MANCHESTER CITY COUNCIL

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

## Approval of details reserved by condition

**Applicant**

Manchester City Council
Town Hall
Albert Square
Manchester
M60 2LA

**Agent (if used)**

Mr Cameron Radford
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

## Part 1 – Particulars of the application/development

**Proposal**: Discharge of planning conditions 7 (Drainage - Phase 1 only), 10 (Ground Conditions) and 11 (Drainage infiltration) attached to planning permission Reference 136141/VO/2023.

**Location**: Land Bound By Portugal Street To The North, Wadeford Close To The East And The Rochdale Canal To The South , Manchester

**Date of application**: 13 June 2024

**Application number**: CDN/24/0518

## 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.

**Condition 7 Drainage**
The following information has been submitted in respect of this planning condition:

- Design settings, overland flows received by the City Council, as Local Planning Authority, on the 8 July 2024
- 1826-01-CIV-XX-XX-D-C-31004 P01, 1826-01-CIV-XX-XX-D-C-31003 Rev P03, 1826-01-CIV-XX-XX-D-C-30003 P01, 1826-01-CIV-XX-XX-D-C-30002 P01, 1826-01-CIV-XX-XX-D-C-30001 C05, Drainage Calculations, UUU Pre development Advice, Flood Risk Assessment received by the City Council, as Local Planning Authority, on the 5 August 2024
- 1826-01-CIV-XX-XX-R-C-30002, 1826-01-CIV-XX-XX-D-C-41001, 1826-01-CIV-XX-XX-D-C-31005, 1826-01-CIV-XX-XX-D-C-31004, 1826-01-CIV-XX-XX-D-C-31003, 1826-01-CIV-XX-XX-D-C-30001, SW calculations, civil engineers issue sheet, UU acceptance email received by the City Council, as Local Planning Authority, on the 16 August 2024

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

Condition 7 is now formally discharged in respect of phase 1 only.

**Condition 10a Ground Conditions**
The following information has been submitted for consideration in respect of this planning condition:

- Letter report: Controlled Waters Technical Summary and Hydrogeological Risk Assessment. Ancoats Green - Jersey Street, Ancoats. Prepared by e3p. Date: 6 the November 2024.
- Phase II Geoenvironmental Site Assessment. Ancoats Green, Jersey Green and Prussia Street Arm Greenway Public Realm Improvements. Prepared by e3p Ltd. Ref. 15-798-R2-1. Date: January 2023;
- Supplementary Geoenvironmental Investigation. Ancoats Green, Jersey Green. Prepared by e3p Ltd. Ref. 15-798-L1. Date: December 2023; and
- A Contaminated Land Remediation Strategy. Prepared by e3p Ltd. Ref. 15-798-R4-1. Date: Jan 2025

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

In order to discharge this condition in ful, part (b) needs to be complied with. In line with the advice of the Environment Agency the following should be provided:

- Supplementary information to be produced to support the remedial approach proposed and assist with the future validation / verification of such works under condition 10(b) attached to 136141/VO/2023.

**Condition 11 Drainage infiltration**
The following information has been submitted in respect of this planning condition:

- Letter report: Controlled Waters Technical Summary and Hydrogeological Risk Assessment. Ancoats Green - Jersey Street, Ancoats. Prepared by e3p. Date: 6 the November 2024.
- Phase II Geoenvironmental Site Assessment. Ancoats Green, Jersey Green and Prussia Street Arm Greenway Public Realm Improvements. Prepared by e3p Ltd. Ref. 15-798-R2-1. Date: January 2023;
- Supplementary Geoenvironmental Investigation. Ancoats Green, Jersey Green. Prepared by e3p Ltd. Ref. 15-798-L1. Date: December 2023; and
- A Contaminated Land Remediation Strategy. Prepared by e3p Ltd. Ref. 15-798-R4-1. Date: May 2024.

The above information has been considered and is acceptable.

Condition 11 is now formally discharged.

Date: 17 January 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 of 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.