

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

Approval of details reserved by condition

Applicant

Capital and Centric (Nineteen) Limited
C/O Agent

Agent (if used)

Neil Lucas
AshtonHale Ltd
ABC Buildings
Astley House
21-23 Quay Street
Manchester
M3 3HN

Part 1 – Particulars of the application/development

Proposal: Discharge Conditions 5(a) (Contaminated Land), 10 (SUDS), 12 (Archaeology) (Part 1), 41 (Wind Mitigation) and 43(a) (UXB) attached to planning permission ref 132214/FO/2021

Location: Land South Of Chapeltown Street, Manchester

Date of application: 28 March 2025

Application number: CDN/25/0311

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.

Conditions 5(a) (Contaminated Land)

Conditions 5(a) (Contaminated Land): On the basis of implementation of the following:

Remediation Strategy For a site at Ferrous - Phoenix II Rev A 9th June 2025 the pre-commencement conditions are discharged

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

Condition 10 (SUDS)

Condition 10 (SUDS)- On the basis of implementation in accordance with the following:

Dwgs 9861-WML-00-XX-DR-C-1001 Rev C02, 9861-WML-00-XX-DR-C-1002 Rev T01, 9861-WML-00-XX-DR-C-1003 Rev T01, 9861-WML-00-XX-DR-C-1004 Rev T01 and 9861-WML-00-XX-DR-C-1005 Rev T01; and

Drainage Proposals Report by WML 9861-WML-00-XX-RP-C-0002- REV 02 June 2025

the condition is discharge

Condition 12 (Archaeology)(Part 1)

Condition 12 (Archaeology) (Part 1): On the basis of implementation in accordance with the Ferrous (Land South of Chapeltown Street), Manchester Project Design: Excavation MARCH 2024 the pre-commencement requirements of the condition are discharged (Part 1).

for full discharge the following shall be submitted and approved in writing by the City Council as Local Planning Authority

2. A programme for post-investigation assessment to include:
 - production of a final report on the results of the investigations and their significance.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the archaeological investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Condition 41 (Wind Mitigation)

Condition 41 (Wind Mitigation): On the basis of the WIND MICROCLIMATE TECHNICAL NOTE Ferrous by GIA 21/03/2025 and the implementation of the mitigation as detailed in that report the condition is discharged. The approved measures shall be implemented prior to the use of the roof terrace commencing and remain in situ for so long as this area is in use.

Condition 43(a) (UXB)

Condition 43(a) (UXB): On the basis of implementation of the recommended mitigation measures set out in the Detailed Unexploded Ordnance Threat & Risk Assessment (prepared by Alpha Associates) dated 13/06/2022 this part of the condition is discharged

Date: 20 June 2025

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.