

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

Approval of details reserved by condition

Applicant

Logik Developments (Arundel Street) Ltd
C/o Agent

Agent (if used)

Mrs Rachel Brown
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 3a (Local Labour), 4 (Archaeology), 5a (Drainage), 6a (Ground Conditions), 7 (Construction Management Plan) and 8a (Materials Programme) associated with planning permission 123261/FO/2019

Location: Land Bounded By Arundel Street, Ellesmere Street, The A57 (M) Inner Ring Road (Mancunian Way) And Worsley Street, Manchester

Date of application: 26 May 2022

Application number: CDN/22/0347

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 3a Local Labour

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

- Construction Phase Community Employment Plan (dated May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 26 May 2022

The above information has been considered and is acceptable in order to discharge part (a) of this planning condition. The development shall be carried out in accordance with this information. In order to discharge this condition in full, part (b) needs to be complied with.

Condition 4 a Archaeology

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

- Written Scheme of Investigation (dated May 2022) and Correspondence from GMAAS (dated 22 May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 26 May 2022

The above information has been considered and is acceptable in order to satisfy part (a) of this planning condition. The archaeological investigation works shall be carried out in accordance with the above document. In order to discharge this condition in full part (b) to (e) need to be satisfied.

Condition 5a Drainage

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

- Surface Water Drainage Scheme (dated May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 26 May 2022
- Arundel Street Drainage note (ref.071713/DPC Rev V02) stamped as received by the City Council, as Local Planning Authority, on the 12 July 2022

The above information has been considered and is acceptable in order to discharge part (a) of this planning condition. The development shall now be carried out in accordance with this information.

Condition 6a Ground Conditions

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

- Cover Letter (dated May 2022) noting a Preliminary Risk Assessment (dated October 2017) and Ground Investigation Proposal (dated March 2019) stamped as received by the City Council, as Local Planning Authority, dated the 26 May 2022
- Remediation Strategy (ref. TD/2230804RSRev00) stamped as received by the City Council, as Local Planning Authority, dated the 28 July 2022

The above information has been assessed. There remains outstanding site investigation works in order to satisfy this part of this planning condition in respect of 'phase 2' works.

The works to phase 1 (as outlined in condition 43 of 134385/NMC/2022) can commence subject to a watching brief. However, prior to the commencement of works associated with phase 2, part (a) of this planning condition are required to be satisfied.

A verification report/watching brief will be required for the phase 1 works and this should be submitted for approval within two months of the completion of the works in order to satisfy part (b) of this condition in respect of the phase 1 works. This verification report/watching brief should detail whether portal water supply pipes and barrier pipes were required. If they were, details of a risk assessment will be required to be presented and evidence of consultation with UU (prior to the pipes being installed).

Condition 7 Construction Management Plan

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

- Construction Management Plan Rev F (dated May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 27 July 2022

The above information has been considered.

Phase 1 works can commence.

Prior to the commencement of phase 2 works, the following additional information is required in order to satisfy this condition in full:

Regarding the site noise levels, it has been confirmed on page 14 that site noise levels will not exceed 75dB which is acceptable. However the site vibration limit has not been confirmed which need to be provided. This shouldn't be more than 1.0mm/s ppv at the site boundary.

The revised section "Long-Term Noise & Vibration Monitoring" on page 15 suggests continual noise and vibration monitoring may be undertaken where necessary. This isn't sufficient as it would be expected that continual monitoring is to be undertaken for a development of this nature so the statement needs to be reworded to state continual monitoring will be undertaken and the location of the noise and vibration monitors / loggers still need to be confirmed, ideally included on a diagram

It also states that "Email/text alerts may be set up to notify the team of any exceedances of the agreed limits"- this needs to be changed to sayalerts WILL be set up to notify the team....

Confirmation of what action is to be taken where noise or vibration levels approach or exceed the limit. This should confirm something along the lines of "where noise or vibration levels are approached orexceeded, work shall cease until the cause of the exceedance has been identified and an alternative method of work established to ensure continuation of the work does not exceed the limit"

This condition is formally discharged in respect of phase 1 works.

Prior to the commencement of phase 2 works, further details in line with the above are required to be submitted for approval in writing by the City Council, as Local Planning Authority.

Condition 8a Materials

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

- External Materials Samples Programme (dated May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 26 May 2022

The above information has been considered and is acceptable.

The submitting of materials shall be carried out in accordance with the above information.

Condition 8 (a) is now formally discharged.

Date: 19 August 2022

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

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.