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Bromley Street S73

138695/FO/2023

Dear Max,

On behalf of Meanwhile Creative, the Applicant, this letter supports a Section 73 (S73) application at Bromley Street, Manchester, M4 4JS. It seeks to vary the following conditions attached to full planning permission, reference 138695/FO/2023:

- Condition 1
- Condition 2
- Condition 4
- Condition 5
- Condition 6
- Condition 8
- Condition 9
- Condition 16
- Condition 17

The proposed change to each of these conditions is set out below.

Proposed Amendments

Condition 1

Following the approval of a Non-Material Amendment in 2024 to remove reference to the number of consented years from the description of development (ref. 141741/NMC/2024), this application seeks to extend the temporary period by an additional 2 years.

Condition 1 reads:

"The permission hereby granted is for a limited period only, expiring on 24 May 2027"

The proposed wording is:

"The permission hereby granted is for a limited period only, expiring on 24 May 2029"

The proposed change would mean that the permission is in place for 5 years, rather than 3 years.



Condition 2

As per condition 1, condition 2 should be amended for consistency to confirm that the approved use and structures shall be discontinued after the new time period expires in 2029.

Condition 2 reads:

"The use and structures hereby permitted shall be discontinued no later than the 24 May 2027 and the buildings and works comprising the development are required to be removed no later than one month from the use ceasing."

The proposed wording is:

"The use and structures hereby permitted shall be discontinued no later than the 24 May 2029 and the buildings and works comprising the development are required to be removed no later than one month from the use ceasing."

Condition 4

To account for changes made to conditions discussed later in this letter (namely the submission of detail previously required to discharge conditions), the approved plans list in Condition 4 will need to be amended for consistency.

Therefore, the Flood Risk Assessment and Drainage Strategy received by the City Council on 30/11/2023 should be replaced with:

- Flood Risk Assessment and Drainage Management Strategy December 2024 Ref. HYD844_BROMLEY.STREET_FRA&DMS Rev 2.0
- Drainage Strategy General Arrangement 065619-CUR-00-XX-DR-D-72001_P02

New Documents to be included in condition 4:

- Waste Management Strategy prepared by Eden Planning, Ref. 2807 dated 23 January 2025
- Construction Management Plan, dated January 2025

Condition 5

As part of this submission, a Construction Management Plan has been prepared as required by condition 5. Subject to its acceptability, it is requested that the trigger for this condition be changed to compliance as opposed to prior to commencement of the development.

Condition 5 reads:

"Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- *The routing of construction traffic;*
- *Detail the vehicular activity associated with the construction including appropriate swept-path assessment;*
- *Details of the location and arrangements for contractor parking;*
- *The identification of the vehicular access points into the site;*



- *Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period;*
- *The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;*

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The construction works shall be carried out in accordance with the approved construction management plan."

The proposed amendment is:

"The development should be carried out in accordance with the construction management plan dated January 2025 which outlines working practices during development."

Condition 6

As part of this submission, a Waste Management Strategy has been prepared to satisfy the requirements of condition 6. As such, subject to its acceptability, it is requested that condition 6 no longer be triggered by "prior to commencement" but instead become compliance.

Condition 6 reads:

"Prior to the commencement of the development hereby approved, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented and be in place prior to the first use of the development and shall remain in situ whilst the use or development is in operation."

The proposed amendment is:

"The development should be carried out in accordance with the waste management strategy prepared by Eden Planning, Ref. 2807 dated 23 January 2025."

Condition 8

At the time of the application submission and determination there was some confusion over the extent of hard standing currently on site and whether or not it would be altered. It is confirmed that there will be no additional hard standing on site as a result of the proposed development. The proposed shipping containers sit above the existing surface of the site, meaning that flow of surface water will not be altered and the existing drainage system is sufficient for the proposed development.



At present the surface of the site is permeable allowing water to pass into the drainage system. As this will not be altered, no SUDs scheme is required. To alleviate concerns in this regard an amended Flood Risk Assessment is submitted along with details of the existing drainage scheme present on site.

Condition 8 reads:

"Prior to the commencement of the development, a surface water drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards:

This shall include the following information:

- *A finalised drainage layout showing all components, outfalls, levels and connectivity.*
- *Where re-use of existing drainage infrastructure is proposed, evidence is required that the condition and capacity is fit to serve the proposed development.*
- *Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;*
- *Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.*
- *Details of surface water attenuation that offers a restricted surface water runoff rate of 5 l/s via the existing connection.*
- *An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.*
- *Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 30% climate change in any part of a building;*
- *Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.*
- *Hydraulic calculation of the proposed drainage system;*
- *Construction details of flow control and SuDS elements.*

The approved details shall be implemented prior to the first use of the development."



It is proposed that condition 8 is deleted because it is not necessary. However, the Applicant is willing to accept a condition that requires the regular checking of the existing drainage scheme and its maintenance should it be required. This is dealt with in relation to condition 9 below.

Condition 9

No change is proposed to the existing drainage on site; therefore, it is believed that this condition is no longer required and can be deleted.

Condition 9 reads:

“Prior to the first use of the development, an implementation, maintenance and management scheme for the sustainable drainage scheme have been submitted to and approved by the local planning authority.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- *Verification report providing photographic evidence of construction as per design drawings;*
- *As built construction drawings;*
- *Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.”*

If it is deemed necessary to secure the ongoing maintenance of the drainage system currently on site then the following wording could be used instead of the above:

“The drainage system as shown on plan reference 065619-CUR-00-XX-DR-D-72001_P02 shall be inspected at least annually and any maintenance undertaken as required. A verification report shall be prepared and kept at the site and presented to the Council if requested.”

Condition 16

Condition 16 requires the submission of a schedule of opening hours for the use of external areas, this application provides such detail to satisfy the condition.

Condition 16 reads:

“Prior to first use of the development hereby approved, a schedule of days and hours of operation for the use of external areas shall be submitted to and approved in writing by the City Council as local planning authority. The use of external areas shall only be permitted during these hours and the use of amplified sound or any music in these external areas shall be prohibited at any time.”

The following opening hours for the site as a whole are proposed:

- 7am- 10pm Monday to Thursday
- 7am-11pm Friday and Saturday
- 9am-10pm Sunday and bank holidays



It is proposed that external areas will be used by occupiers during opening hours. However, the use of amplified sound would be restricted to:

- 11am-7pm Monday to Thursday
- 11am-9pm Friday and Saturday
- None on Sundays and bank holidays

Subject to the acceptability of these hours, condition 16 should therefore be amended so that it requires the development to operate in accordance with the above schedule.

Condition 17

As per condition 16, details of opening hours are provided by this application to satisfy the requirements of condition 17. Subsequently, this condition should be amended so that it reflects compliance with these restrictions.

Condition 17 reads:

"Prior to the first use of the development hereby approved, the opening hours for the containers shall be submitted for approval in writing by the City Council as local planning authority. The approved hours shall be implemented for the lifetime of the development."

The information pertaining to condition 16 above outlines the proposed opening hours of the site. It is requested that condition 17 is amended to be a compliance condition as follows:

"The containers on site shall only open for trade between the following hours:

- 7am- 10pm Monday to Thursday
- 7am-11pm Friday and Saturday
- 9am-10pm Sunday and bank holidays"

Conclusion

In summary, the proposed amendments to conditions attached to the planning permission reference 138695/FO/2023 for this site are reasonable and represent a minor amendment to the permitted development.

Similarly, we have provided the necessary information which was required by some of these conditions to negate the need for a separate submission, therefore effectively 'discharging' them.

We trust this letter provides sufficient information to register and progress this application. Please do not hesitate to contact us if you have any queries.

Yours sincerely,



Nicole Roe MRTPI

DIRECTOR