

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

Approval of details reserved by condition

Applicant

Manchester (Port Street) Limited
C/o Agent

Agent (if used)

Mr Niall Alcock
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 4a (Materials pre-commencement), 6a (Contaminated Land), 7 (CMP), 8 (Archaeology part 1), 9 (Public Realm Programme) and 22a (Local Labour) attached to application ref no 132489/FO/2021 as amended by 135938/NMC/2023

Location: Port Street, Manchester, M1 2EQ

Date of application: 21 December 2022

Application number: CDN/22/0865

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 4a (Materials pre-commencement)

Condition 4a (Materials pre-commencement): On the basis of adherence to the following:

Port Street Hand Sample Programme 23-11-22 stamped as received on 19-12-22;

Port Street Planning Conditions Programme dated 23 August 2022 stamped as received on 19-12-22;

and on the basis of Dwgs 10376-Z2-SHP-G251-3D-XX-001 PO4 and 10376-SHP-G251-3D-XX-0001 P03

the pre-commencement requirements of the condition are discharged

Condition 6a (Contaminated Land)

Condition 6a (Contaminated Land): On the basis of the following:

Cundall Phase I Geotechnical and Environmental Assessment 4th February 2021;

WSP Interpretive Ground Investigation Report November 2021;

WSP addendum to the Interpretive Ground Investigation Phase II Report 17th January 2022;

Portway Remediation Method Strategy On the 27th October 2022; and

Deloitte's e-mail 26-01-23 and Gas Certificates and Planting Schedule stamped as received on 26-01-23

the pre-commencement requirements of the condition are discharged

For full discharge Part (b) when the development commences, the development shall be carried out in accordance with the agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Condition 7 (CMP)

Condition 7 (CMP)- On the basis of ongoing compliance with the following:

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN Revision 1 - Oct 2022 by Renaker; and

TRAFFIC MANAGEMENT PLAN Port Street Port Street Manchester M1 2EG Rev 06 and Dwg 421543-0001

the condition is discharged

Condition 8 (Archaeology),

Condition 8 (Archaeology)- On the basis of the following:

Written Scheme of Investigation (WSI) for an archaeological evaluation Project: Port Street, Manchester Planning Reference: 132489/FO/2021, Client: Renaker Build Limited Version: June 2022 v1.0 by Salford Archaeology

The methodology set out in the WSI is approved, the investigation work can commence and part 1 of the condition is discharged.

GMAAS will monitor the implementation of the archaeological works on behalf of Manchester Planning Authority to ensure that the parts of the condition that relate to pre-commencement of the Archaeological Evaluation are satisfied. Once archaeological site works are complete ground works cannot commence unless and

until the City Council receives written confirmation from GMAAS to release the site.
(Discharge of parts 2-5).

Condition 9 (Public Realm Programme)

Condition 9 (Public Realm Programme): On the basis of adherence to the following:

Port Street Planning Conditions Programme dated 23 August 2022 stamped as received on 19-12-22;

the pre-commencement requirements of the condition are discharged

Condition 22a (Local Labour)

Condition 22a (Local Labour)- On the basis of compliance with the following:

Labour Statistics Induction Tracker stamped as received on 21-02-23 ; and

Reneker Local Labour Agreement stamped as received on 21-02-23

noting the requirement to revisit and resubmit the spreadsheet every 6 months during the build contract

the condition is discharged

Date: 23 February 2023

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.