

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

Partial approval of details reserved by condition

Applicant

NOMA (GP) Ltd
C/o Agent

Agent (if used)

Miss Jennifer Chatfield
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of Conditions 2 (Phasing), 4 (Archaeology), 6 (CMP), 7a (Local Labour), 8 (Drainage), 9 (Ground Conditions) and 41 (Temporary Boundary Treatment) attached to Planning Permission 134307/FO/2022.

Location: Land Bounded By Angel Street, 1 Angel Square, Miller Street And Angel Gardens, Comprising Plots M And N Of The NOMA Masterplan, Manchester

Date of application: 29 September 2023

Application number: CDN/23/0654

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:

- PL2190.1-PLA-XX-XX-DR-L-0003-Phasing & Temporary Boundary Treatment Phase 1 _ Short Term (up to 6 months);
- PL2190.1-PLA-XX-XX-DR-L-0004-Phasing & Temporary Boundary Treatment Phase 1 _ Longer Term (over 6 months); and
- PL2190.1-PLA-XX-XX-DR-L-0005-Phasing & Temporary Boundary Treatment Phase 2

Received by the City Council, as Local Planning Authority, on the 29 September 2023

The above information has been considered and is acceptable. Condition 2 is now formally discharged.

Condition 4 Archaeology

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

- NOMA 2 & 3 Public Realm Archaeological Watching Brief Wintertree Software Inc. received by the City Council, as Local Planning Authority, on the Received 29 September 2023

The above information has been considered and is acceptable in order to satisfy part (1) of this planning condition. The site investigations shall be carried out in accordance with the above information.

Prior to the first use of the development, parts 2-5 of the planning condition should be complied with in order to discharge this condition in full.

Condition 6 CMP

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

CEMP and associated plans received by the City Council, as Local Planning Authority, on the 31 October 2023

The above information has been considered and is acceptable.

The development shall be carried out in accordance with the above information.

Condition 6 is now formally discharged.

Condition 7a Local Labour

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

- NOMA Plot 2 Local Labour Agreement, prepared by B&K
- Local Labour KPI Proposal and Reporting Template for Plot 2, prepared by B&K

received by the City Council, as Local Planning Authority, on the Received 29 September 2023

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 full, part (b) needs to be complied with.

Condition 41 Temporary Boundary Treatment

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

- PL2190.1-PLA-XX-XX-DR-L-0003-Phasing & Temporary Boundary Treatment Phase 1 _ Short Term (up to 6 months);
- PL2190.1-PLA-XX-XX-DR-L-0004-Phasing & Temporary Boundary Treatment Phase 1 _ Longer Term (over 6 months); and
- PL2190.1-PLA-XX-XX-DR-L-0005-Phasing & Temporary Boundary Treatment Phase 2

Received by the City Council, as Local Planning Authority, on the 29 September 2023

The above information has been considered and is acceptable. Condition 41 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 8a Drainage

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

Drainage Strategy AS-BHE-XX-XX-RP-C-0002-Angel Square Plots
2&3

- AS-BHE-XX-XX-DR-C-3100;
- AS-BHE-XX-XX-DR-C-3101;
- AS-BHE-XX-XX-DR-C-3150;
- AS-BHE-XX-XX-DR-C-3151;
- AS-BHE-XX-XX-DR-C-3700;
- AS-BHE-XX-XX-DR-C-3701;
- AS-BHE-XX-XX-DR-C-3702;
- AS-BHE-XX-XX-DR-C-3703;
- AS-BHE-XX-XX-DR-C-3704;
- AS-BHE-XX-XX-DR-C-3705;
- AS-BHE-XX-XX-DR-C-3706;
- AS-BHE-XX-XX-DR-C-3707;
- AS-BHE-XX-XX-DR-C-3708;
- AS-BHE-XX-XX-DR-C-3800;
- AS-BHE-XX-XX-DR-C-3801; and,
- AS-BHE-XX-XX-DR-C-3850.

Received by the City Council, as Local Planning Authority, on the 29 September 2023

- Updated drainage strategy received by the City Council, as Local Planning Authority, on the 6 December 2023

Condition 8a is not formally discharged.

Condition 9 Ground Conditions

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

050930-BH-XX-XX-RP-GE-0001-P05 Ground Engineering Summary Report May 2023
Received by the City Council, as Local Planning Authority, on the 29 September 2023

The above information has been considered and the following information is outstanding:

- Further investigation recommended around TP110a (chamber) and any other obstructions
- Post fieldwork groundwater levels from the SSL 2021 GI undertaken to date identify a groundwater regime within the sandstone bedrock
- Provision of the gas monitoring data to support the risk assessment.
- Provision of the calibration certificate(s) for the entire period of gas monitoring (2021 GI only)

- Provision of a more detailed remediation strategy

No response has been received to the above issues.

Condition 9 is not formally discharged.

Date: 5 February 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.