

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

Partial 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 conditions 2 (Phasing), 7 (Drainage), 8 (Archaeology), 9 (CMP), 10 (Contaminated Land) and 11 (Infiltration) attached to application ref no 136141/VO/2023

Location: Ancoats Green, Manchester

Date of application: 27 February 2024

Application number: CDN/24/0142

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 2 Phasing

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

- Ancoats Green Phasing Plan (2895-PLA-XX-XX-DR-L-0012 P02), prepared by Planit-IE received by the City Council, as Local Planning Authority, on the 27 February 2024

The above information has been considered and is acceptable.

The phasing for the development shall be carried out in accordance with this information.

Condition 2 is now formally discharged.

Condition 8 Archaeology

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

- Written Scheme of Investigation, prepared by Salford Archaeology received by the City Council, as Local Planning Authority, on the 27 February 2024

The above information has been considered and is acceptable in respect of part (1) of this condition. The WSI should not be implemented.

In order to discharge this condition in full, part 2-6 need to be formally discharged.

Condition 9 CMP

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

- Construction management plan received by the City Council, as Local Planning Authority, on the 4 April 2024

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

Condition 9 is now formally 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 7 Drainage

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

- Poland Street Zone - Ancoats Green Flood Risk Assessment, prepared by Civic Engineers.
- Proposed Drainage Strategy, prepared by Civic Engineers (1826-01-CIV-XX-XX-D-C-30001 P06)
- Ancoats Green Overland Flow Plan Sheet 1 by Civic Engineers (1826-01-CIV-XX-XX-D-C-30002 P01)
- Ancoats Green Overland Flow Plan Sheet 2 by Civic Engineers (1826-01-CIV-XX-XX-D-C-30003 P01)
- Ancoats Green Drainage Details Sheet 3 by Civic Engineers (1826-01-CIV-XX-XX-D-C-30003 P03)
- Ancoats Green Hydrobrake Detail by Civic Engineers (1826-01-CIVXX-XX-D-C-30004 P01)
- Ancoats Green Drainage Calculations Stage 5 Results, prepared by Causeway Correspondence with United Utilities

received by the City Council, as Local Planning Authority, on the 27 February 2024

The above information has been considered. An email was sent to Deloitte on the 12 April 2024, requesting the following information:

A finalised drainage layout showing all components, outfalls, levels and connectivity; - The developer has provided a drainage layout for phase 1 only. Evidence of consultation with the Canal and Rivers Trust on feasibility of discharging surface water to the Rochdale Canal. An email of consultation will suffice. - This phase

drainage strategy discharges to United Utilities sewer, future phases may require Canal and River Trust approval.

Hydraulic calculation of the proposed drainage system; - Currently the Causeway Modelling nodes do not correlate with the manholes included in drawing no. 1826-01-CIV-XX-XX-D-C-30001. The developer needs to provide both sets of information which clearly correspond.

There are sixteen storage structures within the hydraulic modelling. The developer must provide a plan demonstrating where all structures are situated, including dimensions. Construction details of flow control and SuDS elements. - The developer must submit drawing no. 1826-01-CIV-XX-XX-D-C-41001. Cross sections should also be provided demonstrating top water level and indicating how the proposed attenuation structure (113.79m³) / play furniture correspond. This must include construction materials.

The ground investigation confirmed groundwater was encountered between 1.50 - 3.00 m bgl during the site investigation. This should be considered within attenuation structures, dependent on depth.

Details of how the scheme shall be maintained and managed after completion. - The proposed positioning of attenuation structure (113.79m³) is situated directly beneath the play furniture. This will become problematic overtime given the subbases maintenance requirements. The developer will need to confirm points of access and maintenance plans in place, in the instance of a blockage.

No further details have been recieved.

Condition 7 not formally discharged.

Condition 10 Ground Conditions

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

- Phase II Geo-environmental Site Assessment, prepared by E3p (15-798-R2-1);
- General Arrangement Soils Plan Sheet 1, prepared by Planit-IE (2895-PLA-XX-XX-DR-L-2007 C01);
- Softworks Details Trees Tree Pits, prepared by Planit-IE (2895-PLAXX-XX-DR-L-6000 C01);
- Contamination Issues Plan, prepared by E3p.

received by the City Council, as Local Planning Authority, on the 27 February 2024

The above information has been considered. An email was sent to Deloitte on the 22 March 2024 requesting the below information:

- Submission of a Remediation Strategy. For the works we would be looking at them to provide details of suitable clean cover system in the RS as per our guidance.
- Watching Brief to be placed on the site

The above information needs to be provided.

Condition 10 is not formally discharged.

Condition 11 Infiltration

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

- Poland Street Zone - Ancoats Green Flood Risk Assessment, prepared by Civic Engineers.
- Proposed Drainage Strategy, prepared by Civic Engineers (1826-01-CIV-XX-XX-D-C-30001 P06)
- Ancoats Green Overland Flow Plan Sheet 1 by Civic Engineers (1826-01-CIV-XX-XX-D-C-30002 P01)
- Ancoats Green Overland Flow Plan Sheet 2 by Civic Engineers (1826-01-CIV-XX-XX-D-C-30003 P01)
- Ancoats Green Drainage Details Sheet 3 by Civic Engineers (1826-01-CIV-XX-XX-D-C-30003 P03)
- Ancoats Green Hydrobrake Detail by Civic Engineers (1826-01-CIVXX-XX-D-C-30004 P01)
- Ancoats Green Drainage Calculations Stage 5 Results, prepared by Causeway Correspondence with United Utilities
- Phase II Geo-Environmental Site Assessment (E3P, January 2023, Ref: 15-798-R2-1)

received by the City Council, as Local Planning Authority, on the 27 February 2024

The above information has been considered and is not acceptable. The following comments were sent to Deloitte on the 22 March 2024 but no response has been received.

The following information is required:

- Lack of ground investigation and identified information gaps due to additional ground investigation and assessment being required to be undertaken.

Condition 11 is not formally discharged.

Date: 16 May 2024

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.