

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

Approval of details reserved by condition

Applicant

Mulbury Homes (Oldham Road) Ltd.
C/o Agent

Agent (if used)

Rachel Poole
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 11 (drainage maintenance), 14 a) (Plant), 15 a) (Noise residential), 16 a) (Noise Commercial), 18 (Waste Commercial), 19 (Fumes), 20 (Roller Shutters), 26 (lighting), 28 (Secured by Design), 32 (TV reception), 35 (Signage Strategy), 36 (Bird and Bat Bones), 39 (Solar Panels) and 41 (Roof Terrace operations) attached to Planning Permission 125686/FO/2019

Location: Site Bound By Oldham Road To The East, Marshall Street To The North East, Chadderton Street To The North West And Addington Street To The South West, Manchester

Date of application: 15 May 2023

Application number: CDN/23/0305

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 11 Drainage Management

The following information has been submitted in respect of this planning condition:

- Documents received by the City Council, as Local Planning Authority, on the 15 May and 11 July 2023

The above information has been considered and is acceptable. The development shall be carried out in accordance with the above information.

Condition 11 is now formally discharged.

Condition 14a Plant

The following information has been submitted in respect of this planning condition:

- Noise Impact Assessment by Environoise Consult, dated 30/3/23 and the proposed plant is shown in Table 1.1 received by the City Council, as Local Planning Authority, on the 15 May and 24 July 2023

The above information has been considered and is acceptable in order to discharge part (a) of this planning condition.

Condition 14a is now formally discharged.

Condition 15a Noise Residential

The following information has been submitted in respect of this planning condition:

- Noise assessment received by the City Council, as Local Planning Authority, on the 15 May 2023
- Noise Level Verification by Environoise Consult, dated 24/7/23 received by the City Council, as Local Planning Authority, on the 24 July 2023

The above information has been considered and is acceptable. The development shall be carried out in accordance with the above information.

Condition 15a is now formally discharged.

Condition 16a Commercial Noise

The following information has been submitted in respect of this planning condition:

- Noise Assessment by Environoise Consult, dated 30/3/23 and providing the maximum permissible limits for music noise as set out in Table 1.2 received by the City Council, as Local Planning Authority, on the 15 May 2023
- Noise Level Verification by Environoise Consult, dated 24/7/23.

The above information has been considered and is acceptable. The development shall be carried out in accordance with the above details.

Condition 16a is now formally discharged.

Condition 18 Waste

The following information has been submitted in respect of this planning condition:

- Waste management strategy received by the City Council, as Local Planning Authority, on the 15 May 2023

The above information has been considered and is acceptable. The waste management arrangements shall be carried out in accordance with the above information.

Condition 18 is now formally discharged on this basis.

Condition 19 Fumes

The following information has been submitted in respect of this information:

- Email from Deloitte dated the 18 July 2023. This email confirms that commercial kitchen is proposed.

No further action.

Condition 20 Roller Shutters

The following information has been submitted in respect of this information:

- Covering letter received by the City Council, as Local Planning Authority, on the 15 May 2023

The above letter confirms that no roller shutters are proposed.

No further action.

Condition 26 Lighting

The following information has been submitted in respect of this information:

- Lighting scheme received by the City Council, as Local Planning Authority, on the 15 May 2023

The above information has been considered and is acceptable. The development shall be carried out in accordance with the above information.

Condition 26 is now formally discharged.

Condition 28 Secured by Design

The following information has been submitted in respect of this information:

- Secured by Design Accreditation received by the City Council, as Local Planning Authority, on the 15 May 2023

The above information has been considered and is acceptable.

Condition 28 is now formally discharged.

Condition 32 TV reception

The following information has been submitted in respect of this information:

- Television Post-Construction Survey Report has been prepared by Pager Power received by the City Council, as Local Planning Authority, on the 15 May 2023

The above information has been considered and is acceptable.

Condition 32 is now formally discharged.

Condition 35 Signage

The following information has been submitted in respect of this information:

- Drawing 0322-TGA-XX-XX-DR-A-05102 P4 has been prepared by Pager Power received by the City Council, as Local Planning Authority, on the 10 October 2023

The above information has been considered and is acceptable. The signage at the development shall be carried out in accordance with this information. Vinyls shall be applied internally.

Condition 35 is now formally discharged.

Condition 36 Bird and Bat

The following information has been submitted in respect of this information:

- Drawing D464-TGA-XX-12-SK-A-85002 has been prepared by Pager Power received by the City Council, as Local Planning Authority, on the 15 July 2023

The above information has been considered and is acceptable. The bird and bat boxes shall be implemented in accordance with this information and be in place prior to the first use of the development.

Condition 36 is now formally discharged.

Condition 39 Solar Panels

The following information has been submitted in respect of this information:

- Roof Level Photovoltaic Panel Layout (Ref. D464- AME-ZZ—R1-DR-E-6112) has been prepared by GMI and Technical Submittal' (Ref. D464-AME-XX-XX-TSM-0028) prepared by Ameen received by the City Council, as Local Planning Authority, on the 15 July 2023

The above information has been considered and is acceptable. The solar panels shall be implemented in accordance with this information and be in place prior to the first use of the development.

Condition 39 is now formally discharged.

Condition 41 Roof Terrace Hours

The roof terrace hours, as outlined in the covering letter received by the City Council, as Local Planning Authority, on the 15 July 2023, are as follows:

Monday - Sunday: 7am-10pm

The roof terrace hours are acceptable.

Condition 41 is now formally discharged on this basis.

Date: 13 October 2023

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.