

11 May 2023

**F.A.O Jen Atkinson**  
Manchester City Council  
Planning and Development  
PO Box 532  
Town Hall  
Manchester  
M60 2LA

Dear Jennifer,

**Oldham Road, New Cross**  
**Application for Discharge of Condition - Planning Permission Reference: 125686/FO/2019**

Please find enclosed an application for the full discharge of Conditions 11, 14 a), 15 a), 16 a), 18, 19, 20, 26, 28, 32, 35, 36, 39 and 41 attached to Planning Permission ref: 125686/FO/2019 granted 18 December 2020.

The Planning Permission relates to the erection of a 12-storey residential building on the Site bound by Oldham Road, Marshall Street, Chadderton Street and Addington Street.

The Applicant is Mulbury Homes (Oldham Road) Ltd.

For clarity, the description of development for the Planning Permission is as follows:

*“Erection of a 12-storey residential building (Use Class C3) comprising 144 residential units, with ground floor commercial use (Use Class A1, A2, A3, B1, and /or D1 (excluding Places of Worship)) (144 sqm) or ancillary residents lounge, disabled car parking, with highways, landscaping and other associated works following demolition of existing buildings.”*

Table 1 below confirms the documents submitted in support of this application for the discharge of conditions.

*Table 1: Condition 11, 14 a), 15 a), 16 a), 18, 19 20, 26, 28, 32, 35, 36, 39 and 41 Submission Documents*

| Condition Wording                                                                                                                                                                | Submission Document(s)                                                                                                  |
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| <b><u>Condition 11</u></b><br><br>Prior to the first occupation of the development, details of the implementation, maintenance and management of the sustainable drainage scheme | GMI has prepared a pack which details the implementation, maintenance and management of the installed attenuation tank. |

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| <p>shall be submitted for approval in writing by the City Council, as Local Planning Authority.</p> <p>For the avoidance of doubt this shall include:</p> <ul style="list-style-type: none"> <li>– Verification reporting providing photographic evidence of constriction;</li> <li>– Management and maintenance plan for the lifetime of the development which</li> <li>– shall include the arrangements adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.</li> <li>– Timescale for implementation</li> </ul> <p>The implementation of the management and maintenance plan shall be implemented in accordance with the timescales agreed and retained for as long as the development remains in use.</p>                                                                                                                   | <p>This pack is submitted to discharge Condition 11 in full.</p>                                                                                                                                                                                                                                                                    |
| <p><b><u>Condition 14 a)</u></b></p> <p><i>Notwithstanding the noise impact assessment stamped as received by the City Council, as Local Planning Authority, on the 23 December 2019,</i></p> <ul style="list-style-type: none"> <li>a) <i>Prior to the first occupation of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (Laeq) below the typical background (La90) level at the nearest noise sensitive location.</i></li> <li>b) <i>Prior to the first occupation of the development, a verification report will be required to validate that the work</i></li> </ul> | <p>A Noise Assessment on the externally mounted plant, equipment and servicing has been prepared by Environoise Consulting Limited, which addresses the requirements of part a) of this condition.</p> <p>This information is submitted to partially discharge Condition 14 in relation to the requirements set out in part a).</p> |

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| <p><i>undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                   |
| <p><b><u>Condition 15 a)</u></b></p> <p><i>Notwithstanding the noise impact assessment stamped as received by the City Council, as Local Planning Authority, on the 23 December 2019,</i></p> <p><i>a) prior to the first occupation of the residential element of the development, a scheme for acoustically insulating the proposed residential accommodation against noise from Oldham Road and local traffic network shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the development.</i></p> <p><i>Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:</i></p> <ul style="list-style-type: none"> <li><i>Bedrooms (night time - 23.00 - 07.00)<br/>30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)</i></li> </ul> | <p>A scheme for acoustically insulating the proposed residential accommodation against noise has been prepared by Environoise Consulting Limited, which addresses the requirements of part a) of this condition.</p> <p>This information is submitted to partially discharge Condition 15 in relation to the requirements set out in part a).</p> |

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| <ul style="list-style-type: none"> <li>• <i>Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq</i></li> <li>• <i>Gardens and terraces (daytime) 55 dB L Aeq</i></li> </ul> <p>b) <i>Prior to the first occupation of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.</i></p> |                                                                                                                                                                                                                                                                                                                       |
| <p><b><u>Condition 16 a)</u></b></p> <p>a) <i>Notwithstanding the noise impact assessment stamped as received by the City Council, as Local Planning Authority, on the 23 December 2019, prior to the first use of the commercial unit or Residents Lounge as indicated on drawing 0322-TGA-XX-00-DR-A-0300 Rev P6 stamped as received by the Local Planning Authority on 9 December 2020, a scheme of acoustic insulation for that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority.</i></p> <p><i>Where entertainment noise is proposed the L Aeq (entertainment noise) shall be controlled to 10dB below the L A90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential</i></p>                         | <p>A Noise Assessment relating to the ground floor communal area has been prepared by Environoise Consulting Limited, which addresses the requirements of part a) of this condition.</p> <p>This information is submitted to partially discharge Condition 16 in relation to the requirements set out in part a).</p> |

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| <p><i>properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.</i></p> <p><i>b) Prior to the first use of the commercial unit, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.</i></p> |                                                                                                                                                                                                               |
| <p><b><u>Condition 18</u></b></p> <p><i>Prior to the first occupation of the commercial unit or Residents Lounge as indicated on drawing 0322-TGA-XX-00-DR-A-0300 Rev P6 stamped as received by the Local Planning Authority on 9 December 2020, the waste management arrangements shall be submitted for approval in writing by the City Council, as Local Planning Authority.</i></p> <p><i>The details shall be implemented prior to the first use of the commercial unit hereby approved and thereafter retained and maintained in situ.</i></p>                                                                                                                                                                                                                                                                                                                       | <p>A Waste Management Strategy for residents lounge has been prepared by Native Residential. and is submitted to discharge Condition 18 in full.</p>                                                          |
| <p><b><u>Condition 19</u></b></p> <p><i>Prior to the first use of the commercial unit, as shown on drawing 0322-TGA-XX-00- DR-A-0300 stamped as received by the City Council, as Local Planning Authority, on 23 December 2019, details of a scheme to extract fumes, vapours and odours from that commercial unit shall be submitted for approval in writing by the City Council, as Local</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>The area identified for commercial unit or Residents Lounge will now operate only as a residents lounge.</p> <p>Details of the ventilation for this area have been provided as part of the below pack:</p> |

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| <p><i>Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the commercial unit and thereafter retained and maintained in situ.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <ul style="list-style-type: none"> <li>• Residents Lounge Layout (Ref. D464-AME-ZZ-00-DR-M-5044)</li> <li>• Residents Lounge Air Conditioning (Ref. D464-AME-XX-XX-TS-M-0033)</li> <li>• Residents Lounge Attenuation (Ref. D464-AME-XX-XX-TS-M-0035)</li> <li>• Residents Lounge Extract Fan (Ref. D464-AME-XX-XX-TS-M-0036).</li> <li>• Residents Lounge Grilles &amp; Diffusers (Ref. D464-AME-XX-XX-TS-M-0037)</li> </ul> <p>This pack is submitted to discharge condition 19 in full.</p> |
| <p><b><u>Condition 20</u></b></p> <p><i>Prior to the first use of the commercial unit or Residents Lounge as indicated on drawing 0322-TGA-XX-00-DR-A-0300 Rev P6 stamped as received by the Local Planning Authority on 9 December 2020, details of any roller shutters to the ground floor of that commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each commercial units and thereafter retained and maintained in situ.</i></p> | <p>A memo has been submitted alongside this application confirming that no roller shutters will be installed to the resident's lounge.</p>                                                                                                                                                                                                                                                                                                                                                     |
| <p><b><u>Condition 26</u></b></p> <p><i>The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the development and shall remain in operation for so long as the development is occupied.</i></p>                                                          | <p>A lighting scheme has been prepared by GMI and is submitted to discharge Condition 26 in full.</p>                                                                                                                                                                                                                                                                                                                                                                                          |

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| <p><b><u>Condition 28</u></b></p> <p><i>The development hereby approved shall be carried out in accordance with the Crime Impact Statement (version B) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 23 December 2020. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation</i></p>                                                                                                                                                                                                                                                                                                         | <p>A Secure by Design accreditation is submitted is submitted to discharge Condition 28 in full.</p>                                                                                                                                                                                                                                                                                                |
| <p><b><u>Condition 32</u></b></p> <p><i>Notwithstanding the TV reception survey stamped as received by the City Council, as Local Planning Authority, on the 23 December 2019, within one month of the practical completion or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.</i></p> | <p>A Television Post-Construction Survey Report has been prepared by Pager Power. This concludes that the current picture and audio quality of main multiplexes in the immediate shadow of the development has not changed, therefore mitigation is not recommended.</p> <p>This pack is submitted to discharge Condition 32 in full.</p>                                                           |
| <p><b><u>Condition 35</u></b></p> <p><i>Prior to the first occupation of the development a signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Native residential, the future occupiers, have set out the proposed location of future signage for the residential building in plan reference Ref. 0322-TGA-XX-XX-DR-A-05100 (Cheyne Markup); and Ref. 0322-TGA-XX-XX-DR-A-05100 (Cheyne Markup). It is anticipated that signage will form the name of the building and full details will be submitted prior to installation of the signage.</p> |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | These drawings are submitted to discharge Condition 35 in full.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b><u>Condition 36</u></b></p> <p><i>Prior to the first occupation of the development hereby approved, details of the number, siting and appearance bird and bat boxes at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.</i></p> <p><i>The approved details shall be implemented and be in place prior to the first occupation of the development hereby approved and shall thereafter be retained and maintained in situ.</i></p>                                                                    | <p>Tim Groom, the appointed architect for the development, has prepared a Bat Box Location Drawing (Ref. D464-TGA-XX-12-SK-A-85002), which addresses the requirements of this condition.</p> <p>This shows proposed rooftop location of 2 proposed bat boxes, and appearance of the specified Schwegler Wall Mounted Bat Shelter. This is in line with recommendations within the approved Ecology Report, prepared by Penny Anderson.</p> <p>This information is submitted to discharge Condition 36 in full.</p>                         |
| <p><b><u>Condition 39</u></b></p> <p><i>Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the solar panels to the roof (including cross sections).</i></p> <p><i>The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.</i></p>                                                                                                                                                                                              | <p>Roof Level Photovoltaic Panel Layout (Ref. D464-AME-ZZ—R1-DR-E-6112) has been prepared by GMI, the appointed contractors for the development, showing siting and scale of the proposed PV panels on plan and cross section.</p> <p>Further detail on the specification of these PV Panels is contained within the document ‘Solar PV - Technical Submittal’ (Ref. D464-AME-XX-XX-TS-M-0028) prepared by Ameen and submitted in support of this application.</p> <p>This information is submitted to discharge Condition 39 in full.</p> |
| <p><b><u>Condition 41</u></b></p> <p><i>Prior to the first use of the roof terrace as shown on drawing 0322-TGA-XX-11-DR- A-0311 REV P4 stamped as received by the City Council, as Local Planning Authority, on the 24 November 2020, the opening hours for the roof terrace shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall then implemented for as long as the roof terrace remains in use.</i></p> <p><i>There shall be no amplified music or sound on the roof terrace at any time.</i></p> | <p>The Applicant would like to confirm the operation hours of the roof terrace, as shown on drawing 0322-TGA-XX-11-DR- A-0311 REV P4 as</p> <p>Monday – Sunday: 7am-10pm</p> <p>This information is submitted to discharge Condition 41 in full.</p>                                                                                                                                                                                                                                                                                       |

## Application Documentation

The application has been submitted through the Planning Portal, and comprises the following documents:

- Application Form; and,
- Documents listed in Table 1.

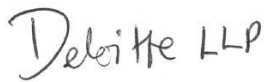
The fee of £116.00 + £32.20 has been paid online.

The Planning Portal Reference number for the submitted condition discharge application is PP-12135691.

We request the Local Planning Authority's written consent that the enclosed information is sufficient to allow the formal discharge of the conditions outlined above.

If you require any further details, please do not hesitate to contact my colleague Eithne FitzGerald ([eithnefitzgerald@deloitte.co.uk](mailto:eithnefitzgerald@deloitte.co.uk) / 0161 455 6963).

Yours sincerely

A handwritten signature in black ink that reads "Deloitte LLP". The signature is written in a cursive, slightly stylized font.

Deloitte LLP