

13 June 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 13, 14 b), 15 b), and 16 b) 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 13, 14 b), 15 b), and 16 b) Submission Documents

Condition Wording	Submission Document(s)
<u>Condition 13</u> The development hereby approved shall be carried out in accordance with the Energy statement prepared by Future Serv stamped as received by the City Council, as Local Planning	As this assessment can only be undertaken post completion of works, the Applicant seeks to agree in writing that a post construction review certificate/statement shall be submitted for

Authority, on the 22 September 2020. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.	approval within 3 months of completing works on Site.
<u>Condition 14 b)</u> <i>Notwithstanding the noise impact assessment stamped as received by the City Council, as Local Planning Authority, on the 23 December 2019,</i> <i>a) 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 (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.</i> <i>b) 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>	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, has been submitted 15 May 2023 via application Ref. CDN/23/0305, which is yet to be determined at time of writing. Subsequently, a Testing Summary Report has been prepared by Environoise Consulting, setting out the results of post completion testing. This report confirms that the predicted plant noise level at the meets the requirements of Planning Condition 14(b) with no further noise mitigation measures necessary. This information is therefore submitted to discharge Condition 14 in full.

Condition 15 b)

Notwithstanding the noise impact assessment stamped as received by the City Council, as Local Planning Authority, on the 23 December 2019,

- 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.*

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:

- Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)*
- Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq*
- Gardens and terraces (daytime) 55 dB L Aeq*

- b) 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*

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, has been submitted 15 May 2023 via application Ref. CDN/23/0305, which is yet to be determined at time of writing.

Subsequently, a Testing Summary Report has been prepared by Environoise Consulting, setting out the results of post completion testing to confirm the noise criteria has been met.

This information is submitted to discharge Condition 15 in full.

<i>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>	
<u>Condition 16 b)</u> <i>a) 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> <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 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> <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</i>	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, has been submitted 15 May 2023 via application Ref. CDN/23/0305, which is yet to be determined at time of writing. Subsequently, a Testing Summary Report has been prepared by Environoise Consulting, setting out the results of post completion testing to confirm the noise criteria has been met. This report confirms that Noise break-out from the Residential Lounge is predicted to exceed target at 2kHz and 4kHz only; however, significantly, is still 5dB below the background noise levels. At the time of measurement, curtain walling was still to be sealed in some small areas, but is considered that the target will be met once the façade is complete. The criteria for noise break-through from the Residential Lounge into the proposed adjoining apartments is met with the proposed separating floor and façade constructions. This information is submitted to discharge Condition 16 in full.

<i>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>	
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Application Documentation

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

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

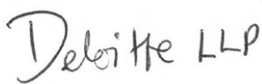
The fee of £116.00 + £ 64.00 been paid online.

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 / 0161 455 6963).

Yours sincerely



Deloitte LLP