MANCHESTER CITY COUNCIL

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

Approval of details reserved by condition

Applicant

Ahuja
577-579 Wilbraham Road
Manchester
M21 9AF

Agent (if used)

Mr Paul Harrison
Just-H Architects
46 Manchester Road
Manchester
M21 9PH

Part 1 – Particulars of the application/development

Proposal: Application to discharge conditions 2 (materials), 4 (construction management), 5 (air quality), 7a (acoustic insulation), 8a (noise/overheating) and 16 (environmental statement) attached to planning permission referenced 137425/FO/2023

Location: 577 - 579 Wilbraham Road, Manchester, M21 9AF

Date of application: 26 March 2024

Application number: CDN/24/0235

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 2 (materials)
The external materials detailed within the submitted materials schedule (Editions 1 and 2), received by the City Council as Local Planning Authority on 26 March 2024 and 3 June 2024 respectively, together with the content of the e-mail from JH.A dated 7 June 2024, is satisfactory. Subject to implementation of the agreed materials, condition 2 can be discharged.

Condition 4 (CMP)
The details contained within the Construction Management Plan (Rev C), received by the City Council as Local Planning Authority on 3 May 2024, are satisfactory. Subject to implementation of the agreed details, condition 4 can be discharged.

Condition 5 (air quality)
The Ventilation Strategy prepared by QED (Ref: JV/Rep03/22-1033), together with the submitted floorplans showing the position of the Air Intake' locations for the MVHR, received by the City Council as Local Planning Authority on 26 March 2024 and 1 May 2024 respectively, is satisfactory. Subject to implementation of the agreed details, condition 5 can be discharged.

Condition 7a (external plant)

Confirmation that no external plant is proposed, as detailed within the submitted application form received by the City Council as Local Planning Authority on 26 March 2024, is noted. Any future verifiction report will need to include the impact of inlets/outlets associated with the mechanical ventilation system. On this basis, condition 7a can be discharged.

Condition 8a (noise/overheating)
The following information has been assessed as being satisfactory:

-Drawing referenced VP01-C-AD4.01 (upper floor details), received by the City Council as Local Planning Authority on 21 May 2024
-Acoustic Solution document prepared by Vent Axia, received by the City Council as Local Planning Authority on 21 May 2024
-Acoustic thermal insulation specification prepared by DEC, received by the City Council as Local Planning Authority on 21 May 2024
-E-mail from JH Architects dated 21 May 2024.
-Noise Assessment Report (Ref: : RSA447/2023), prepared by RS Acoustic Engineering, received by the City Council as Local Planning Authority on 1 May 2024;
-Overheating Assessment (Rev 01) prepared by Compliant EPC Ltd, received by the City Council as Local Planning Authority on 26 March 2024;

On this basis, condition 8a can be discharged.

Condition 16 (ES)
The details of the environmental measures to be incorporated into the development, as detailed within the submitted Environmental Standards Statement (March 2024 Rev A), received by the City Council as Local Planning Authority on 26 March 2024, are satisfactory. Subject to full implementation of the agreed details, condition 16 can be discharged.

Date: 11 June 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 of 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.