MANCHESTER CITY COUNCIL

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

Partial approval of details reserved by condition

Applicant	Agent (if used)
Capital & Centric (Adored) Ltd C/o Agent	Mr Alex Welby Deloitte LLP 100 Embankment Cathedral Approach Manchester M3 7FB

Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 3 (Building Works Contract) and 13 (Drainage), and partial discharge of condition 11 (Materials - Mills' Windows) attached to planning permission 139434/JO/2024

Location: Talbot Mills, 44 Ellesmere Street, Manchester, M15 4JY

Date of application: 4 December 2024

Application number: CDN/24/1120

Part 2 – Particulars of decision (a)

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 3 - Building Works Contract
Condition 3 is discharged on the basis that the development is carried out in accordance with the Design and Build Contract dated 9 May 2024 received by the City Council as local planning authority on 4 December 2024.

Condition 11 - Mills Window Materials
Condition 11 is partially discharged in relation to the window materials only, on the basis that the windows on the mill buildings are carried out in accordance with the following information:

TM-MBA-M1-XX-DR-A-00-201 C02 Mill 1 Proposed Elevations North Elevation;
TM-MBA-M1-XX-DR-A-00-205 C02 Mill 1 Proposed Elevations West + Internal South Elevation;
TM-MBA-MX-XX-DR-A-00-200 C03 Mill 1 & 2 Proposed Elevations South Elevation;
TM-MBA-MX-XX-DR-A-00-202 C02 Mill 2 Proposed Plan North Elevation;
TM-MBA-MX-XX-DR-A-00-203 C02 Mill 2 Proposed Plan West Elevation;

TM-MBA-MX-XX-DR-A-00-204 C02 Mill 2 Proposed Plan East Elevation;
TM-MBA-MX-XX-DR-A-31-210 T01 Window Type 01;
TM-MBA-MX-XX-DR-A-31-211 T01 Window Type 02;
TM-MBA-MX-XX-DR-A-31-212 T01 Window Type 03;
TM-MBA-MX-XX-DR-A-31-213 T01 Window Type 04;
TM-MBA-MX-XX-DR-A-31-228 T01 Window Type 14;
TM-MBA-MX-XX-DR-A-31-229 T01 Window Type 15;
TM-MBA-MX-XX-DR-A-31-230 T01 Window Type 16;
TM-MBA-MX-XX-DR-A-31-231 T01 Window Type 17;
TM-MBA-MX-XX-DR-A-31-232 T01 Window Type 18;
TM-MBA-MX-XX-DR-A-31-233 T01 Window Type 19;
TM-MBA-MX-XX-DR-A-31-244 T01 Window Type 20;
TM-MBA-MX-XX-DR-A-31-245 T01 Window Type 21;
TM-MBA-MX-XX-DR-A-31-246 T02 Window Type 22;
TM-MBA-MX-XX-DR-A-31-248 T01 Window Type 24;
TM-MBA-M1-ZZ-SH-A-00-W001 C02 Talbot Mill - Mill 1 Window Schedule; and
TM-MBA-M2-ZZ-SH-A-00-W001 C02 Talbot Mill - Mill 2 Window Schedule.

Details and samples of all other external materials on the mill buildings will be required to be submitted under a separate application before Condition 11 can be fully discharged.

Part 2 – Particulars of decision (b)

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 13 - Drainage
The following information has been assessed under this application:

10531-WML-ZZ-XX-DR-C-9001 Rev C04 Proposed Drainage Layout;
10531-WML-ZZ-XX-DR-C-9002 Rev C02 Typical Drainage Details;
10531-WML-ZZ-XX-DR-C-9005 Rev P01 Existing Impermeable Area Plan;
10531-WML-ZZ-XX-DR-C-9006 Rev P01 Proposed Impermeable Area Plan;
10531-WML-ZZ-XX-CA-C-9001 Surface Water Drainage Calculations by WML Consulting dated September 2024; and
United Utilities letter to Manchester City Council dated 30 April 2024.

The following information is still required in relation to points a), c) and d) of condition 13:

a) The applicant must present a consistent package to discharge this condition (Including all layouts and calculations). The layout and calculations must be jointly updated to account for any edits required. When preparing a resubmission, the applicant must ensure that the drainage layout and hydraulic calculations correspond, and that they can be cross-referenced for checks. This includes layout annotations and schedule printouts.

c) A letter has been provided (dated 30/04/2024) from the United Utilities Planning, Landscape and Ecology Team. This states that "Further to our review of the submitted documents, United Utilities has no objection to condition 13 being discharged".

However, no comment has been provided regarding the proposed connection or proposed discharge rates. The following is required:
- Revised letter or a separate email of acceptance from United Utilities, stating whether the proposed flows and connection are acceptable
and indicating whether there is adequate spare capacity in the existing system taking future development requirements into account.

d) Proposed Drainage Details drawing (Ref: 10531-WML-ZZ-XX-DR-C-9002-C02) has been provided, which provides a drainage drawing for the proposed Polystorm-R cellular attenuation tank. However, no design drawing or specification has been provided for the Hydrobrake flow control. The following are still required, as detailed under the previous attempt to discharge Condition 13:
- The submitted flow control refers to further design to be undertaken by a specialist manufacturer. The developer must provide both site
specific construction details, including manufacturer requirements to review, prior to construction.
- The proposed flow control indicates two 'overflows', the developer will need to provide a site-specific construction detail, including top
water level for 1:100 + cc%, to determine if the level of operation is acceptable. The maximum discharge rate should always be 24 l/sec.
- Construction details for Hydro-brake reference number: MD-SHE-0212-2400-1250-2400 should be provided.

The above comments were emailed to the agent on 9 January 2025.

Given the above, Condition 13 is not formally discharged.

Date: 12 February 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 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. 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.