

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

Approval of details reserved by condition

Applicant

Jennifer Ingham
National Trust
Heelis
Kemble Drive
Rodbourn
Swindon
SN2 2NA

Agent (if used)

Gianni Spagnoli
Stace LLP
Cavendish House
39-41 Waterloo Street
Birmingham
B2 5PP

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 3 (Design Items, Parts 1 & 2), 4 (CMP), 5 (CEMP), 6a (Preliminary Risk Assessment), 6b (Contamination Remediation Strategy), 10a (Acoustic Report), 11 (Signage Strategy), 12 (Drainage), 14 (Wildlife Report), 15 (Biodiversity Monitoring Report), 16 (Fencing / Guarding Design) and 17 (Electro Magnetic Compatibility Statement) of planning permission ref: 131621/FO/2021

Location: Castlefield Viaduct, Manchester

Date of application: 15 December 2021

Application number: CDN/21/0941

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.

3 Design Items

The following information has been submitted for approval in respect of planning condition 3 (Design Details):

Received by the City Council as Local Planning Authority on 15 December 2021:

-Document Referenced 'Castlefield Viaduct, Listed Building Consent 131622/LO/2021 Condition 3 Rev'

Received by the City Council as Local Planning Authority on 22 April 2022:

-Email from Gianni Spagnoli dated 22 April 2022
-Document referenced Entrance Signage_rev1
-Material Samples

The information is acceptable and condition 3 attached to Planning Permission ref. 131621/FO/2021 is now formally discharged, subject to the development only being carried out in accordance with these approved details.

4 CMP

The following information has been submitted for approval in respect of planning condition 4 (Construction Management Plan)-

Received by the City Council as Local Planning Authority on 15 December 2021:

Construction Management Plan and Construction Logistics Plan Job no.: 2021-0807

The submitted information is considered acceptable and condition 4 attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

5 CEMP

The following information has been submitted for approval in respect of planning condition 5 (Construction Environment Management Plan)-

Received by the City Council as Local Planning Authority on 15 December 2021:

Construction Environment Management Plan project no. UG922 prepared by Urban Green

The submitted information is considered acceptable and condition 5 attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

6a Preliminary Risk Assessment

The following information has been submitted for approval in respect of planning condition 6a (Preliminary Risk Assessment)-

Received by the City Council as Local Planning Authority on 15 December 2021:

- Land Quality Desk Study and Preliminary Risk Assessment Report Reference: PC2387-RHD-ZZ-XX-RP-Z-0002 dated 10 May 2021
- Email from Gianni Spagnoli dated 21 March 2022

The submitted information is considered acceptable and condition 6b attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

6b Contamination Remediation Strategy

The following information has been submitted for approval in respect of planning condition 6b Contamination Remediation Strategy)-

Received by the City Council as Local Planning Authority on 03 March 2022:

- Castlefield Viaduct CDN/21/0941 Condition 6 Contaminated Land Response to Remediation Strategy Review reference: PC2387-RHD-ZZ-XX-CO-Z-0017

The submitted information is considered acceptable and condition 6b attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

10a Acoustic Report

The following information has been submitted for approval in respect of planning condition 10a (Acoustic Report)-

Received by the City Council as Local Planning Authority on 15 December 2021:

- Noise Survey Report Reference: PC2387-ZZ-XX-RP-Z-0010 dated 03 September 2021
- Email from Tim Britton dated 06 December 2021

The submitted information is considered acceptable and condition 10a attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

11 Signage Strategy

The following information has been submitted for approval in respect of planning condition 11 (Signage Strategy)-

Received by the City Council as Local Planning Authority on 15 December 2021:

- Signage Strategy Document

The submitted information is considered acceptable and condition 11 attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

12 Drainage

The following information has been submitted for approval in respect of planning condition 12 (Drainage)-

Received by the City Council as Local Planning Authority on 15 December 2021:

- Drainage Assessment ref. PC2387-RHD-ZZ-XX-RP-Z-0004 dated 07 May 2021

Received by the City Council as Local Planning Authority on 15 February 2022:

- Memo ref. PC2387-RHD-ZZ-XX-NT-D-0005 dated 16 December 2021
- Arup response

The submitted information is considered acceptable and condition 12 attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

14 Wildlife Report

The following information has been submitted for approval in respect of planning condition 14 (Wildlife Report)-

Received by the City Council as Local Planning Authority on 15 December 2021:

- Submission for Planning Condition 14

The submitted information is considered acceptable and condition 14 attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

15 Biodiversity Monitoring Report

The following information has been submitted for approval in respect of planning condition 15 (Biodiversity Monitoring Report)-

Received by the City Council as Local Planning Authority on 15 December 2021:

-Biodiversity Monitoring Strategy project no. UG922 prepared by Urban Green dated 10 December 2021

The submitted information is considered acceptable and condition 15 attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

16 Fencing/Guarding Design

The following information has been submitted for approval in respect of planning condition 16 (Fencing/Guarding Design)-

Received by the City Council as Local Planning Authority on 15 December 2021:

-Submission for Planning Condition 16

The submitted information is considered acceptable and condition 16 attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

Electromagnetic Compatibility Statement

The following information has been submitted for approval in respect of planning condition 17 (Electromagnetic Compatibility Statement)-

Received by the City Council as Local Planning Authority on 15 December 2021:

-File Note reference 4-05-06 prepared by ARUP

The submitted information is considered acceptable and condition 17 attached to planning permission ref. 131621/FO/2021 is hereby discharged provided the development is carried out in accordance with the above information.

Date: 9 June 2022

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

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.