 14 (Radar Mitigation), 15a (Materials), 16 (Boundary Treatment) and 40 (Local Labour) associated with planning permission 126868/JO/2020

**Location:** Former Bauer Millett Site , Albion Street, Manchester

**Date of application:** 14 April 2022

**Application number:** CDN/22/0241

**Part 2 – Particulars of decision (1)**

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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 4 Piling**

The following information has been submitted in respect of this planning condition:

- Method Statement detailing the works prepared by Brownfield Solutions Ltd. Please see document '9231 Rev C Piling Risk Assessment Jan 22
- Drawings VI2-REN-00-FN-DR-S-01080, VI2-REN-AA-FN-DR-S-04090, VI2-REN-CC-FN-DR-S-01080 and VI2-REN-EE-FN-DR-S-01080 stamped as received by the City Council, as Local Planning Authority, on the 14 April 2022
- Piling Risk Assessment - Viadux, Albion Street, Manchester. Prepared by Brownfield Solutions Ltd on the behalf of Domis Construction. Report Ref: AJS/C4460/9231 Rev D. Dated: June 2022 stamped as received by the City Council, as Local Planning Authority, on the 28 June 2022

The above information has been considered and is acceptable. The development shall be carried out in accordance with the above information.

Condition 4 is now formally discharged in respect of this phase of development.

#### **Condition 5 Construction Management Plan**

The following information has been submitted in respect of this planning condition:

- Construction Management Plan 'Viadux Phase Two CMP' prepared by Domis and Site logistics plan 'Viadux Phase 2 Logistics' prepared by Domis stamped as received by the City Council, as Local Planning Authority, on the 14 April 2022

The above information has been considered and is acceptable. The development shall be carried out in accordance with the above information.

Condition 5 is now formally discharged.

#### **Condition 14 Radar Mitigation**

The following information has been submitted in respect of this planning condition:

- Radar Mitigation Scheme 'Viadux NATS Building Mitigation' prepared by NATS (Services) Limited stamped as received by the City Council, as Local Planning Authority, on the 14 April 2022.

The above information has been considered and is acceptable. Condition 14 is now formally discharged on this basis.

#### **Condition 16 Boundary treatment**

The above information has been submitted in respect of this planning condition:

Drawing 2840-PLA-XX-00-DR-L-0007 stamped as received by the City Council, as Local Planning Authority, on the 14 April 2022

The above information has been considered and is acceptable. The development shall be carried out in accordance with this planning condition. Condition 16 is now formally discharged.

#### **Condition 40 Local Labour**

The above information has been submitted in respect of this planning condition:

Local Labour Agreement 'Viadux Phase 2 - Local Labour Review' prepared by Artal stamped as received by the City Council, as Local Planning Authority, on the 14 April 2022

The above document has been considered and is acceptable. Phase 2 shall be carried out in accordance with the above information.

In order to discharge this condition in full, part (b) needs to be complied with. This requires that within six months of the first occupation of each phase details of the results of the scheme shall be submitted for consideration.

No further action at this stage.

## **Part 2 – Particulars of decision (2)**

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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 15a Materials**

The following information has been submitted in respect of this planning condition:

Document '10053-MP-A-B5D9-RP-PC-001' prepared by SimpsonHaugh stamped as received by the City Council, as Local Planning Authority, on the 14 April 2022.

The final samples have yet to be agreed and therefore this condition is not formally discharged.

Date: 30 June 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](http://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.