

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 11 (EV Charging), 13 (Bin Storage), 14 (Cycle Storage), 15 (Noise), 20 (Off Site Highways Works), 23 (Ecology), 25 (Landscaping) and 30 (Boundary Treatment) attached to planning permission 136171/FO/2023

Location: Land Bounded By Brigham Street, Meech Street And The Rear Of Connie Street, Manchester,

Date of application: 27 June 2024

Application number: CDN/24/0577

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.

C11 EV charging

The discharge of condition 11 (EV Charging) is approved on the basis that the development is implemented in accordance with the submitted electric vehicle charging point specifications referenced: EVA-075 -SE: 7.3 kW Earth Wall AC charger single gun [32A single phase] by Project EV (wall mounted) and Apex - 7.3 fast AC single out 7.3 kW chargers by Project EV (post mounted) to be located in the positions shown on drawings ref: Proposed site plan Ref: 20_05/02 Rev A; and the approved details are implemented before the occupation of the development and maintained in situ thereafter.

C13 Bin storage

The discharge of condition 13 (Bin Storage) is approved on the basis that the development is implemented:

- i. Proposed Site Plan Ref: 20_051/02 Rev A (amended by drawing ref: 20-051 Southern Boundary Clarification attached to email from Triangle Architects dated 31 July 2024).

- ii. Brigham Street Development. Openshaw, Waste Management Strategy, Brigham Street Development, Openshaw - Waste Management Strategy by Triangle Architects received 17 February 2023;
- iii. Waste Management Proforma Ref: 136171/FO/2023 dated 6 February 2023.

And the approved details shall be implemented in full prior to the first occupation of the development and maintained in situ thereafter.

C14 Cycle Storage

The discharge of condition 14 (Cycle Storage) is approved on the basis that the development is implemented in accordance with the specifications of the submitted timber cycle storage enclosure details including the referenced padlocking arrangements as detailed in document referenced Condition 14 Cycle Storage by John Southworth in the locations on plan ref: Proposed Site Plan Ref: 20_051/02 Rev A. The approved details shall be implemented before the occupation of the development and maintained in situ thereafter.

C15 Noise

The discharge of condition 15 (Noise) is approved on the basis that the development is implemented in accordance with document referenced Brigham Street Openshaw Discharge of Condition 15 Noise Impact Assessment Report Project No 0972023 dated 5 October 2023 amended by email from JPM Acoustics dated 7 August 2024.

Prior to first occupation of the residential units, a verification report shall 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 have 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.

C20 Off site highways

The discharge of condition 20 (Off Site Highways Works) is approved on the basis that the development is implemented in accordance with the submitted drawings referenced:

Standard Road Construction Details Ref: 21.B.13127-SD01 Rev. B
Proposed Highways Adoption and Legal Plan Ref: 21.B.13127-30 Rev. F
Section 278 General Arrangement Ref: 21.B.13127 - 33 Rev. F
Section 278 Surfacing and Kerbing Layout Ref: 21.B.13127 - 34 Rev. C
Section 278 Site Clearance Plan Ref: 21.B.13127 - 35.

The approved works shall be implemented before the occupation of the development.

C23 Ecology

The discharge of condition 23 (Ecology) is approved on the basis that the development is implemented in accordance with:

- i. Document referenced: Preliminary Ecological Appraisal: Land at Brigham Street Manchester M11 2JH Ref: P.1592.22 dated 3 November 2022 (including recommendations detailed in section 5.3 Enhancements) by Ascerta.
- ii. The specification for bat and bird boxes detailed in document referenced Condition 23 - Ecology by John Southworth.
- iii. The positions of bat and bird boxes and fencing gaps for hedgehog movement as shown on annotated drawing received on 27 June 2024.

The development shall be undertaken in accordance with the approved details before the occupation of the apartments and maintained in situ thereafter.

C25 Landscaping

The discharge of condition 25 (Landscaping) is approved on the basis that the development is implemented in accordance with the detail of drawing referenced: Landscape Proposals Ref: 7509.01.

The approved landscaping scheme shall be fully implemented during the first full planting scheme following the occupation of the development and maintained in situ thereafter in accordance with the approved landscape maintenance scheme. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

C30 Boundary

The discharge of condition 30 (Boundary Treatment) is approved on the basis that the development is implemented in accordance with the following drawings:

- i. Proposed Site Plan Ref: 20_051/02 Rev A (amended by drawing ref: 20-051 Southern Boundary Clarification attached to email from Triangle Architects dated 31 July 2024).
- ii. Boundary Treatment Details Ref: 20-051 Rev 30.

The approved details shall be implemented before the first occupation the development and maintained in situ thereafter.

Date: 13 August 2024

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.