

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

Approval of details reserved by condition

Applicant

Mr Steven Ludlam
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Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Application to discharge condition 5 (materials), 6 (highways works), 8 (cycle storage), 10 (EV charging points), 16B (noise attenuation), 17 (refuse storage), 27 (tree protection) and 34 (boundary treatment) attached to planning permission 134775/FO/2022

Location: Land Off Louisa Street, Manchester

Date of application: 25 August 2023

Application number: CDN/23/0586

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 no.5 Materials

The details in the Illustrated Materials Schedule rev. A received 02.01.2024 in the locations on Materials Plan. 1020-MAT01. Rev F, together with the Landscape Proposals Scheme (Including Hard Surfaces) plan ref: 6989.01 Rev. L received 4th January 2024 have been examined and are considered to be acceptable. On the basis that the development is implemented in accordance with materials specified within the documents and plans referred to above, condition no.5 is discharged.

Condition no. 6 (highways works)

The information shown on the plans below has been examined and is considered to be acceptable subject to the Applicant continuing ongoing discussions with the MCC Highways team regarding the Highways Works and Section 278 agreement (pursuant to the Highways Act 1980).

Section 38 Agreement Plan - 23102-BGC-D-100S38
Adoptable Surfacing and Kerbing Plan - 23102-BGC-D-121
Highway Contours and Chainages Plan - 23102-BGC-D-141

Highway Gulley Catchment Plan - 23102-BGC-D-151
Adoptable Highways & Drainage Longitudinal Sections and MH Schedule Plan - 23102-BGC-D-201 A
Adoptable Carriageway Construction Detail Plan - 23102-BGC-D-301 A
Road Safety Audit - 2023/WH/1867
Swept Path Analysis MCC Specification Refuse Collection Vehicle - SK22231-005
Street Lighting Layout - SHD758-SHD-HLG-LOUI-DR-EO-Lighting Layout-R0
Build Route (Showing proposed sequence of occupations)- 1020-CBR01-C

On the basis that the development is implemented in accordance with the details set out on the plans referenced above and that the Applicant continues to have ongoing discussions with the MCC Highways team regarding the Highways Works and Section 278 agreement , condition no.6 is discharged.

Condition no. 8 (cycle storage)

The details shown on plan ref: Timber Cycle Store - 1020-TCS001 for the cycle storage associated with the apartment element of the proposed development, and the cycle storage structures shown in the visual submitted on 02.01.2024 (which would be located within rear garden area of each dwelling) are considered to be satisfactory.

On the basis the cycle storage structures shown in the visual submitted, are located within rear garden area of each dwelling on plot nos.1 to 29 (all) and the cycle store on plan ref: Timber Cycle Store - 1020-TCS001 to serve the apartments, are implemented and all the agreed works completed prior to the proposed accommodation being brought into use, and be retained thereafter, condition no.8 is discharged.

Condition no.10 (EV charging points)

The information shown on the plans below has been examined and is considered to be acceptable

-Electric Vehicle Charging Point Plan:

-1020-EVCP01. Rev F. ROLEC QUANTUM: EV Open charge Type 2 Unit. Specification Information.

-ROLEC: EV WALLPOD Charging Unit. Specification Information.

On the basis that the development is implemented in accordance with the details set out on the plans referenced above, prior to that accommodation being occupied, and is thereafter managed and maintained in accordance with the approved details, condition no.10 is discharged.

Condition no 16B (noise attenuation)

The information shown on the plans and documentation referenced below has been examined and is considered to be acceptable:

-Acoustic Details: Boundary Treatment Plan: 1020-BT01. Rev J.

-Acoustic Fence Details: 1020-AF01. Hepworth Acoustics: Acoustic Fence Requirements. Hepworth Acoustics:

- Noise Impact Statement: Proposed Residential Development at Former Louisa Street works, Openshaw

On the basis that the development is implemented in accordance with the details set out on the plans referenced above, prior to that accommodation being occupied, , condition no.16b is discharged.

Condition no.17 (refuse storage)

The information shown on the plan ref: Timber Refuse Store: 1020-TRS01 Rev A has been considered in conjunction with the content of the Agent email dated 21.12.2023 confirming the bin store to serve each of the proposed apartments would have 3 x general waste 1100litres; 1 x pulpable waste 1100litres; 1 x cojoined waste 1100litres and in addition to the above there will be 2no. Green Waste Bins. It is noted that the bins for the dwellinghouses would all be in rear gardens on flagged areas would not be housed in refuse storage structures.

The above information and plans are considered to be acceptable, and condition no.17 is discharged on the basis that the refuse provision for both the apartments and dwellinghouses is implemented as part of the development prior to the occupation of the residential accommodation, and shall remain in situ whilst the dwellings and apartments are occupied

Condition no.27 c (tree protection)

The Tree Works and Tree Protection details shown on:

Photo 1 - Warning Signage - 14.7.23

Photo 2 - Installed Tree Protection Fencing - 14.7.23

have been noted together with the dates which demonstrate the implementation prior to any works commencing on the site. The submitted information is considered to be satisfactory and on the basis that the fencing remains in site for the duration of the construction period, I can confirm that condition 27 part c has been complied.

However, condition no.27 cannot be formally discharged as parts a and b have on-going requirements for the duration of the time period specified in the condition.

Condition no.34 (boundary treatment)

The boundary treatment information shown on plan refs Boundary Treatments Plan: 1020-BT01 Rev J received 02.01.2024;

Acoustic Fence Details: 1020-AF01. Standard Detail: 1800mm Timber Access Gate: B-12.2-08 Standard Detail: 1800mm Concrete Post & Feather Edge Panel Fence, with Kick Board: B-12.2-14.

It is noted that the boundary treatment to the northern boundary with the industrial unit has been revised in height from a 1.8m to a 3m acoustic timber fence, and where acoustic fencing runs along the end of Ferris Street to the back of pavement on Louisa Street it would be increased in height from 1.8m to 2.2m to meet requirements of condition no.16b in regard to noise attenuation.

On the basis that the development is implemented in accordance with the details on the plans referenced above, condition no.34 is discharged.

Date: 4 January 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.