

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

Approval of details reserved by condition

Applicant

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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 3 (Materials), 13 (Waste storage), 16A (Ground conditions), 17 (Construction Management Plan), 20 (Surface water drainage), 30 (Tree protection), 31 (Acoustics) and 32A (Mining legacy assessment) relating to planning permission ref: 125474/FO/2019

Location: Land Adjacent To Mayton Street Manchester, M11 2AN

Date of application: 5 May 2021

Application number: CDN/21/0353

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.

C3 Materials

The discharge of condition 3 (Materials) is approved on the basis that the development is implemented in accordance with the following materials and specifications:

Brickwork

Grey brick - Ibstock New Ivanhoe Cream
Red multi brick - Ibstock Ivanhoe Westminster
Feature glazed brick detail in light green- Ibstock Umbria

Roof

Red Weinberger TLE Rustic Roof tile
Grey Weinberger TLE Grey Roof tile

Frames

Windows - UPVC Anthracite Grey RAL 7016

Doors - UPVC Anthracite Grey RAL 7016

Doors - Light oak finish.

The development shall be maintained thereafter in accordance with the approved details.

C13 Waste storage

The discharge of 13 (Waste storage) is approved on the basis that the development is implemented in accordance with the bin enclosure details as shown on drawing referenced: Brick Walls & Bins Store Details 1914-GWP-XX-ZZ-DR-A-(90)-0005 Rev 01 and Waste Management Strategy drawings Ref: 1914-GWP-XX-ZZ-DR-A-(90)-0006 Rev.C03. The approved details shall be implemented before the first occupation of the related houses and maintained in situ at all times thereafter.

C16A Ground conditions

The discharge of 16A (Ground conditions) is approved on the basis that the development is implemented in accordance with documents referenced:

- i. Remediation Strategy for a site at Mayton Street, Openshaw undertaken for One Manchester by WML Consulting Ltd Ref: 8755G-WML-XX-ZZ RP-G-0003B dated October 2020;
- ii. Phase 2 Geo-Environmental Investigation & Assessment for Mayton Street, Openshaw undertaken on behalf of Eco-Res LLP by WML Consulting Ltd Report No. 8755G-WML-00-XX RP-G-0002 Rev B dated July 2020.

Part A of condition 16 is discharged subject to the maintenance of a watching brief in relation to emerging contamination, including measures to address any further identification of asbestos during construction. Should asbestos be encountered a 'marker membrane shall be placed at the base cover system and the remediation strategy suitably updated in accordance with the requirements of Part B of condition 16.

Following implementation and completion of the approved remediation scheme and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

C17 CMP

The discharge of 17 (Construction Management Plan) is approved on the basis that the entire construction phase of the development is implemented in accordance with document ref: Construction Management Plan Project: Mayton Street, Manchester Client: One Manchester Principal Contractor: John Southworth Builders Ltd.

C20 Surface Water Drainage

The discharge of 20 (Surface water drainage) is approved on the basis that the development is implemented in accordance with documents referenced:

Mayton Street Site Plan Drainage Overlay drawing Ref: 1914-GWP- 01-01-DR-A-(SK)-(SK)74

WML Consulting drawings:

Drainage Strategy Plan Ref: 8755G/WML/00/XX/DR/C/0002/Rev P09

Typical Drainage Sheet 1 of 2 Ref: 8755G/WML/00/XX/DR/C/1003/Rev P02

Typical Drainage Sheet 2 of 2 Ref: 8755G/WML/00/XX/DR/C/1004/Rev P07

Flood level and FFL plan Ref: 8755G/WML/00/XX/DR/C/1004/Rev P01
Drainage Utility Drawing Ref: 0221-GTC-001
Drainage calculation drawings:
8755 Mayton Network R1.MDX Storm Sewer Design by Modified Rational Method by Micro Drainage
8755 Mayton Network 1-23 Storm Sewer Design by Modified Rational Method by Micro Drainage
Hydro Brake Optimum calculation Ref: 8755 dated 3/8/21
Hydro Brake Optimum control panel drawing Ref: SHE-0103-5000-1200-5000
Land Drainage Consent MCC014/07/2021 issued by the Lead Local Flood Authority.
CCTV survey document by Lane Group plc Ref: Mayton Street - PJ00417102 dated 17/8/2021
United Utilities email 19 July 2021 confirming sewer ownership details.

C30 Tree Protection

The discharge of 30 (Tree protection) is approved on the basis that the construction phase of the development is implemented in accordance with the following details:

- i. Drawings referenced: Site landscaping: 1914-GWP- 01-01-DR-A-(PA)-006, including the demarcation of the tree protection zone and erection of protective fencing to its perimeter. The protective fencing shall remain in place at all times during the construction phase apart from circumstance where hand digging and working is required within the protective zone;
- ii. Email dated 28 October 2021 from GWP confirming that metal protective fencing would installed with a minimum height of 2.1 metres around the perimeter of retained trees within the application site.

C31 Acoustic

The pre-commencement part of condition 31 (Acoustics) is approved on the basis that the development is implemented in accordance with document referenced: Assessment of the Existing Noise Climate in the Vicinity of the Proposed Residential Development at Mayton Street, Openshaw, Manchester by Druk Limited Report Reference: DRUK/ACC/RS/GWPAWCOM/2794MSRA2
Date: 14th April 2021.

However , upon completion of the development and before first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

C32A Coal Legacy

The discharge of Condition 32A (Mining legacy assessment) is approved on the basis that the development is implemented in accordance with document referenced: Phase 2 Geo-Environmental Investigation & Assessment for Mayton Street, Openshaw undertaken on behalf of Eco-Res LLP by WML Consulting Ltd Report No. 8755G-WML-00-XX RP-G-0002 dated July 2020.

Following implementation and completion of the approved remediation scheme and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Date: 29 October 2021

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.