

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

Approval of details reserved by condition

Applicant

Salboy Central Ltd
C/o Agent

Agent (if used)

Mr Joe McElhone
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Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of Listed Building condition 3 (Archaeology) attached to Listed Building Consent (LBC) 133760/JO/2022

Location: Former Bauer Millett Site , Albion Street, Manchester

Date of application: 2 April 2024

Application number: CDN/24/0247

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 3 Archaeology

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

- Viadux Phase 1 - Post-excavation Assessment, prepared by Salford Archaeology received by the City Council, as Local Planning Authority, on the 2 April 2024

The above information has been considered in consultation with the Greater Manchester Archaeological Advisory Service (GMAAS).

The application is supported by a post-excavation assessment report prepared by Salford Archaeology in March 2024, which adequately fulfils Part 1(i) of Condition 3. This comprehensive report summarises the findings from an extensive programme of archaeological excavation undertaken across the application site between May 2020 and July 2022, which uncovered a series of pits that have been dated provisionally to the prehistoric periods, overlain by a sequence of Roman layers and features. These included a substantial boundary ditch that may have been intended to denote the edge of the Roman settlement, together with three square enclosures, a rectangular enclosure, a putative Roman road, and a series of Roman gullies and pits that likely relate to the agricultural land that supported the Roman civilian settlement. An important assemblage of artefacts was also recovered from stratified contexts, with most of the

material dating to the Roman period. In brief, the excavation proved to be one of the most significant carried out in Manchester city centre for several years and the resultant dataset has huge potential to throw fresh light on the current understanding of the extent, date and character of Roman Manchester.

As stated in the assessment report (page 133), the majority of the Roman material comprises pottery, ceramic building material, glass, metal work, industrial residues and animal bone recovered from well-stratified ditches, gullies, pits and occupation layers. These finds 'are of regional importance and warrants further analysis.' The assessment report similarly concludes that the assemblage of medieval pottery and certain other classes of material recovered from the excavation warrant more detailed analysis. It is also concluded that the results obtained from this detailed analysis will be presented in a monograph publication that sets the 2020-22 investigation in context with previous excavations in the locale to provide an updated account of Roman Manchester (Section 13.1). It is proposed that a final archive report is also prepared following completion of the analytical work that 'will build upon the results of the post-excavation assessment, incorporating any new data or insights gained through further research and analysis' (section 13.2).

GMAAS agrees with all of the conclusions drawn by the assessment report and advises that a final stage of detailed analytical work needs to be implemented before a recommendation to discharge Condition 3 in full can be made. Completion of the outstanding analytical work will enable a final report to be produced, as per Part 1(ii) of the condition, and a monograph publication prepared as an appropriate level of dissemination (Part 2 of the condition). Provision for archive deposition of the report and records (Part 3) has been made, although this cannot be implemented until the analytical work has been completed.

In view of the above, GMAAS is only able to recommend partial discharge of Condition 3 at this stage. However, GMAAS is aware that a second phase of the development is being brought forward, and this is likely to yield additional data for the Roman and later occupation of the site. This will need to be synthesised with the current dataset to provide a single publication narrative and integrated project archive. It is also acknowledged that the analytical work required and the resultant publication will take many months, if not years, to complete, and therefore GMAAS would be content to recommend full discharge of Condition 3 prior to completion if agreement and a binding commitment to undertake the outstanding tasks (analysis and publication) can be demonstrated, eg a contract / Purchase Order from the applicant to their archaeological consultant.

Date: 3 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 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.