

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), 4 (CMP) 6 (ground conditions), 8 (noise), 11 (drainage) and 21 (lighting) attached to planning permission referenced 127106/FO/2020

Location: 168-170 Bury Old Road, Manchester, M7 4QY

Date of application: 26 June 2023

Application number: CDN/23/0379

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 3 (materials)

The following external materials, as detailed in correspondence received by the City Council as Local Planning Authority on 23 November 2023, are satisfactory.

Bury Old Road units

- Marshalls facing brick 'Etton White' creased with light grey mortar laid stretcher bond to all primary elevations with a reconstituted sandstone band set in;
- Aluminium cladding panels/trim to bays to be bespoke and RAL 7016: Anthracite; Grey;
- Polyester powder coated thermally broken Technal Geode MX 52 (or similar approved) curtain walling system with argon filled sealed glazing units;
- Real Aluminium Alitherm 400 System (or similar approved), thermally broken, polyester powder coated internally beaded aluminium high-performance doubleglazed windows, patio and balcony doors: RAL 7016: Anthracite Grey;
- Roof dormers faced with lead replacement sheets Nicholsons Masterform (or similar approved);
- Natural slate roof;

-Rainwater pipes and gutters to be box section aluminium Alumasc (or similar approved) in RAL 7016: Anthracite Grey.

Catherine Road units:

- Pembroke facing brick with light red/brown mortar to all primary elevations laid stretcher bond;
- Galvanised steel cladding panels/trim to bays, projecting 75mm from brick face to be bespoke and in RAL8029: Copper Red
- REHAU Total 70 Window and Door System. (or similar approved). UPVC thermally broken windows and patio doors. RAL 7016: Anthracite Grey;
- Natural slate roof;
- Rainwater pipes and gutters to be box section aluminium Alumasc (or similar approved) in RAL8029: Copper Red.

Subject to implementation of the agreed materials, condition 3 can be discharged.

Condition 4 (CMP)

The details contained within the submitted Construction Management Plan, produced by Vectos (Ref: VN232669) dated October 2023 and received by the City Council as Local Planning Authority on 20 October 2023, is satisfactory. Subject to implementation of the agreed details, condition 4 can be discharged.

Condition 6 (ground conditions)

The details contained within the submitted Ground Investigation Report (Rev A) produced by Arc Environmental, received by the City Council as Local Planning Authority on 27 November 2023, are satisfactory. Subject to implementation of the agreed details, condition 6 can be discharged.

Condition 8 (noise)

The following details have been assessed as being satisfactory:

- Overheating Review and Strategy produced by JLD (Ref: J358/M/OS1 - P04), received by the City Council as Local Planning Authority on 19 January 2024;
- Response from DBX Acoustics (Ref: 22109-L01-BT) received by the City Council as Local Planning Authority on 21 December 2023;
- Noise Impact Assessment produced by DBX Acoustic received by the City Council as Local Planning Authority on 14 November 2023.

Subject to implementation of the agreed details, condition 8 can be discharged.

Condition 11 (drainage)

The details submitted to the City Council are satisfactory, Namely:

- Tank Details drawing referenced S (NG) 24276/A, received by the City Council as Local Planning Authority on 19 February 2024
- Response from Adept dated 21 December 2023, received by the City Council as Local Planning Authority on 19 February 2024;
- Product Installation Manual received by the City Council as Local Planning Authority on 19 February 2024;

-Letter from Adept (Ref: 100.20004) received by the City Council as Local Planning Authority on 18 March 2024;
-Drainage calculations (Ref: 100.202004 - Rev P3) received by the City Council as Local Planning Authority on 18 March 2024;;
-Drawing referenced 100.20004-ACE-XX-XX-DR-C-1001/P06, received by the City Council as Local Planning Authority on 18 March 2024;
-Drawing referenced "100.20004-ACE-XX-XX-CA-C-1050 - Proposed SW Calcs" received by the City Council as Local Planning Authority on 19 February 2024.

Subject to implementation of the agreed details, condition 11 can be discharged. This is on basis of the details contained on drawing referenced "100.20004-ACE-XX-XX-CA-C-1050 - Proposed SW Calcs" modelled storage volume being sufficient to demonstrate that the details on drawing referenced "100.20004-ACE-XX-XX-DR-C-1001 P06" layout (greater storage volume)" would meet required design performance standards at the same flow value of 3.5 l/s.

Condition 21 (lighting)

The details of the external lighting shown on drawing referenced J321-GLD-00-DR-E-8000-00/P1, received by the City Council as Local Planning Authority on 8 June 2023, is satisfactory. Subject to implementation of the agreed details, condition 21 can be discharged.

Date: 17 April 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.