

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

**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**

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**Proposal:** Discharge of planning conditions 2 (Phasing Plan), 4 (Local Labour), 5 (Archaeology), 6 (Drainage), 7a (Ground Conditions), 8 (Construction Management Plan) and 13 (Japanese Knotweed) associated with planning permission 118831/FO/2018 phase one only

**Location:** Land Bounded By Dutton Street To The East, New Bridge Street To The South, The Manchester College Development Site To The West And Warehouse Buildings Between Charles Street And Dutton Street To The North,

**Date of application:** 10 December 2021

**Application number:** CDN/21/0931

**Part 2 – Particulars of decision**

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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 2 Phasing Plan**

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

- Drawing 273-LYR-XX-ZZ-DWG-L-1003 stamped as received by the City Council, as Local Planning Authority, on the 10 December 2021

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

**Condition 4 Local Labour phase one**

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

- Covering letter stamped as received by the City Council, as Local Planning Authority, on the 10 December 2021

The above information has been considered and is acceptable in respect of phase one only.

Condition 4 is therefore formally discharged in respect of phase one.

#### **Condition 5 Archaeology phase one**

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

- Archaeological Written Scheme of Investigation stamped as received by the City Council, as Local Planning Authority, on the 10 December 2021

The above information has been considered and is acceptable in respect of phase 1 only.

Condition 5 is therefore formally discharged in respect of phase one.

#### **Condition 6 Drainage phase one**

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

- Information stamped as received by the City Council, as Local Planning Authority, on the 5 and 31 January and 15 February 2022

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

Condition 6 is now formally discharged in respect of phase one only.

#### **Condition 7a Ground Conditions phase one**

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

- Covering letter and remediation reports stamped as received by the City Council, as Local Planning Authority, on the 10 December 2021
- Email including remediation reports from Michael Percival dated 13 January 2022

The above information has been considered and is acceptable.

A 300mm clean cover and geotextile membrane shall be installed in the top section and soils to be chemically tested to demonstrate clean imported material along with evidence to demonstrate the requirements have been complied with at validation stage.

There will also be a requirements with regards to how soil arising's from the top section will be stored to prevent cross contamination and subsequently disposed of. Waste transfer notes for the soils removal and disposal will be required for the validation stage.

Compliance will also be required with section on 3.3 of the LKC Remediation on strategy dated Jan 2020 with regard to the asbestos in soils management plan and any asbestos identified will need to be removed in accordance with these recommendations. Validation will be required at the relevant stage to confirm whether any asbestos was encountered and confirmation of how this was removed which will require photographic evidence and waste transfer notes.

The phase one shall now progress in accordance with the above details.

A Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first use of the phase.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Part (a) of this planning condition is now formally discharged.

**Condition 8 CMP phase one**

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

- Construction noise and vibration assessment stamped as received by the City Council, as Local Planning Authority, on the 10 December 2021

The above information has been considered. Phase one of the development should be completed in accordance with the construction management plan approved under reference number CDN/20/0025 for the adjacent college development.

Condition 8 is now formally discharged in respect of phase one only.

**Condition 13 Knotweed phase one**

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

- Covering letter stamped as received by the City Council, as Local Planning Authority, on the 10 December 2021

The above information has been considered and is acceptable in respect of phase one.

Condition 13 is therefore formally discharged in respect of phase one only.

Date: 22 February 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](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 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.