

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

Approval of details reserved by condition

Applicant

McCaul
McCauls Group Ltd
First Floor
362 Manchester Road
Astley
M29 7DY

Agent (if used)

Mr Nick Berry
OMI Architects
Omi Architects
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: Discharge of condition 21a and b (Contaminated Land) attached to application ref no 128911/FO/2020

Location: 32-34 Laystall Street, Manchester, M1 2JZ

Date of application: 29 March 2022

Application number: CDN/22/0196

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 21 (Contaminated Land)

Condition 21 (Contaminated Land) - On the basis of the following:

Recommendations within the Phase II Geoenvironmental Site Assessment, Laystall Street, Manchester, Reference:15-140-R1-1 Date: March 2022 by e3p stamped as received on 29-03-22;

Ground Gas Addendum Report, Laystall Street, Manchester Reference:15-140-R2-1, Date: May 2022 by e3p stamped as received on 13-06-22;

Recommendations within the Phase 2 Site Investigation Report Proposed Laystall Street Development, Manchester by Clancy October 2022 stamped as received on 18-10-22;

UNIT 2 CALIBRATION CERTIFICATE 09 09 2021 stamped as received on 18-10-22;

PHASE 2 SITE INVESTIGATION CONFIRMATION NOTE stamped as received on 18-10-22; and

Clancy's e-mail dated 21-10-22

the pre-commencement requirements of the condition are satisfied

the development shall be carried out in accordance with the above agreed Remediation Strategy including Clean cover systems for the landscaped areas (as per our guidance Contaminated Land Manchester City Council for depth and validation requirements, Section 6)

and a Completion/Verification Report (to include Copies of Waste Transfer Notes) shall be submitted to and approved in writing by the City Council as local planning authority.

(c) 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.

Date: 4 November 2022

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written over a horizontal line.

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.