

Our Ref: 04C201473
Your Ref: PP-11874171

31 January 2023

Rob Griffin
Manchester City Council Planning
PO Box 532
Town Hall
Manchester
M60 2LA

Dear Mr Griffin

Yew Tree House, Yew Tree Lane, Northern Moor, Manchester, M23 0EA: Section 73 Application to Vary Condition 2 of Planning Permission 134207/FO/2022

Avison Young has been instructed on behalf of Liberty Care Development Limited to submit an application under Section 73 of the Town and Country Planning Act (1990) to regularise matters by varying the wording of Condition 2 of planning permission 133408/JO/2022 at Yew Tree House, Yew Tree Lane, Northern Moor, Manchester, M23 0EA ('the site').

Full planning permission was granted on 13th October 2022 for the following development at the site (LPA reference: 134207/FO/2022):

"Erection of a part two, part three storey 59 bed care home facility including basement, access, landscaping and associated infrastructure following demolition of existing building."

Condition 2

Condition 2 states:

The development hereby approved shall be carried out in accordance with the following drawings and documents:

- *Landscape Layout reference 101 Rev D*
- *Landscape Layout reference 201 Rev C*

As received by the City Council as local planning authority on the 11th October 2022

- *Boundary Treatment Plan reference L0206-106 Rev B*
- *Proposed Site sections reference L0206-130 Rev B*
- *Proposed site plan reference L0206-105 Rev C*

As received by the City Council as local planning authority on the 7th October 2022

- *Ground floor plan reference L0206-111 Rev A*

- *First floor plan reference L0206-112 Rev A*
- *Second floor plan reference L0206-113 Rev A*
- *Proposed elevations Sheet 1 reference L0206-120 Rev A*
- *Proposed elevations Sheet 2 reference L0206-121 Rev A*
- *Proposed elevations Sheet 3 reference L0206-122 Rev A*
- *Recycle Store reference L0206-114 Rev A*

All as received by the City Council as local planning authority on the 7th September 2022

- *Bat Emergence Survey prepared by Rachel Hacking Ecology September 2022*
- *As received by the City Council as local planning authority on the 20th September 2022*
- *Road Safety Audit Stage 1 reference Highway Associates 2022/CR/1667*

As received by the City Council as local planning authority on the 23rd September 2022

- *Environmental Standards Statement prepared by BWB*
- *Lighting Impact Assessment prepared by BWB*
- *Crime Impact Statement prepared by GMP design for security reference 2022/0268/CIS/01 Rev A*

As received by the City Council as local planning authority on the 8th July 2022

- *Television and Radio Reception Impact Assessment prepared by GTech Surveys Limited*
- *Local Labour Agreement Undertaking dated 23/06/2022*
- *Site Waste Management Proforma ref PP-11332213 prepared by Cameron Rose Associates*
- *Geo Environmental Investigation prepared by Earth Environmental and Geotechnical Report Ref: A4701/22/SI/V2 June 2022*
- *Noise Impact Assessment ref 220454 prepared by BWB*
- *Arboricultural Survey prepared by ACS Consulting dated June 2022*
- *Extended Phase1 Habitat Survey and Daytime Bat Survey prepared by Rachel Hacking Ecology April 2022*
- *Proposed basement plan L0206-110 As received by the City Council as local planning authority on the 29th June 2022*

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.'

Following the completion of a Stage 3 Acoustic Design Report, it has become apparent that the proposed boundary treatments will need to be amended to increase the fence height at a small section on the northern boundary of the site, in order to meet Manchester City Council's noise policy requirements. This would result in a section of the closed boarded timber fence on the

northern boundary of the site, surrounding the air source heat pump equipment, increasing in height from 2,100mm to 2,100mm with a 750mm cantilever angled at 45 degrees.

To account for these changes please find enclosed an updated Boundary Treatment and updated Landscape Layout, which shows the amended boundary treatments.

In terms of how to reflect this in condition wording, this application seeks to amend the wording of Condition 2 as follows:

The development hereby approved shall be carried out in accordance with the following drawings and documents:

- **Landscape Layout reference 201 Rev E**
- **Boundary Treatment Plan L0206-106 Rev C**

As received by the City Council as planning authority on 31 January 2023

- ~~Landscape Layout reference 101 Rev D~~
- Landscape Layout reference 201 Rev C

As received by the City Council as local planning authority on the 11th October 2022

- ~~Boundary Treatment Plan reference L0206-106 Rev B~~
- Proposed Site sections reference L0206-130 Rev B
- Proposed site plan reference L0206-105 Rev C

As received by the City Council as local planning authority on the 7th October 2022

- Ground floor plan reference L0206-111 Rev A
- First floor plan reference L0206-112 Rev A
- Second floor plan reference L0206-113 Rev A
- Proposed elevations Sheet 1 reference L0206-120 Rev A
- Proposed elevations Sheet 2 reference L0206-121 Rev A
- Proposed elevations Sheet 3 reference L0206-122 Rev A
- Recycle Store reference L0206-114 Rev A

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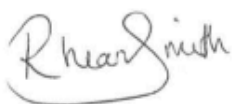
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Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.'

It is noted that the proposed amendments reflect our recent discussions on this matter. The proposed change will not result in any significant adverse impacts to residential amenity and in fact will ensure that appropriate noise levels are achieved to protect residential amenity to the North. As such the amendments clearly accords with relevant Development Plan policies.

I trust that the above details are sufficient to validate the application to allow you to progress it towards determination at your earliest convenience. Should you have any queries, please do not hesitate to contact me.

Yours sincerely



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For and on behalf of Avison Young (UK) Limited